



Ref. FOI/20191017/6

20 December 2019

Reply to request for information under the Freedom of Information Act	
Your Ref	Your emails of 21 and 25 November 2019
Address	WhatDoTheyKnow.com
Request	<p>I requested for both the PPE classification board *and* the politics and philosophy subject board reports in the original request dated 17 Oct 2019. I do not seem to be able to find subject board reports in your reply.</p> <p>Both of the subject board reports appear to be accessible behind the Weblearn authwall (which I have no access to) via links on the first page of the attached classification board report. Can you please attach the reports here as well?</p> <p>CLARIFICATION: I was referring to the politics and economics subject board reports in the above email.</p>

Dear Mr Dodds,

I write in reply to your email of Thursday 21 and Monday 25 November, requesting the above information.

With apologies for the delay, please find the subject board report for Economics attached.

We have redacted the names of examiners/assessors, students and of any other persons, together with any other identifying information, as we consider that this information is exempt from disclosure under section 40(2) of the Freedom of Information Act. 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.

In taking these measures, 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 would breach the first data protection principle, which requires that personal data is processed lawfully, fairly and in a transparent manner, for the reasons given below. Disclosure would be unfair to the individuals concerned, as it would be contrary to their reasonable and legitimate expectations. Examiners/assessors 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 examinations 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. To the extent that the public interest is relevant in this case, we believe that it is sufficiently met by disclosure of the material provided.

**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

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