



University of East Anglia

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05 July 2017

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_17-141)

We have now considered your request of 07 June 2017 for information relating to admissions to the undergraduate nursing courses at UEA for the 2016/17 and 2017/18 academic years.

Our response is on pages 4-5 of this letter, together with a copy of your request.

On this occasion, it is not possible to provide all the requested information. The Act contains a number of exemptions that allow public authorities to withhold certain information from release. We have applied the following exemption to part of your request.

Exemption	Reason
s.43(2), Prejudice to commercial interests	Disclosure of information would be likely to prejudice the commercial interests of a person as defined by the Act

Exemption explanation

We have applied this exemption to the data requested in connection with the academic year 2017/18; that is, to question 1(a), 2(a), 3(a) and 4(a) on the basis that it is our belief that release of this information would be likely to prejudice the commercial interests of the University.

The University has a duty to make effective use of its financial resources and to compete in the Higher Education market, with leading UK and international universities, the University must ensure that information that would be strategically useful to its competitors is not placed in the public domain. Release of such information would potentially compromise the University's ability to attract and recruit the number and quality of students it desires to have within its various undergraduate nursing programmes. The University's position would likely be compromised if it were to release information which would benefit its competitors.

The Information Commissioner's Office has established a multi-criteria test for assessing whether a section 43(2) exemption applies¹ and we will address each criterion in turn.

- Does the information relate to, or could it impact on a commercial activity?

The requested information directly affects our ability to recruit new students, and as such is an important and unique component of the University's key commercial activity; namely, the effective attraction and recruitment of new students in a volume and of a quality that the University desires.

- Is that commercial activity conducted in a competitive environment?

The competitive nature of the HE sector was noted by the Information Commissioner within a 2012 decision notice involving Cranfield University². In this particular case, there are a limited number of UK institutions who offer nursing programmes and there is naturally a significant amount of competition between institutions seeking to attract the best students.

- Is the information commercially sensitive?

We acknowledge that not all admissions information can be considered commercially sensitive. Historical data of prior intakes is well-known and widely shared within the HE community.

However, information relating to activities concerning the current recruitment and admissions cycle is very commercially sensitive. It gives competitors an insight into not only how we are progressing in our recruitment efforts, but also allows them to get a sense of how we are recruiting which could allow them to adopt a different approach to the remainder of the recruitment cycle to UEA's disadvantage.

Additionally, release of the 2017/18 information, particularly that relating to offers made and accepted could potentially influence the behaviour of our current applicants, some of which have not yet made their decision regarding which institution to attend.

This information is not shared within the HE community nor does UEA nor any other institution publicise or release this information at this stage of the recruitment cycle.

- What is the likelihood of the prejudice being caused?

We would also consider it quite likely for such prejudice to our interests to occur, given the sensitivity of the requested information, the consistent treatment of it as commercially sensitive by not only UEA but other Higher Education institutions, and the degree to which the number and value of applicants and subsequent registrants is now critical to any university's success.

We are aware of interest from other institutions in our recruitment position and performance and we certainly would have an interest in having access to similar information from our competitors. We feel confident that our competitors would use such information to 'close the gap', target their activities to counter those that we undertake, and as a consequence, reduce our ability to compete within this market.

As any information disclosed under FOI is published on our website disclosure log, it is certainly possible that a competitor institution could view this information and make use of them to the potential detriment of UEA.

Public Interest

¹https://ico.org.uk/media/for-organisations/documents/1178/awareness_guidance_5_v3_07_03_08.pdf

²https://ico.org.uk/media/action-weve-taken/decision-notices/2012/717656/fs_50392143.pdf

The application of this exemption requires an examination of the public interest in disclosure as opposed to that in non-disclosure.

There is undoubtedly a strong public interest in ensuring that the public has sufficient information regarding how universities attract and recruit nursing students. However, we would counter that there is also a public interest in protecting the ability of institutions to compete on a level playing field and to ensure that there is fair competition between universities for prospective students.

By protecting the University's nursing admissions information for 2017/18 from public disclosure we are acting in line with established practices across the sector within the UK and internationally in maintaining this fair competition. Additionally, we would argue that this interest is adequately met by retrospective data regarding completed cycles available from UEA and from the Higher Education Statistics Authority (HESA).

We do not believe there is a strong public interest in publishing information whose disclosure would be likely to adversely affect the University's ability to compete with other institutions offering the same degree.

On balance, we believe the public interest lies in withholding these specific documents.

We hope this response will meet your requirements, however if you are not satisfied you have the right of appeal. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

https://ico.org.uk/Global/contact_us, or by telephone on 0303 123 1113.

Please note that any material over which UEA has copyright is released on the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information provided.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Dave Palmer
Information Policy and Compliance Manager
University of East Anglia

Response to Freedom of Information Act 2000 request (FOI_17-141)

My questions are as follows:

1a) How many applications to undergraduate nursing courses did you receive for the 2017/18 academic year?

[Information exempted pursuant to s.43(2), Freedom of Information Act]

The requested information is exempted from release for the reasons noted in the above letter.

1b) How many applications to undergraduate nursing courses did you receive for the 2016/17 academic year?

2025 applications were received for the UEA undergraduate nursing course for the 2016/17 academic year.

2a) How many places do you have on undergraduate nursing courses for the 2017/18 academic year?

[Information exempted pursuant to s.43(2), Freedom of Information Act]

The requested information is exempted from release for the reasons noted in the above letter.

2b) How many places did you have on undergraduate nursing courses for the 2016/17 academic year?

413 places were available for the UEA undergraduate nursing course for the 2016/17 academic year.

3a) How many offers have you made to undergraduate nursing applicants so far for the 2017/18 academic year?

[Information exempted pursuant to s.43(2), Freedom of Information Act]

The requested information is exempted from release for the reasons noted in the above letter.

3b) 07 J

660 offers were made for the UEA undergraduate nursing course for the 2016/17 academic year.

4a) How many of your offers have been 'firmly' accepted (as a first choice) by undergraduate nursing applicants so far for the 2017/18 academic year?

[Information exempted pursuant to s.43(2), Freedom of Information Act]

The requested information is exempted from release for the reasons noted in the above letter.

4b) How many of your offers had been 'firmly' accepted (as a first choice) by undergraduate nursing applicants at the same time last year for the 2016/17 year?

365 offers were firmly accepted (as a first choice) by applicants to the UEA undergraduate nursing course for the 2016/17 academic year.