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By Email: [request-182753-fc1ef2d4@whatdotheyknow.com](mailto:request-182753-fc1ef2d4@whatdotheyknow.com)

Wednesday, 27 November 2013

Dear Ms Sharma

**Freedom of Information Act 2000 request – Medicine A100**

In response to your request for information dated 30 October 2013, made under section 1(1) of the Freedom of Information Act 2000 (“the Act”), I am writing to confirm that the information you require does exist and part of it is included in this response. Some information has not been provided to you as we consider it to be exempt under Part II of the Act.

More precisely we considered that both exemptions Section 43 (2) (Commercial Interests) and Section 12 (‘Appropriate Limit’) of the Act apply.

You asked the following:

*“-Under the freedom of information act I would like to request the following information for the 5 year medicine programme A100*

*1.Can I get a list of criteria (the exact and not generic) that the interviewers looked at during the interview to determine a candidates suitability for 2014 entry.*

The exact score sheet contains sample answers, for reasons of competitive disadvantage explained below we cannot share this with you. However we can advise that in 2013 the criteria was as follows:

The decision after interview will generally be solely on performance at interview (see criteria below), however where two applicants perform equally well at interview UKCAT scores or academic grades may be taken into consideration when making a decision.

<b>Commitment to people/community</b>
Reasons for choosing medicine, evidence of commitment to social/community/health projects
<b>Commitment to, and reality of, becoming a doctor</b>

Specific medical work experience and knowledge of current medical and scientific topics
<b>Commitment to extracurricular activities – team work and leadership skills</b> Evidence presented by candidate on their abilities in these areas, commitment and contribution to areas outside academic work. Ability to contribute to College life.
<b>Communication skills and interpersonal skills</b> Evidence of these skills from previous experience and from performance at the interview
<b>Case Study:</b> Are they able to identify the main issues and discuss coherently?

Interviews for 2014 have not yet taken place.

*2. How was and will the interview scored (2014 and 2013 entry) ? Was it a score out of 10 by each interviewer or anything along those lines?*

In 2013 interviews were scored out of 25. 2014 interviews have not yet taken place but each applicant will be marked out of 100.

*3. I would also like any scoring or grading system used or will be used to assess interview performance and if a form or such is provided to interviewers to record performance is available I would also kindly request this.*

The scoring form used in 2013 contains model answers so to reveal it would clearly give an unfair advantage.

*4. If a scoring system was in place what was the score of applicants who were successful in obtaining a place ( I understand you will not have this for 2014 entry just yet so this is specifically for 2013 entry).*

For 2013 entry the average interview score for candidates who were subsequently offered a place was 22.5 out of 25

*5. If you can I also get the answers for question 3 and 4 specifically for graduates (from any field; who holds a degree ) applied to the 5 year programme who were successful in obtaining an offer to read medicine.*

The information above includes applicants who may have been graduates.  
Please see response below.

*With respect to all the questions please try and provide information for 2013 and 2014 entry where possible. If data is not available for 2014 please provide the relevant data of applicants ( all; question 5 being the exception) who were successful for 2013 entry.*

Regarding questions 1 and 3 of your request we are refusing to answer these parts under Section 43 (2) (Commercial Interests), as we believe releasing detailed admissions criteria would put the College at an unfair disadvantage in that this information could be used by our competitor institutions to their own commercial advantage in their admissions process. In addition, releasing this information would give an applicant an unfair competitive advantage over other applicants and would enable applicants to 'game the system' by crafting their applications in a way that was most likely to be successful based on the College's criteria and guidelines. This would consequently have a detrimental impact on the College's selection process, which is intended to select applicants based on qualifications and demonstrated ability.

The First Tier Tribunal (Information Rights) has accepted that universities operate in a competitive environment and can have commercial interests.<sup>1</sup> Guidance issued by the Office of Government Commerce Guidance states that prejudice to commercial interest will generally mean 'detriment to the ability to do business' and that this "could involve giving commercial advantage to the competition and/or loss of shareholder/customer/supplier confidence."<sup>2</sup>

The prejudice test in sec.43 requires that it should be likely that release would harm the College's commercial interests. The harm need not be substantial but should not be completely trivial; and while the likelihood of prejudice need not be certain, there should be a significant risk of harm rather than a remote possibility.<sup>3</sup>

While we understand that this information may be useful to you, the Higher Education sector operates in a commercial and highly competitive environment. Unlike many other types of public authorities subject to the Freedom of Information Act, they are in direct competition with each other. Universities in the UK are also in competition with overseas institutions, and certain private service providers, neither of whom are subject to the Freedom of Information Act.

Section 43 is a qualified exemption and requires us to consider whether the information requested should be disclosed in the public interest (notwithstanding it is believed that disclosure of the requested information would be likely to prejudice the commercial interests of the third party). Testing the public interest involves balancing factors for and against disclosure to decide whether the interest in maintaining the exemption is greater than the interest in disclosing the information.

We believe that there is a strong public interest in universities being able to run rigorous admissions processes, particularly in the case of programmes like Medicine where many students go on to work as in the NHS. As we have indicated, we

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<sup>1</sup> University of Central Lancaster v Information Commissioner and David Colquhoun (EA/2009/0034), 8 December 2009.

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/62062/ogc-foi-civil-procurement-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/62062/ogc-foi-civil-procurement-guidance.pdf)

<sup>3</sup> *Freedom of Information Act Awareness Guidance No. 5 – Commercial Interests* (Information Commissioner's Office, March 2008): [http://www.ico.gov.uk/upload/documents/library/freedom\\_of\\_information/detailed\\_specialist\\_guides/awareness\\_guidance\\_5\\_v3\\_07\\_03\\_08.pdf](http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_5_v3_07_03_08.pdf)

believe that the integrity of our admissions processes would be undermined by the release of this information. While there is a public interest in the release of information that explains how universities' admission processes operate, that has to be balanced against the need to ensure the selection of the best candidates rather than those who are adept in shaping their applications to fit the College's processes.

Therefore we consider that the factors supporting non-disclosure in the public interest under Section 43 (2) outweigh the factors in support of disclosure in the public interest.

For further information on the entry requirements for this course please see the following website:  
[http://www.kcl.ac.uk/prospectus/undergraduate/entryrequirements/name/medicine/alpha/M/header\\_search/](http://www.kcl.ac.uk/prospectus/undergraduate/entryrequirements/name/medicine/alpha/M/header_search/)

With regards to question 5 of your request we are refusing this part of your request under Section 12 of the Act and the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

These set a limit on the amount of time which public authorities can be required to spend retrieving, extracting and formatting the information to respond to an FOIA request or linked series of requests. For Higher Education Institutions such as King's College London this is currently set at £450 which under the legislation equates to 18 hours of staff time at the rate of £25 per hour.

As per appendix 2 of our FoI Policy (Information Access Fees), where the cost of responding to a request in full exceeds the £450 limit, the College will not provide the information requested.

The College does not keep an electronic format of which medical applicants already hold a degree. Therefore to answer this question would require us to manually check each medical paper application received for the years requested. Even give a very conservative estimate of 15 minutes per file this request would easily breach the 'appropriate limit'.

This completes your request for information.

If you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. Details of how to make a complaint can be found in our FoI Policy, a copy of which is available on our web site at:  
<http://www.kcl.ac.uk/college/policyzone/index.php?id=209>.

Further information is also available from the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane

Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545 700  
[www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Crampton', with a large loop at the start and a trailing flourish.

Sarah Crampton  
Legal Compliance Officer