



Information Services Directorate

Library
University of East Anglia
Norwich Research Park
Norwich NR4 7TJ
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523
Fax: +44 (0) 1603 591 010

Web: <http://www.uea.ac.uk>

[REDACTED]

19 February 2015

Dear [REDACTED]

Freedom of Information Act 2000 – Information Request (Our Ref: FOI_15-020)

We have now considered your request of 30 January 2015 for information relating to applicants and criminal convictions. Our response can be found on pages 3-6 of this letter together with your original request.

However it is not possible to provide all the requested information. Firstly, 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 the requested information for the academic year 2010/11.

In addition, 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:
s.40(2), Personal information

Reason:
Disclosure of information would contravene one of the data protection principles

Information about an individual's criminal convictions represents sensitive personal data as defined by section 2 of the Data Protection Act 1998 (DPA). We have applied this exemption because we have determined that some of the data you have requested (specifically the questions on courses applied for and age of applicant) may, in combination with other data requested, lead to identification of individuals involved.

When a request is made under FOIA for information that includes personal data we are required to consider whether disclosing those data would breach the data protection principles contained within the DPA. The University must also take into account that any information released under the Act will be placed in the public domain, through our own disclosure log or by other means.

We believe that disclosure of the requested information would breach the first data protection principle under the DPA; namely that information must be fairly and lawfully processed, and that the processing also meets one of the conditions set out in Schedule 3 of that Act.

We note that none of the information about an individual applicant's criminal convictions is publicly available. The individuals concerned would not have had a reasonable expectation that this information would be made public, either now or at the time of application. We do not think there is a legitimate interest in disclosing this information to the public, particularly as release of some of the information could cause damage or distress to the individual(s) concerned. We have therefore concluded that disclosure of this information would not be fair.

To avoid identification we have replaced the exact age of applicant with a decadal age range, and details of exact course with the name of the University Faculty within which the course of study sits. Additionally, we are providing only the number of applicants rejected on the basis of a criminal conviction without any of the further details (i.e. gender, age, conviction type and course applied for) that you requested for each of these individuals.

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

You have the right of appeal against this decision. If you wish to appeal, please set out in writing your grounds of appeal and send to me at the above address.

You must appeal our decision 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 whose [contact details](#)¹ can be found on their website.

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

Yours sincerely

David Palmer
Information Policy and Compliance Manager
University of East Anglia

¹ https://ico.org.uk/Global/contact_us

Response to Freedom of Information Act 2000 request (FOI_15-020)

This is a request for information under the Freedom of Information Act.

I would like to know:

1. *How many undergraduate applications were made by people with unspent convictions for the years 2015, 2014, 2013, 2012, 2011 and 2010?*

Information relating to applications submitted within the 2011/12 and 2012/13 academic years is on our website in response to [a prior request](#).² Please note that the reference to convictions in the prior request is largely equivalent to your request for 'unspent convictions' as the [UEA Criminal Convictions Policy](#)³ states that only unspent convictions are to be reported as part of the application process. However, as we hold only the data supplied by applicants, there may be some spent convictions included in the total number of applications and any subset thereof.

For 2013/14 and 2014/15 figures, see the tables below. In relation to the 2014/15 figures, it should be noted that these are incomplete figures for all attributes as the application cycle is still in progress.

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

Information is not held for the academic year 2010/11.

a) I would like the figures to show the following information on the applicants':

> gender

Information relating to applications received within the 2011/12 and 2012/13 academic years is within the response to the prior request noted in question 1 above.

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

Information is not held for the academic year 2010/11.

Gender	2013/14	2014/15
Female	28	14
Male	26	18
Total number of applicants declaring a criminal conviction	54	32

> age

[Exact information exempted pursuant to s.40(2), Freedom of Information Act]

We have exempted release of the exact information requested for the reasons noted in the above letter. Information is 'rounded up' to the age ranges presented below.

Information relating to applications received within the 2011/12 and 2012/13 academic years is within the response to the prior request noted in question 1 above.

Please note that the age reported is that as of the date of application.

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

² https://portal.uea.ac.uk/documents/6207125/6884169/FOI_14-048.pdf/af029692-45be-473b-8951-4281e878066f

³ https://portal.uea.ac.uk/documents/6207125/6884169/FOI_14-048+Appendix+A.pdf/5dbfadd2-8715-415e-af44-dec0c4da5b34

Information is not held for the academic year 2010/11.

Age group	2013/14	2014/15
Under 20	3	4
20-29	28	15
30-39	13	6
40-49	8	7
Over 50	2	0
Total number of applicants declaring a criminal conviction:	54	32

> conviction type (e.g. theft, sexual or violent crime)

Information relating to applications received within the 2011/12 and 2012/13 academic years is within the response to the prior request noted in question 1 above.

Please note that the description of the type of conviction is that taken from the information supplied by the applicants themselves and that, due to multiple convictions, the number of conviction types will be in excess of the number of applicants reporting convictions.

Additionally, as noted in question 1 above, as we hold only the data supplied by applicants, there may be some spent convictions included in the list of conviction types presented below.

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

Information is not held for the academic year 2010/11.

Conviction type	2013/14	2014/15
Affray	2	
Aggravated Battery		1
Aggravated Assault in the Second Degree		1
Arson	1	
Assault	9	
Assault occasioning in ABH		1
Attempted Robbery	1	
Battery		4
Benefit Offense	3	
Car tax offense	4	
Causing assault while resisting arrest		1
Common Assault		1
Common Assault with Battery		1
Criminal damage		1
Damage to property/vandalism/criminal damage	3	
Drink Driving	10	6
Drinking in Public Place	1	
Drug Possession	8	4

Drunk and disorderly		2
Fraud	1	1
GBH	2	
Indecent Exposure	1	
Immigration`		1
Manslaughter		1
Money laundering		1
Non-payment of train fare		1
Non-payment of TV licence		1
Non-violent harassment		1
Not informing of change in status re Social Security Administration Act 2002		1
Obstructing police		1
Obtaining property by deception		
Other Drinking	2	
Other Driving offence	12	
Possession of a weapon	2	
Robbery	1	1
Shoplifting		4
Theft	13	4
Unacceptable behavior	1	
Threatening language		1
Total number of convictions	77	42

> course applied for

[Exact information exempted pursuant to s.40(2), Freedom of Information Act]

We have exempted release of the exact information requested for the reasons noted in the above letter. Information aggregated to the Faculty level is presented below. It should be noted that some applicants will apply to more than one course of study in more than one Faculty.

Information relating to applications received within the 2011/12 and 2012/13 academic years is within the response to the prior request noted in question 1 above.

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

Information is not held for the academic year 2010/11.

Faculty	2013/14	2014/15
Faculty of Arts and Humanities	6	2
Faculty of Medicine and Health Sciences	24	20
Faculty of Science	5	3
Faculty of Social Sciences	22	7
Total	57	32

> *Whether the application was accepted or rejected*

Information relating to applications received within the 2011/12 and 2012/13 academic years is within the response to the prior request noted in question 1 above. Please note that we are providing figures for places offered to applicants.

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

Information is not held for the academic year 2010/11.

Application outcome	2013/14	2014/15
Place offered	36	11 ⁴
Application rejected	18	5
Application withdrawn	2	1
Total	56	17

I would also like to know for each year:

How many applications were rejected on the grounds of their criminal records (specifying gender, age, conviction type and course applied for)?

Four (4) applications submitted in 2013/14 were rejected solely on the grounds of their criminal convictions.

One (1) application submitted in 2014/15 was rejected solely on the grounds of their criminal record.

[Exact information exempted pursuant to s.40(2), Freedom of Information Act]

We have exempted release of the detailed information requested in relation to these applications for the reasons noted in the above letter.

⁴ Note: As the 2014/15 cycle is in progress this figure represents only the number of unconditional offers made (8) and the number of conditional offers made (3). There are applications that have cleared the Criminal Conviction Review but have not as yet received academic approval (10), and other still awaiting the completion of the Criminal Conviction Review (5).