



**By e-mail:** Christi Ting  
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Freedom of Information Office  
4 West  
University of Bath  
Claverton Down  
Bath  
BA2 7AY

13 November 2020

Dear Ms Ting

**Request for information under the Freedom of Information Act (FOIA), 2000 – 2020/252**

Your request was received on 17 October 2020 and was handled under the provisions of the Freedom of Information Act, 2000. It is copied below for your reference.

*'Provide admission statistics (last three years) for the following MSc courses respectively instead of combined finance suite statistics.*

- MSc in Finance
- MSc in Finance with Banking
- MSc in Finance with Risk Management
- MSc in Accounting & Finance
- MSc in International Management
- MSc in Management

*Entries include:*

- Applications received
- Offers made
- Offers made to students in Taiwan
- Offer holders (Taiwanese students) for each year broken down by (1) the university they have attended for undergraduate study and (2) their major.

Section 1(1) usually entitles you to be told whether the requested information is held and have that information provided to you unless it is judged to be exempt from disclosure.

The University's reports to the Higher Education Statistics Agency data may be useful to your research: <https://www.hesa.ac.uk/data-and-analysis/students>

Further details are withheld under sections 40(2) and 43(2) of the Freedom of Information Act. See below for exempted information.

Exempted Information

Information concerning applications, offers and enrolments in 2020/21 has been withheld under section 43(2) of the FOIA, which applies when disclosure would or would be likely to prejudice the commercial interests of any organisation, including the university itself. Section 43 is a qualified exemption, which means that once the likely commercial prejudice has been identified, public interest factors for and against disclosure must be considered.

Following the execution of a public interest test we concluded that public interest is better served by maintaining the section 43(2) exemption: the public interest factors in favour of disclosure are

outweighed by the harm to the university's commercial interests that would be likely to result from disclosure of this information.

The University operates in an increasingly competitive environment, facing international and national competition from long-established and well-known universities. Releasing this information would put into the public domain details that would benefit our competition in the United Kingdom and beyond, and potentially harm the University's interests. The information would be strategically useful to the University's competitors and provide them with very current inside knowledge and market data.

The University notes that disclosure under the FOIA must be considered as disclosure to the public at large and considers that releasing the information would be likely to prejudice its commercial interests by providing commercial intelligence that would give unfair advantage to its competitors, which would be likely to affect the University's position in the market. For the reasons above and in the context of an organisation that conducts teaching and research for the public benefit, it is concluded that the public interest in disclosure does not outweigh the likely harm to the commercial interests of the university. The public interest weighs in favour of maintaining the exemption in this instance.

Under section 40(2) of the Freedom of Information Act, where personal information is exempt if disclosure to a third party would breach the first data protection principle. The University considers that where low numbers are involved, there is sufficient risk that individuals would be identified (by triangulation of requested data with other information held or otherwise known). Therefore we are also withholding information about enrolment numbers by course under s40(2).

The University considers that disclosure of numbers of students by course, university attended etc would reveal personal data relating to specific identifiable individuals due to the small numbers involved and that disclosure would constitute a breach of the first data protection principle, fair and lawful processing as set out in Article 5(1) of the GDPR and section 34(1) of the Data Protection Act 2018. In reaching this conclusion the University is mindful of the conditions for fair and lawful processing outlined in Data Protection and has judged that students have a reasonable and legitimate privacy expectation that their personal details are only processed according to the conditions outlined in the University's Data Protection Statement for Student Registration: [www.bath.ac.uk/student-records/dpstatstu.htm](http://www.bath.ac.uk/student-records/dpstatstu.htm)

The individuals concerned have not consented to disclosure in this context and have a legitimate privacy expectation that their personal details would not be disclosed. The relevant schedule 2 condition that applies in determining whether disclosure would be fair is condition 1 (consent). The relevant schedule 2 condition that applies in determining whether disclosure would be fair is condition 1 (consent).

If you are dissatisfied with any aspect of how your request was handled you may ask the University to conduct an internal review. A request for an internal review must be submitted within 40 working days of receipt by you of this response. Requests received outside this period will only be considered at the University's discretion and where there is a valid reason to do so.

Applications for internal review should be emailed to: The Freedom of Information Team, [freedom-of-information@bath.ac.uk](mailto:freedom-of-information@bath.ac.uk) or addressed in writing to University of Bath, Claverton Down, Bath, BA2 7AY.

If you remain dissatisfied you may appeal to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Further details of this process are available via the following link: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/> Please note that the Information Commissioner will only consider appeals once the internal review process has been completed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Bean', with a stylized flourish at the end.

D Bean  
Freedom of Information Officer