



University of East Anglia

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Dear [REDACTED]

Freedom of Information Act 2000 – Information request (ref: FOI_16-104)

We have now considered your request of 25 April 2016 for information relating to the University’s marketing spend and student numbers. Our response is on page 4 of this letter, together with a copy of your request, and we hope this will meet your requirements.

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

Exemption	Reason
Section 43(2), Prejudice to commercial interests	Disclosure of information would, or would be likely, to prejudice the commercial interests of a person as defined by the Act
Section 44(1)(a), Prohibitions on disclosure	Disclosure is prohibited by or under any enactment

The **Section 43(2)** exemption applies to questions 1, 2, 4, 5 and 6b in entirety, and part of question 3. We believe release of this requested information would harm the University’s commercial interests.

The UK Higher Education sector is a highly competitive environment. Recent regulatory changes, 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, as well as competing to attract high quality staff, research funding and accreditation.

Student recruitment is undoubtedly a commercial activity for all universities. The University’s success in recruiting students, and the manner in which we do so, directly affects both our reputation and financial position. It follows that information about how the University markets itself to potential students, as well as the budgeted and expected student numbers, can be seen as commercially sensitive.

We do not publish this information on student numbers. To do so would reveal our strategy to competitor institutions, and these figures may also present a false picture of demand for places at the University which could in itself affect applicant numbers.

Without knowing whether or not an institution has raised or lowered its published typical offers, or changed other elements of their courses, it is not possible for a potential student to draw any meaningful conclusion from such figures, either in comparison with other institutions or previous years' data.

With regard to the requested marketing 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 activity that directly affects our ability to compete within the sector.

The manner in which we direct funding to create a comprehensive and engaging marketing strategy provides us with a possible advantage compared to those competitors who undertake this activity less effectively. We do not share any details of our tactical marketing activities with competitors, as even a total or historical figure for marketing spend would provide them with the insight to match and potentially exceed our activities.

Similarly, disclosure of information revealing our marketing staffing costs and headcount over time would reveal our strategy, in terms of whether we were devoting more or less resource to marketing, as well as our emphasis on recruitment of international students. Again, this is not information we would choose to make publicly available and we believe the University's position would be significantly compromised if competitor institutions were to obtain this knowledge about our activities.

Public Interest Test

When considering the application of the section 43 exemption we are required to assess the public interest in withholding or disclosing the requested information.

We acknowledge there may be a public interest in understanding how a University allocates funds to a particular resource, and that publication of this information would further the transparency and accountability of public authority activities. There is also a general interest in the numbers of students who choose to attend different universities, including UEA, and understand that this knowledge may aid comparison between institutions.

We believe the interest in student numbers is likely to be met by the information we have provided, and the data publicly available elsewhere. We would also contend there is 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 marketing information from public disclosure we are acting in line with established practices across the sector and maintaining this fair competition.

Any distortion of the process could potentially inhibit the ability of students to make a properly informed decision regarding their education. Given the importance of student recruitment to the sector as a whole, we would argue this is not in the public interest. On balance, we believe the public interest lies in maintaining this exemption.

Section 44(1)(a) of FOIA permits the University to withhold information if its disclosure would be prohibited by law. We believe disclosure of some of the requested information would infringe the Competition Act 1998. This Act prohibits agreements, decisions or practices which have as their object, or effect, the prevention, restriction or distortion of competition.

Any information disclosed by the University under FOIA is placed in the public domain, where it could potentially be accessed by competitor universities. We are therefore required to exercise caution in considering requests for any strategically useful information, where disclosure may constitute an indirect exchange of information with those institutions that would infringe competition law. It can be

presumed that recipients of strategically useful information will use it when determining their own commercial strategies unless proven otherwise.

Information about our marketing spend and staffing (as requested in questions 1a and b, 2, 4 and 6b) and the budgeted and anticipated student numbers (questions 3 and 5) is undoubtedly strategically useful. As noted above, such information is not made public, largely because we believe it could aid competitor institutions to our own detriment. The free competition between institutions would therefore be adversely affected, in breach of the provisions of the Competition Act.

Section 44 is an absolute exemption and the University is not required to consider the public interest in the release of this data.

We hope this explains our position but 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

Ellen Paterson
Information Policy and Compliance Manager
University of East Anglia

Response to Freedom of Information Act 2000 request (FOI_16-104)

1. a) What was the university's total annual marketing / student recruitment spend (i.e. overall spend on promoting the university to potential students / other relevant parties)? Please note that I expect that for administrative reasons some of these costs may sit in the admissions department or similar. [I would like to know this information for each year from 2011 until 2015]

1. b) What was the breakdown of the university's annual marketing spend per general area as per the below (or as close as possible)? Please indicate which of these are included in / excluded from the total as per 1.a). [I would like to know this information for each year from 2013 until 2015]

- Internal staff / office costs
- Recruitment agents (e.g. international agents)
- Lead generation and provision
- Direct mail marketing
- Printing (e.g. prospectuses)
- Offline media purchase (TV, posters, press / magazine)
- Website design and operation (incl. any search engine optimisation)
- Search engine marketing / Pay-per-click advertising (e.g. with Google)
- Other online display advertising
- Campaign management or outsourced campaigns (e.g. to an advertising agency)
- Events
- Other [please specify what is included]

[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]

2. In 2014 and 2015, what percentage (roughly) of the university's total annual marketing spend was dedicated to international (non-UK) marketing? Please provide a split for staff salaries vs. non-salary expenses on international (non-UK) marketing as a percentage of university's total annual marketing spend in each year.

[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]

3. What were the university's total student volumes by stage of enrollment process? [I would like to know this information for each year from 2013 until 2015]

Undergraduate:

- Budgeted total number of new students
- Actual number (roughly) of students enrolled before clearing
- Actual number (roughly) of students enrolled during clearing
- Actual total number of new students enrolled

Year	Budgeted total number of new students	Number of students enrolled before clearing*	Number of students enrolled during clearing**	Total number of (UK and outside UK) new students enrolled
2013/14	[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]	3236	252	3488
2014/15		3054	239	3293
2015/16		3984	189	4173

* All (UK & outside UK) students enrolled in UCAS Main Scheme

** Total number of new students enrolled after UCAS Main Scheme (post 30th June)

Postgraduate:

- Budgeted total number of new students
- Actual total number of new students enrolled

Year	Budgeted total number of new students	Total number of new students enrolled
2013/4	[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]	2343
2014/5		2104
2015/6		2010

4. What is the university's total annual marketing budget for 2016 and 2017? If the budget has not been drafted yet for either of the two years, please indicate if the spend is expected to be higher / same (+/- 10%) / lower than in 2015.

[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]

5. What is the expected number of new students for undergraduate and postgraduate programmes in 2016 and 2017? [Please provide a split for undergraduate vs. postgraduate programmes in each year]

[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]

6. a) Who are the individuals who led the university's marketing from 2011 to 2015 (i.e. the equivalent of Chief Marketing Officer / Director of Marketing)? [Please indicate the name, job title and tenure period for each individual]

The University's equivalent post would be our Director of Admissions, Recruitment and Marketing.

From 2011 to August 2013 the post holder was Mark Barlow: Director of Admissions, Recruitment and Marketing.

From September 2013 to the present day it is: Angelina Bingley: Director of Admissions, Recruitment and Marketing.

6. b) What was the university's marketing full-time staff headcount? [I would like to know this information for each year from 2011 until 2015]

[Information exempted pursuant to s.43(2) and 44(1)(a), Freedom of Information Act]