

Mr J Smith
request-734044-efc2ca07@whatdotheyknow.com

22 March 2021
Our Ref: FOI/2021/175

Dear Mr Smith

Your Freedom of Information Request

Thank you for your email, which was received by the University on 6 March 2021. The University's response is set out in the enclosed document.

Your right to seek a review

Should you be dissatisfied with the way in which the University has dealt with your request, you have the right to require us to review our actions and decisions. If you wish to request a review, please contact the General Counsel, Aston University, Birmingham, B4 7ET or e-mail: foi_requests@aston.ac.uk within 40 working days. Your request must be in a recordable format (letter, email, audio tape, etc). You will receive a full response to your request for review within 20 working days of its receipt.

If you are dissatisfied with the way in which we have handled your request for review you may ask the Information Commissioner to review our decision. You must submit your complaint in writing to the Commissioner within 6 months of receiving the response to review letter. The Commissioner may be contacted at:

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

Tel: 0303 123 1113 / 01625 545 745 (+44 1625 545 745 if calling from overseas)
Fax: 01625 524 510

E-mail: notification@ico.gsi.gov.uk
Website: <http://www.ico.gov.uk/>

Yours sincerely

Lote Puske

Lote Puske
Paralegal

Your request	Our response
<p>Could you please provide all of the latest minutes of the University Council and Executive Committee as they have yet been published on the university website at the time of writing.</p>	<p>Minutes of the University Council – This information is scheduled for future publication. Please refer to the University’s Publication Scheme at https://www2.aston.ac.uk/about/management-structure/publication-scheme.</p> <p>We have considered whether it would be in the public interest to publish this information prior to official publication. We appreciate that there is a public interest in transparency around this issue. However, publication via this route will allow University resources to be used efficiently as early publication would result in duplication of effort. We therefore consider that the balance of the public interest lies in not publishing the data at this time.</p> <p>Minutes of the University Executive are commercially sensitive and are therefore exempt from publication under section 43(2) of the Freedom of Information Act 2000.</p> <p>This information is commercially sensitive and is likely to be useful to our competitors to assess the University’s financial priorities and spending strategies. This information would provide a commercial advantage to our competitors, which in turn would be likely to harm the financial position of the University. We therefore claim the exemption available under section 43(2) of the Freedom of Information Act 2000 and will not be releasing the information. The University operates in a highly competitive environment and we have considered your request in this context.</p> <p>We have considered carefully whether it would be in the public interest for us to provide you with the information, despite the section 43(2) exemption being applicable. The University acknowledges that there is a legitimate public interest in the interests of transparency and accountability. However, there is also a public interest in protecting the ability of universities to compete on a level playing field and to ensure that there is fair competition between them. We have concluded that the balance of the public interest in this case lies in withholding this information.</p>