



University of East Anglia

Information Compliance (ITCS)

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23 July 2019

Dear

**Freedom of Information Act 2000 – Information request (ref: FOI\_19-181)**

We have now considered your request of 26 June 2019 for information about revenues connected with graduation ceremonies.

Our response is on page 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 in relation to question 1 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.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*

The s.43(2) exemption applies to any revenues received from our designated gown and photography supplier, Ede & Ravenscroft. It is our belief, supported by direct evidence provided by Ede & Ravenscroft, that release of this information would be likely to prejudice the commercial interests of that firm.

The sale and purchase of gowning and robing services is undoubtedly a commercial activity, which is conducted in a competitive environment. The University must obtain the best deal for its gowning and robing services, and there are a number of companies seeking to provide those services who are required to compete against one another to win business with UEA, and in the higher education sector as a whole.

It is our position that the revenue realised from the gowning and photography services provided by Ede & Ravenscroft is commercially sensitive information. This is because the information we hold, when taken in combination with the number of

graduates and published unit pricing information, would be likely to reveal the return to Ede & Ravenscroft.

Ede & Ravenscroft have explicitly stated that they consider this information to be commercially sensitive and that they do not, and would not expect to, hold this information about their competitors.

Under FOI, release to one requester can be considered as release to the world, and if we were to release this information it would be available to competitors. We are aware that this information is being sought from a large number of higher education institutions within the UK, apparently in order to provide a picture of the commissions paid across the sector. Competitors' use of such information would put Ede & Ravenscroft at a distinct disadvantage in any tendering process within the higher education sector.

Ede & Ravenscroft have told us that they feel that release of the revenue information would prejudice their competitiveness in this market. Given the competitive nature of the market in question, the commercial sensitivity of the information, we believe there is a strong possibility that this information would be used, and that the prejudice would occur.

#### *Public Interest Test*

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

The factors in favour of disclosure would include:

- Increasing public understanding of the provision of graduation robing and photography services to the higher education sector
- Enhancing the transparency and openness of the procurement process
- Increasing public confidence in the integrity and probity of the procurement of these services
- There is a general public interest in the provision of graduation robing and photography services to the higher education sector

Factors in favour of withholding the information are largely laid out in the explanation for the use of the exemption above, but would include:

- Ensuring there is fair competition for public sector contracts
- Protecting the ability of bidders to compete on a level playing field
- Preventing a distortion of the tendering process that would have the potential effect of raising costs to the public sector and/or reducing the quality of services procured

After consideration of the above factors, we believe, on balance, that the public interest lies in maintaining in the exemption.

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 40 working days of the date of this letter. In line with section 5.3 of the Freedom of Information Code of Practice, we are not obliged to accept internal reviews after this date.

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 Compliance Manager  
University of East Anglia

## Response to Freedom of Information Act 2000 request (FOI\_19-181)

*Could you please provide me with the following information regarding graduation ceremonies for the academic years, separately, 2016/17 and 2017/18:*

*What revenues, either monetary or other, has the University received from associated service costs such as any payments / bonuses / commission fees received from the designated gown and/or photography suppliers?*

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

UEA does not realise any revenue from associated service costs as described above. All such revenues are passed directly to the Union of UEA Students (UUEAS) and no record is kept of them by the University. The UUEAS is a separate body from UEA for the purposes of the Act.

*How much in £ value has the University received in revenue from the designated gown and/or photography supplier?*

*Please specify where possible whether the amount received was from the University's designated gown supplier or photography supplier or a supplier of both. Please also specify whether the amount received was from one supplier only or from multiple different suppliers.*

*If the University does not have a designated supplier of gowns and/or photography, could you please provide the requested information, but for any gown and/or photography supplier with which the University has or has had a business relationship in the relevant years?*

*If the University has records of these revenues but for financial years different to the academic years, could you please provide the relevant information for the roughly corresponding financial years over the period 2016 to the most recent financial year that has already ended? Please specify if this is the case.*

One firm, Ede & Ravenscroft, supplies both gown and photography services and any revenues received come from this firm alone.

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

The revenue realised from our gown and photography supplier is exempted from release for the reasons noted above.