



06 June 2022

By email to: request-860771-125ba428@whatdotheyknow.com

Dear C. Swanson,

I refer to your Freedom of Information request, received on 10 May 2022, about applications to Abertay University's Undergraduate programmes from applicants who have disclosed on their UCAS form that they have spent time in care.

Details of any exemptions applied are below. Where any information is "not held", this is explained below. Those parts of the University's response (together with the details of how to ask the University to review the management of your request, or thereafter to seek a review by the Scottish Information Commissioner, should you wish to do so – please see below) constitutes the notice in writing that the information specified is not held by the University which is required under section 17 of the Freedom of Information (Scotland) Act 2002 ("FOISA").

Your enquiry and the University's response.

Care Applicants Information 2016/17 - 2021/22			
Session	Applicants Who Spent Time In Care	Places Offered	Registered Students
2016/17	22	14	<5*
2017/18	23	17	6
2018/19	48	37	13
2019/20	76	62	21
2020/21	74	59	20
2021/22	82	65	21

* In one instance, we have not provided full information in relation to the number of registered students in academic year 2016/17. The exact number has been withheld as it is very small and individuals could potentially be identified.

The University is required to consider legislative tests applying to personal data when a request is received. This includes where information, either on its own or in combination with other information, might lead to the identification of individuals and/or the disclosure of personal data about them, or their 'special categories' of personal data.

The University considers that to release the information requested would not be fair or lawful to the data subject(s) or would otherwise breach the Data Protection Principles (Article 5, General Data Protection Regulation). The University has therefore applied the exemption for personal data in section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 and has withheld some of the requested information. Where applicable under the legislation, the University has also considered that the public interest test favours the withholding of the information.

The Higher Education Statistics Agency (“HESA”) has provided more information on redacting/disguising low numbers and data protection. HESA routinely does this, and is the UK higher education sector’s leading statistical reporting and research body. Their information on low numbers is available to you at:

<https://www.hesa.ac.uk/about/regulation/data-protection/rounding-and-suppression-anonymise-statistics>

For more information, please refer to the Information Commissioner’s Office guidance at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

This concludes the University’s response.

Your right to seek a review of how your information request was managed.

If you are not satisfied with our response or our reasoning set out above, you have 40 working days in which to require a review of our decision. Any such request should be put in writing and should be sent to the University Secretary, Abertay University, at the address provided below. The request should:

- (a) detail your request for a review of our decision to be undertaken
- (b) describe the nature of your original request
- (c) explain the reasons why you are dissatisfied with our response

Interim Secretary to Court
Abertay University
Bell Street
Dundee
DD1 1HD
Tel (01382) 308016

E-mail: p.henry@abertay.ac.uk

If you remain dissatisfied with how your request for information has been dealt with, you also have the right, in terms of section 47 of FOISA, and within 6 months, to apply to the Scottish Information Commissioner for a decision as to whether we have handled your request properly.

Information relating to your right to seek review is available from the Scottish Information Commissioner's website:

<http://www.itspublicknowledge.info>

or by contacting the Scottish Information Commissioner's Office at the following address:

Scottish Information Commissioner,
Kinburn Castle,
Doubledykes Road, St Andrews,
Fife KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

E-mail: enquiries@itspublicknowledge.info
Website: <http://www.itspublicknowledge.info>

Or via the SIC's online appeals service:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

If you are unhappy with the Commissioner's decision, you also have the right to appeal further to the Court of Session, on a point of law only, under section 56 of FOISA. Please refer to the Commissioner's website (details above) for further information about your right of appeal to the Court of Session.

Yours sincerely,

FOI Processing

Abertay University

Abertay University is a registered Scottish charity, no. SC016040