

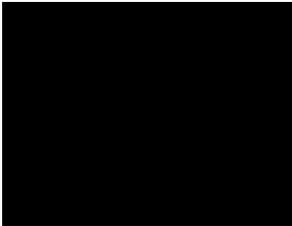


University of East Anglia

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30 April 2019

Dear [Redacted]

**Freedom of Information Act 2000 – Information request (ref: FOI\_19-101)**

We have now considered your request of 02 April 2019 for information relating to the University’s Brexit preparations and marketing in relation to EU recruitment.

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 relevant to the last 2 questions 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*

We have applied this exemption to the information requested in question 2: the amount spent by the University on marketing in relation to EU recruitment since the referendum on 23 June 2016. It is our belief that release of this information would prejudice the commercial interests of the University.

The UK Higher Education sector is a highly competitive environment. Regulatory changes in recent years, such as the lifting of the cap on university places in England, have increased competition between institutions. Universities all seek to recruit the best students from a limited pool of prospective UK and international applicants

With regard to the requested information, UEA, in common with other universities, undertakes various advertising activities with the aim of promoting the institution to our target markets, at home and overseas. This is a vital marketing activity that directly affects our ability to compete within the sector. Information about how UEA markets itself to potential students can therefore be seen as commercially sensitive.

There is a linkage between marketing expenditure and our ability to attract the desired number and quality of students. Awareness of an institution's course offering, academic reputation, and the local setting is key to any prospective student's decision to attend. The marketing materials available to any prospective student are critical to shaping such awareness.

Expenditure on specific marketing 'target audiences' (such as EU nationals) is regarded as a key indicator of our marketing strategy. The manner in which we direct funding to create a comprehensive and engaging marketing strategy and organise our marketing activities provides us with a possible advantage compared to those competitors who undertake this activity less effectively. The expenditure in any particular area is core to how we target potential students and is considered highly sensitive information.

We do not share any details of our tactical marketing activities or funding with competitors, particularly in key areas of marketing strategy, such as expenditure in relation to our primary target audiences.

In a very crowded and competitive commercial environment, should the amount of such expenditure be revealed, other institutions will be able to adjust their marketing to match or exceed our activity and thereby impair our ability to recruit quality students.

We believe it is likely that such prejudice to our interests would occur, given the consistent treatment of the information as commercially sensitive, by not only UEA but other Higher Education institutions, and the degree to which the recruitment of the number and nature of applicants is now critical to any university's success.

Our Marketing department would certainly use such information from our competitors. We already have reason to believe that other institutions monitor our marketing activities and attempt to match or exceed them. It seems inconceivable that they would not use additional information in the same manner.

#### *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 marketing expenditure of this University
- Enhancing the transparency and openness of the marketing process
- Increasing public confidence in the integrity and probity of the marketing process

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

- Protecting the ability of public authorities to compete on a level playing field
- Preventing a distortion of the advertising market for Higher Education recruitment that would have the potential effect of unfairly altering the market for students amongst institutions.

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\_19-101)

*How much has your university spent on legal fees relating to Brexit since the referendum 23 June 2016? Please break this down by academic year (2016-2017, 2017-18, 2018-19) and say how much was spent per year. Please also specify (if possible) what the legal fee money was on (eg a lawyer for an academic).*

Our response is in the table below.

<i>Academic Year</i>	<i>Amount</i>	<i>Service</i>
2015/16	£0.00	Not applicable
2016/17	£22,418.52	Advice on status of EU students post-Brexit
2017/18	£0.00	Not applicable
2018/19	£1,800.00	Briefings for Human Resources
Total	£24,218.52	

*How much has your university spent on marketing in relation to EU recruitment since the referendum 23 June 2016? Please break this down by academic year (2016-2017, 2017-18, 2018-19) and say how much was spent per year. Please also specify (if possible) what the marketing money was on*

### ***[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.

*Have you hired any new staff to deal with no-deal planning for Brexit?*

*Please state what roles have been appointed and when, including the salary given to staff in these roles.*

No.

*How much staff time has been spent on Brexit-related risk management since the referendum 23 June? Please break this down by academic year (2016-2017, 2017-18, 2018-19) and say how much was spent per year.*

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

The University has no recorded information to indicate how much staff time has been spent on Brexit-related risk management since 23 June 2016.

*Please provide a copy of your universities no-deal Brexit plan.*

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

Whilst the University does hold minutes of our Brexit preparation meetings we do not hold any document that could be described as a no-deal Brexit plan.