



Ref. FOI/20180529/1

31 October 2018

Reply to request for information under Freedom of Information of Act	
Your Ref	FOI/20180529/1
Address	request-481236-a7d5f29b@whatdotheyknow.com
Request	I would like to request the History Prelims examiners' report for the years 2010 to 2017.

Dear John,

I write with apologies for the delay in responding to your freedom of information request dated 29 April 2018 requesting the above information. Please find the University's response below.

As requested, attached are copies of the History Prelims examiners' reports for the years 2010 to 2017.

The names of the examiners/assessors, students and of any other persons, together with any other identifying information, have been redacted, as they constitute personal data. We have also redacted various figures because persons with access to other relevant information (e.g. members of the student cohort concerned) might be able to infer the identity of the individuals to whom the data relates. These measures have been taken in accordance with section 40(2) of the Freedom of Information Act (Act). Section 40(2) provides an exemption from disclosure for information that is the personal data of an individual other than the requester, where disclosure would breach any of the data protection principles in Article 5 of the General Data Protection Regulation (GDPR). We consider that disclosure of the information requested would breach the first data protection principle, which requires that personal data is processed lawfully, fairly and in a transparent manner.

Disclosure of the full information requested would be unfair to the individuals concerned, as it would be contrary to their reasonable and legitimate expectations. Examiners would not reasonably expect their names to be made public under the FOIA without their consent. Similarly, students would not reasonably expect information on their performance in exams to be disclosed under FOIA without their agreement. (Please note that a disclosure of information under FOIA is presumed to be a disclosure to the world at large, and not just a disclosure to the individual making the request.)

For the disclosure of personal data to be lawful, it must have a lawful basis under Article 6 of the GDPR. There are six possible lawful bases in Article 6; we do not consider that any of them would be satisfied in respect of the disclosure.

The exemption in section 40(2) is an absolute exemption and is not subject to the public interest test provided for in section 2(2)(b) of the FOIA.

INTERNAL REVIEW

If you are dissatisfied with this reply, you may ask the University to review it, by writing to the Registrar at the following address:

University Offices
Wellington Square



Oxford
OX1 2JD

Alternatively, you may request a review by e-mailing foi@admin.ox.ac.uk

THE INFORMATION COMMISSIONER

If, after the internal review, you are still dissatisfied, you have the right under FOIA to apply to the Information Commissioner for a decision as to whether your request have been dealt with in accordance with the FOIA. The Information Commissioner's address is:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Tel: 0303 123113

Further information for submitting complaints to the Information Commissioner is available at <http://www.ico.gov.uk/complaints.aspx>

Yours sincerely

FOI OXFORD