



**London
South Bank
University**

EST 1892

Data Protection and Information Compliance
Governance, Information and Legal Team
103 Borough Road
London SE1 0AA
Email: foi@lsbu.ac.uk

25 February 2020

Dear Dirk Eisman,

Freedom of Information Act 2000 - Information Request Ref: FOI 2022

Further to your Freedom of Information request on 30 January 2020, London South Bank University (LSBU) has now considered your request and completed its search for the information requested. Our response is below, together with a copy of your request.

We regret that on this occasion it is not possible to provide all the information requested. This letter acts as a refusal notice in line with section 17 of the Act. The Act contains a number of exemptions that allow public authorities to withhold certain information from release to the public domain. The following exemption has been applied to your request:

Section 43 (2) – Commercial Interest

Section 43(2) FOIA 2000: "Information is exempt information if its disclosure under this Act would, or would likely to prejudice the commercial interest of any person (including the public authority holding it).

We can confirm that we do hold information relating to your request. Releasing the requested information would prejudice the Confucius Institute and the University's commercial interests. This is because the information compromises commercial arrangements between the parties and the terms on which LSBU hosts and operates the Confucius Institute. Disclosing agreements and supplementary agreements with Hanban and the Heilongjiang University of Chinese medicine /Confucius Institute for Traditional Chinese Medicine in London could give our competitors and potential providers a level of insight that would be damaging to the long term strategic and financial success of LSBU and its hosting of the Confucius Institute. LSBU is also



operating in an increasingly competitive environment with other Higher and Further Education institutions.

The use of section 43(2) exemption requires the University to apply the public interest test in considering whether to release the information requested. As a public body, LSBU has a duty of transparency and accountability. Although there could be a public interest in disclosing this information, we consider that as a provider of Higher and Further Education, there is also a public interest in LSBU maintaining its strategic and financial viability in a competitive environment. We have therefore decided to withhold release of this information.

If you have any queries about this letter, please contact us and quote the reference above in any future communications.

You may appeal against this response. If you wish to appeal, please set out in writing your reasons for the appeal and send it within 2 months of the date of this letter to the Group Secretary and Clerk to the Board of Governors, London South Bank University, 103 Borough Road, London, SE1 0AA. We will aim to carry out the review within 20 working days, or in exceptional circumstances within 40 working days.

If you are not satisfied with the appeal decision, you have the right to complain to the Information Commissioner whose contact details can be found at <https://ico.org.uk/make-a-complaint/>.

Yours sincerely,

Data Protection and Information Compliance

Governance Information and Legal Team

London South Bank University

103 Borough Road, London, SE1 0AA

Email: foi@lsbu.ac.uk



**London
South Bank
University**

EST 1892

Re: Freedom of Information Act 2000- Information Request Ref FOI 2022

Please see the request and LSBU's response.

LSBU's Response (In Blue)

Under the Freedom of Information Act 2000, I request the following:

Agreements and supplementary agreements with the Office of Chinese Language Council International (Hanban) and the Heilongjiang University of Chinese Medicine on the establishment / continuation of the Confucius Institute for Traditional Chinese Medicine in London.

Please see the exemption applied above.