

Our ref: F21/021

18th February 2021

Dear Harrison Bott

Freedom of Information (Scotland) Act 2002

Your request for information has been considered and our response is below. You requested the following information:

i. All of the information submitted to the Scottish Funding Council on 18/01/2021 in response to the Call For Information, reference "SFC/CI/01/2021" , outlined in the following:

http://www.sfc.ac.uk/web/FILES/callsforinformation_sfcci012021/Updated_estimates_of_non-EU_international_student_fee_income_AY_2020-21.pdf

We believe that the release of this information in relation to the financial information submitted to SFC would be detrimental to our commercial interests and is therefore exempt under Section 33(1)(b) Commercial Interests and the Economy. We are operating in a competitive market in direct competition with other educational institutions. Release of information relating to future forecasting of finances into the public domain would be detrimental to our commercial interests as it would allow other educational institutions in direct competition with us to use this information when determining their financial business models. Universities operate in a competitive environment for income including non-regulated income.

This exemption is a qualified one and a public interest test is applicable. The public interest lies in protecting the commercial and financial interests of the University in this competitive market by withholding this information.

ii. All of the information submitted to the SFC outlined in the Call For Information, reference "SFC/CI/01/2021" document under points 2. and 3. (see above for the website address):

See above response.

“2. Prior to the COVID-19 pandemic, universities provided two main financial returns to SFC in the course of the year: • Forecasts submitted at the end of June (outturn forecast for the current year and forecasts for the following three years). • Annual accounts submitted at the end of December (audited financial statements and supporting reports by institutions’ audit committee, internal and external auditors)”
The text above is a statement, however, we have interpreted your request to mean you are requesting a copy of the financial returns mentioned.

We believe that the release of this information in relation to the financial information submitted to SFC would be detrimental to our commercial interests and is therefore exempt under Section 33(1)(b) Commercial Interests and the Economy. See full response i)

As way of assistance the University’s financial statements are published on the following page of the University’s website: <https://www.uws.ac.uk/about-uws/compliance/financial-statements-regulations/>

“3. As result of the COVID-19 pandemic, SFC requested institutions to provide 3. additional financial returns, comprising updated forecasts for 2019-20 and 2020-21, by the end of April and the end of July 2020. These replaced the main 2020 Strategic Plan Forecast return. Institutions also provided updated financial forecasts at the end of November 2020”

The text above is a statement, however, we have interpreted your request to mean you are requesting a copy of the financial returns mentioned.

We believe that the release of this information in relation to the financial information submitted to SFC would be detrimental to our commercial interests and is therefore exempt under Section 33(1)(b) Commercial Interests and the Economy. See full response i)

If you are not satisfied with the handling of your enquiry you have a right to review under the Act as laid out in the notices below.

Yours sincerely

**Freedom of Information Office
University of the West of Scotland**

Notices

1. Right of Review

In the event that you are dissatisfied with the handling of your request for information, you may require us to review our actions and decisions relating to your request ('Review Request').

Your Review Request must be made to us in writing or in other durable form, stating your name and address for correspondence, specifying the request for information to which your Review Request relates and the matters that have given rise to your dissatisfaction.

It must be provided to us within 40 working days (which phrase excludes Saturdays, Sundays, Christmas Day and Scottish Bank Holidays) after the expiry of the period within which we were obliged under the Act to respond to your request for information.

You may withdraw your Review Request by notice to us in writing at any time.

Assuming your Review Request is not withdrawn, we are required to conduct our review and respond to you ('Review Response') within 20 working days (which phrase excludes Saturdays, Sundays, Christmas Day and Scottish Bank Holidays) after the date on which we received your Review Request. The request for review should be addressed to:

Emma Cuckow, University Solicitor, University of the West of Scotland, Paisley Campus, Paisley, PA1 2BE Email: Emma.Cuckow@uws.ac.uk

2. Right of Appeal

In the event that you have not withdrawn your Review Request and we have failed to respond to you within the proscribed time, or you are dissatisfied with our Review Response, you may apply to the Scottish Information Commissioner for a decision as to whether we have dealt with your request in accordance with the Act ('Appeal Application').

Your Appeal Application must be made to the Scottish Information Commissioner in writing or in other durable form, stating your name and address for correspondence, specifying the request for information to which your Appeal Application relates and the matters that have given rise to your dissatisfaction.

It must be provided to the Scottish Information Commissioner within six months after the date you received our Review Response or, in the event that we did not provide you with a Review Response within the proscribed time, within six months after the expiry of that period. The address of the Scottish Information Commissioner is:

Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS Tel 01334 464 610; Fax 01334 464 611; email: enquiries@itspublicknowledge.info; www.itspublicknowledge.info