

Business Assurance
Information Compliance

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Mr Robert Jones

By email only to: request-481375-8da1e1bc@whatdotheyknow.com

30 May 2018

Dear Mr Jones,

Request for information under the Freedom of Information Act 2000 ("the Act")

Further to your recent request for information held by King's College London, I am writing to confirm that the requested information is held by the university.

Your request

We received your information request on 30 April 2018 and have treated it as a request for information made under section 1(1) of the Act.

You requested the following information:

Could you please release all past exam papers from a 4th year Master of Pharmacy module. The module in question is Emerging therapeutics and Modern Medicines (Code 7BBP0424)

Our response

We are withholding the information requested in accordance with section 43(2) of the Freedom of Information Act – Commercial Interests. The university considers that release of the information is likely to prejudice its commercial interests.

Teaching materials produced by a Higher Education Institution (HEI) for a degree course are considered to be commercial assets. Universities operate in a competitive environment with other HEIs looking to sell products (i.e. degree programmes) to potential students, and they create and maintain assets upon which the recruitment of students depends. For a university awarding credit, it not only has to deliver content, but it also has to assess it. Therefore, teaching and assessment are explicitly linked and cannot be separated; together they are the 'assets' that make up our degree programmes. Exam papers are therefore part of our degree materials and releasing exam papers would reveal the content of our material, our assessment methods, the references used, the examples and case studies used and technical methods that we teach our students. All these things are what allow us to compete in a marketplace.

This is a qualified exemption and requires the consideration of a public interest test; assessing whether the balance of the public interest favours disclosing the information or maintaining the exemption. In this case we have considered that the public interest favours non-disclosure. It is in the public interest for the university to be able to operate in a competitive environment and generate income.

We are aware of websites buying our exam papers and publishing them. Given the competitive nature of the HE market, we believe there is a real possibility that the disclosure will have a negative consequence.

This completes the university's response to your information request.

Your right to complain

If you are unhappy with the service you have received in relation to your information request or feel that it has not been properly handled you have the right to complain or request a review of our decision by contacting the Assistant Director of Business Assurance (Information Compliance) within 60 days of the date of this letter.

Further information about our internal complaints procedure is available at the link below:

http://www.kcl.ac.uk/college/policyzone/assets/files/governance_and_legal/Freedom_of_Information_Policy_updated_Oct_%202011.pdf

In the event that you are not content with the outcome of your complaint you may apply to the Information Commissioner for a decision. Generally the Information Commissioner cannot make a decision unless you have exhausted the internal complaints procedure provided by King's College London.

The Information Commissioner can be contacted at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

Aysha Choudhury
Information Compliance Officer