UNIVERSITY OF SUSSEX

Ms Millie Sullivan
By email only to millie@ded1.co

25 April 2023

Dear Ms Sullivan,

Our ref: FOI-23-0059, FOI-23-0063 & FOI-23-0072

Thank you for your correspondence of 27 March 2023, 30 March 2023, and 11 April 2023, in which you requested the following information from the University of Sussex.

Requests

FOI-23-0059

In the below request, the phrase ‘arms trade companies’ relates to, but not limited to:

1. BAE systems
2. Babcock
3. QinetiQ
4. Rolls-Royce
5. Serco
6. Cobham
7. Raytheon
8. Airbus
9. General Dynamics
10. Leonardo MW
11. Lockheed Martin
12. Thales
13. MBDA
14. Elbit Systems
15. Caterpillar
16. MOD
17. DSTL
18. Atomic Weapons establishment
19. GKN
20. Mitsubishi heavy industries

In the below request, the phrase ‘research project' related to, but not limited to:
Any academic research collaborations that involve any staff members or any member of the active student body with companies or institutions who have stakes in the defence industry and arms trade companies.

Could you please provide me with all research projects with any connection to arms trade companies in the last five years. Connections can include sources of funding and/or collaborative research partnership on the research project. Please can these be broken down by financial year, and categorise them accordingly:

a. Title and aim of research project
b. Players (list of companies involved in the research project)
c. Name of university department(s) involved (if applicable)
d. Source of funding for the research project (to be included the source of funding does not have to be an arms trade company)

e. The total amount, in pounds sterling, that the university has received in research funding for this project in the last five financial years. Details should be broken down for this project year-by-year.
f. Timescale of research project - start and end (exact day/month if applicable/available, otherwise by financial years)

FOI-23-0063

In the below request, the phrase ‘arms trade companies’ relates to, but not limited to:

1. BAE
2. Babcock
3. QinetiQ
4. Rolls-Royce
5. Serco
6. Cobham
7. Raytheon
8. Airbus
9. General Dynamics
10. Leonardo MW
11. Lockheed Martin
12. Thales
13. MBDA
14. Elbit Systems
15. Caterpillar
16. Ministry Of Defence
17. DSTL
18. Atomic Weapons establishment
19. GKN
20. Boeing

Please may you provide:

A. Any investment made into an arms trade company, detailing the name of the arms trade company/organisation, amount invested, and type of investment (e.g. bonds, stocks and shares, capital etc.) of that financial year, for the past five financial years.

B. Any investment made into an arms trade company by the university endowment fund organised by name of company/organisation, amount invested of that financial year, for the past five financial years

C. The name of any investment management firm or bank the university uses to make investments, and the amount given to them annually. If they do provide a list of the names of companies/organisations/investments they make on the university’s behalf, please include any investments in arms trade companies provided by this information.

FOI-23-0072

In the below request the phrase the phrase ‘arms trade companies’ relates to, but not limited to:

BAE
Babcock
QinetiQ
Rolls-Royce
Serco
CobhamRaytheon
AirbusGeneral Dynamics

Leonardo MW
Lockheed Martin
Thales
MBDA
Elbit Systems
Caterpillar
Ministry Of Defence
DSTL
Atomic Weapons establishment
GKN
Boeing

'Academic partnership' refers to 'arms trade companies' involvement of any of the following:
1. Graduate schemes/apprenticeships/Careers fair appearances
2. Directly sponsored PhDs or Studentships
3. Public donations - sponsored buildings/libraries etc
4. Company involvement in university departments - i.e. MoD Laboratories, EPSRC centres for doctoral research
5. Dual employment of staff/management or lecturers

Please may I request any information or appearance of arms trade companies in the aforementioned capacities in the past five years.

When referring to option 1, 2, 3 or 4, please may you provide the value:

- Of the donation
- Of the studentship
- Of Graduate schemes/apprenticeships/careers fair appearances
- Of the funding for the department/research centres

When referring to option 3, 4 or 5, please may you provide the:

- Name of the relevant university department or programme if applicable
- Name of the building if applicable
- Name of the dual employed staff member if applicable

The University's response

Your request has been dealt with under the Freedom of Information Act 2000 ("the Act").

The University has taken account of the legislation and guidance issued by the Information Commissioner's Office and considered your requests together.

Having done so, we have determined that, whilst the University may hold some of the information that you have requested, the cost of resources required to retrieve and prepare the information would exceed the appropriate limit under section 12 of the Act. The limit we are required to commit is £450, which is equivalent to 18 hours of staff time charged at £25 per hour. Therefore, on this occasion the University is unable to comply with your requests, which are refused in accordance with section 12(1) of the Act.

You can find out more about the relevant section of the Act, and some guidance points which the University has considered when applying the Act in this response, in the form of a Guidance Note attached to this letter.

In considering the costs, the University has followed the guidance issued by the Information Commissioner's Office in relation to aggregation of requests. We have considered your requests together when assessing whether the appropriate limit is likely to be exceeded. The

ICO's guidance states that the public authority "*can include the costs of complying with two or more requests if the conditions laid out in regulation 5 of the Fees Regulations can be satisfied*".

"*Those conditions require the requests to be:*

- *made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;*
- *made for the same or similar information; and*
- *received by the public authority within any period of 60 consecutive working days.*"

The University considers that the conditions have been met in this case. You have submitted three separate requests between 27 March 2023 and 11 April 2023 and the requests to relate to the same or similar information. We note that the University's relationship and financial arrangements with 'arms trade companies' is the overarching theme / common thread running through the requests.

Additional information has been provided below in relation to the time / costs involved in responding to your requests and you can contact us for further advice.

From the information below you will also note that some of your individual requests, in themselves, would not be feasible within the time limit. This is because it would take more than 18 hours to determine whether the University holds the requested information, and to then find, retrieve and extract the information.

Additional information

The primary difficulty with your requests is the broad range of data requested within them, coupled with the timeframe for which you have requested data, i.e. a period of five years for each request.

In relation to FOI-23-0059, your request for all research activity by any member of staff or students, there are particular difficulties with retrieving this data. The University's Research and Enterprise division has a central record of research activities, but this principally relates to grant-funded research and research undertaken by our staff. That central record would not, for example, cover student research projects such as our undergraduate and postgraduate taught students. To be able to deal with your request, we would need to make enquiries with each School of Study, who would need to review their own records or make enquiries with staff. Additionally, the request asks for a number of different pieces of information in relation to each project, some broken down to quite a granular level. The necessary enquiries would far exceed the time and cost limit outlined above.

Similarly, to fully answer your request regarding academic partnerships (FOI-23-0072) – in which you have included activities such as career fair appearances, apprenticeships, and dual employment of staff – would require us to contact a number of individuals in a variety of different departments (in both Schools and Professional Services) across the University, as the request spans a broad range of activities, individuals, and areas. To undertake this exercise for the years requested is likely to exceed the 18-hour time limit under FOI.

Conclusion

Given the above, the University is declining your requests in accordance with section 12(1) of the Act and we hope that the explanation and additional information provided assists in understanding the application of the time limit.

Should you wish to refine your requests by focusing on one particular area of interest (e.g. donations) or on a shorter timeframe, then it may be possible to accommodate your request

within the time scale. However, please note that any further requests relating to ‘arms trade companies’ received within 60 working days of the last request(s) will be aggregated accordingly for the purposes of considering against section 12(1) of the Act.

If you are not satisfied with this response, you may request a review but this must be within 40 days of receiving this response. In the first instance please write to Alexandra Elliott, the Head of Information Management and Compliance, at the address below. Full details of our Freedom of Information internal review procedure are at: http://www.sussex.ac.uk/ogs/policies/information/foi/procedure.

If you are not satisfied with this response, you may request a review, but this must be within 40 days of receiving this response. In the first instance please write to Alexandra Elliott, the Head of Information Management and Compliance, at the address below. Full details of our Freedom of Information internal review procedure are at: http://www.sussex.ac.uk/ogs/policies/information/foi/procedure.

If you need to contact us about your request, please quote your reference number FOI-23-0059, FOI-23-0063, or FOI-23-0072.

Yours sincerely,

Information Management Team
Division of the General Counsel, Governance and Compliance

EXPLANATION OF THE ACT

You will find additional information about Section 12 of the Act and the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ("**Fee Regulations**") below. Some extracts from the legislation, as well as some of the guidance used when applying it is included.

Section 12 - Exemption where cost of compliance exceeds appropriate limit

> The Act… does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Regulation 3 (3) - The Appropriate Limit

> In the case of any other public authority, (*other than central government and Parliament*) the appropriate limit is £450.

Guidance

The Act provides that a public authority can refuse a request, if complying would cost more than the appropriate limit. The Fee Regulations note that the University can take into account the costs it expects to incur in carrying out the following:

- determining whether the information is held;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

The University considers that it would take longer than 18 hours of work to carry out the above activities in order to respond to your request or provide the information requested.