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12 November 2014

Our Reference: FOI-14-0017

Dear Mr Brown

Thank you for your correspondence of 16 October 2014, in which you requested the following Information from the University of Sussex.

Request

Please can I have:

1. The A-level (not AS) grades attained by each student, either marked M if mathematics, FM if further mathematics, or O if other.

e.g.

Student 1: A (M) B (O) C (O)

Student 2 (foundation): B (FM) B (M) D (O)

2. If this is unacceptable under the terms of the FOI act, please can I have:

The A-level grades attained by each student.

e.g.

Student 1: A, B, C

Student 2 (foundation): B, B, D

3. If the first two are unacceptable, please can I have:

The total number of UCAS points (A=120, B=100, etc.) attained by each student from their top three A-level grades, excluding any other points.

e.g.

Student 1: 300

Student 2 (foundation): 260

Response

Your request has been dealt with under the Freedom of Information Act 2000.

With regard to questions (1) and (2), although the University holds the requested information it is being withheld under Section 40(2) of the Freedom of Information Act: data protection. The University is not obliged to provide information that is the personal data of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA) for example, if disclosure is unfair.

The terms of this exemption in the Freedom of Information Act mean that the University does not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 40(2) by reading the extract from the Act and some guidance points considered when applying the exemption, attached at the end of this letter.

You can also find more information by reading the full text of the Act (available at <http://www.legislation.gov.uk/ukpga/2000/36/section/40>). The Data Protection Act can be found at the following link:

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

With regard to question (3), the University is unable to comply with your request as it does not hold the requested information in this format.

The Freedom of Information Act 2000 does not oblige a public authority to create information to answer a request if the requested information is not already held. It does not place a duty upon public authorities to answer a question unless recorded information exists. The Freedom of Information Act duty is to only provide the recorded information held.

It has been noted that this is your third request in relation to this information. Due to this, the University of Sussex would like to direct you to the ICO's advice on "dos and don'ts" when requesting information, which can be found at the following link:

http://ico.org.uk/for_the_public/official_information

Further requests of this type may be treated as vexatious.

If you are not satisfied with this response you may request a review. In the first instance write to the Academic Secretary at the above address. Full details of our Freedom of Information review procedure are at: <http://www.sussex.ac.uk/records/FOIcomplaints>

If you need to contact us about your request please quote your reference number FOI-14-0017.

Yours sincerely,

Alicia Payne
Office of Governance and Secretariat,
University of Sussex.