



Ref. FOI/20190927/2

24 October 2019

Reply to request for information under the Freedom of Information Act	
Your Ref	Your email of 27 <sup>th</sup> September
Address	request-607674-5c65b6e7@whatdotheyknow.com
Request	<p>In a previous request I asked for the number of 5s on AP tests/exams for students accepted/made offers to read law at Oxford (M100, M190, M191, M192, M193, M194). However, the data I received was, to be kind, a bit goofy. .7, for example? What does this mean? It should be 5 AP 5s, 6 AP 5s, 7 AP 5s, ... x AP 5s.</p> <p>Please provide this data for the past 5 years. Provide numbers for those who applied with AP tests/exams as their primary qualification and for those who were accepted/made offers. Note the number of students who applied, the number of students who were accepted/made offers, and the average number of AP 5s for each (both applied and accepted/made offers).</p> <p>To protect confidentiality, if this an issue, aggregate scores are fine. For example, 2015-2016, 15 applied 5, 4 accepted/made offers 8. The "15 applied 5" means that for those 15 students who applied with AP tests/exams as their primary qualification, the average number of AP 5s was 5. The "4 accepted/made offers 8" means that for those 4 students who were accepted/made offers with AP tests/exams as their primary qualification, the average number of AP 5s was 8.</p>

Dear Mr Armstrong,

I write in reply to your email requesting the above information, which you may find attached.

Part of your request is for detailed individual level data. We consider that disclosure of this information in the form requested might enable those with access to other information or knowledge (e.g. those associated with individuals who are known to have applied) to identify individuals and learn new information about those individuals. For this reason, in order to reduce the risk of individuals being identified, we have withheld some offers and final acceptances data where there are fewer than 3 individuals. This is shown as an asterisk (\*).

In taking that measure, we are applying the exemption in section 40(2) of the Freedom of Information Act (FOIA). 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 in the exact form requested would breach the first data protection principle, which requires that personal data is processed lawfully, fairly and in a transparent manner. Disclosure would be unfair to the individuals concerned, as it would be contrary to their reasonable and legitimate expectations. They would

not reasonably expect that information about their applications would be made public under the FOIA without their consent.

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. To the extent that the public interest is relevant in this case, the University considers it is satisfied by the attached information.

#### **INTERNAL REVIEW**

If you are dissatisfied with this reply, you may ask the University to review it, by writing to the Head of Information Compliance 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](mailto: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 has 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**