



University of East Anglia

Information Compliance (ITCS)

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30 April 2018

Dear

**Freedom of Information Act 2000 – Information request (ref: FOI\_18-082)**

We have now considered your request of 02 April 2018 for information relating to the UEA Council’s role and actions in relation to publications issued by UEA.

Our response is on pages 3-4 of this letter, together with a copy of your request.

On this occasion it is not possible to provide all the requested information. In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm that the University does not hold information relevant to question 7 of your request. Further information is on page 4 of this letter.

Additionally, 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.41(1), Information obtained in confidence	Release of some of the requested information would constitute an actionable breach of confidence by UEA

*Exemption explanation*

We believe that s.41(1) exempts the release of some of the requested information; specifically the information relevant to question 6 of your request.

We do hold relevant information; namely an audit report by PwC submitted to the University for consideration by Council at its meeting of 02 June 2017 in relation to the University’s Transparent Approach in Costing (TRAC) submission. This report did touch on the quality of the statistics/information sets submitted for publication nationally.

This report was obtained in confidence from a third party, namely Pricewaterhouse Coopers (PwC), and we believe the disclosure of the information to the public would constitute a breach of confidence by ourselves actionable by PwC.

PwC has indicated that this information was given to us in confidence with an expectation of confidence.

We believe this information was given to us in confidence because there was no expectation on the part of either UEA or PwC that this report would be distributed outside UEA. This report, and all others like it have been consistently treated as confidential in past. The information the report contains is sensitive to UEA as it is an assessment of the quality of our data gathering and statistics, and there is an explicit statement on the report declaring it to be confidential in nature.

We are aware that the common law duty of confidence contains an inherent 'public interest test' which must be considered in order to decide if the information is exempt. Confidential information should be withheld unless the public interest in disclosure outweighs the public interest in maintaining the duty of confidence. Having applied this test, we see no advantage to the public in receiving the requested information and consider that disclosure would undermine the principle of confidentiality and that this far outweighs any benefit that the disclosure would present for the public.

We hope this information 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](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\_18-082)

*1. Has the UEA Board of Governors/Council formally adopted the Committee of University Chairs Code of Governance 2014? If not, does it nevertheless seek to follow the principles of the code?*

Yes. The Council undertook an effectiveness review using the Code of Governance as its reference point. Minute 43 of the minutes of the Council meeting of 18 January 2016 address this point.

<https://portal.uea.ac.uk/documents/6207125/11913045/coumins18012016lr.pdf/>

*2. Which sub-committee of the council has responsibility for ensuring the accuracy and honesty of published information about the universities activities?*

There is no committee that has the accuracy and honesty of information published by UEA as a specific term of reference. The UEA Audit Committee commissions internal audit reports based on reviews of the key corporate risks and in association with the internal auditors. There is at least one area relating to the provision of factual data which is reviewed annually.

*3. Has the council or a sub-committee received assurance that its publications provide accurate and honest information about its activities. When was that and how was that done?*

No, there has been no explicit assurance in relation to all publications. However, the Audit Committee, in its 2017 report to Council, made reference to the quality control of statistical information submitted for publication as follows:

*“Audit Committee is required to provide an opinion on the quality of the data submitted to HEFCE, the Higher Education Statistics Agency (HESA), the Student Loans Company (SLC) and other regulatory bodies. Key data returns are prepared by experienced members of staff. Outputs from these returns are reviewed by managers for reasonableness and we make use of the facilities provided by HEFCE. Data queries that are generated either by this review or as a result of HEFCE review are fully investigated.”*

*4. Has the council or a council sub-committee requested an audit review of quality management systems within the publications process? When was that and how was that done?*

Each year the UEA Audit Committee, working in conjunction with the internal auditors, identifies an area of data reporting on which to undertake an internal audit. Internal Audit has reviewed compilation of the TRAC return (2016/17) and is reviewing the compilation of the Unistats/Key Information Sets data return (2017/18).

*5. Please may I have copies, or please will you direct me to, minutes of council or council sub-committee meetings in the past two years where these matters have been discussed (the accuracy and honesty of published information about the universities activities; an audit review of quality management systems within the publications process.)*

The Minutes of Audit Committee meeting of 02 June 2017 re. TRAC includes the following statement:

*“TRAC. Noted that action points will be met in time for next TRAC submission.”*

*6. I would also like a copy the reports or audit review considered by the governors in relation to this issue.*

***[Information exempted pursuant to s.41(1), Freedom of Information Act]***

The information relevant to this question is exempted for the reasons noted in the above letter.

*7. Did council or a council subcommittee discuss the November 2017 Advertising Standards Authority ruling against UEA? If so please will you provide me with or direct me to the minutes of that discussion?*

***[Information not held - s.1(1)(a), Freedom of Information Act]***

No, this matter was not discussed, therefore we hold no information relevant to this part of your request.