

By e-mail: [request-1148206-727834f8@whatdotheyknow.com](mailto:request-1148206-727834f8@whatdotheyknow.com)

Freedom of Information Office  
4 West  
University of Bath  
Claverton Down  
Bath  
BA2 7AY

13<sup>th</sup> August 2024

Dear Mr Campbell

**Request for Information under the Freedom of Information Act (FOIA), 2000 – 2024/193**

Your request was received on 18<sup>th</sup> July 2024 and has been handled under the provisions of the Freedom of Information Act, 2000.

Section 1(1)(a)(b) usually entitles you to be told whether the requested information is held and have that information provided to you unless it is judged to be exempt from disclosure. Details of the request text are reproduced below, together with the formal response provided by the University of Bath.

Request	Response
Do you use a social media management platform?	There is no University-wide managed service.
If so, what tools do you use?	Not applicable, please see above.
What is your annual spend on a Social media management tool?	Information not held.
What dates does your contract with your current supplier end (month & year)?	Information not held.
Do you use a social listening / media monitoring platform?	The University of Bath does not routinely monitor the social media posts or accounts of either students or staff.  Like most organisations, the University of Bath's Communications Department monitors X, TikTok, Threads, LinkedIn, Facebook and Instagram generally for mention of the University name and for any University references made by X and Instagram users.
If so, what tools do you use?	Meltwater UK Ltd and Sprout Social Inc have been used.

What is your annual spend on a social listening /media monitoring tool?	This information is exempt from disclosure by virtue of s43(2). This exemption applies when disclosure of the requested information would, or would be likely to, prejudice the commercial interests of any organisation, including the University itself.  Please see further details below.
What dates does your contract with your current supplier end (month & year)?	July 2027.
Who is the senior person responsible?	Individual staff members do not have overall responsibilities for contracts or services and the University does not support or endorse the practice of unsolicited sales calls to individual members of staff.

### **S43(2) Commercial Interests**

The University views disclosure of the requested information around annual spend on its social listening/media monitoring tool as detrimental to its own commercial interests by revealing commercially sensitive details which would be likely to:

- harm its ability to secure best service and value for money, thereby
- posing a threat to existing and future service and arrangements and
- damaging the University's reputation in business.

The University notes that disclosure under the FOIA must be considered as disclosure to the public at large. Commercially valuable information would not normally be made public for the very reason that it would be likely to impact existing arrangements and be detrimental to any future negotiating position which would have negative consequences for the University's ability to obtain value for money and would be detrimental to the University's communications and press operations.

Section 43(2) is a qualified exemption subject to the application of a public interest test. The University acknowledges a general public interest in favour of transparency in relation to its finances and procurement activities and publishes significant information to meet public interest obligations as detailed below:

- via published procurement and tender information
- by the financial information that the University routinely publishes here:  
<https://www.bath.ac.uk/corporate-information/university-income-and-expenditure/>  
<https://www.bath.ac.uk/publications/financial-statements-and-annual-reports/>  
<https://www.bath.ac.uk/corporate-information/what-your-tuition-fees-pay-for/>
- and in the University's contract award notices which are published in accordance with the Public Contract Regulations, where all relevant contracts greater than £25k are published in the public domain on Contracts Finder <https://www.gov.uk/contracts-finder>

Once released into the public domain, this valuable commercial intelligence could be sold on or used to profit at the University's expense. The impact that would have on the University and its press and communications operations outweigh possible arguments as to the public interest.

For the reasons above and in the context of a sector and an organisation that conducts teaching and research for the public benefit it is concluded that the public interest in disclosure does not outweigh the likely harm to the commercial interests of the University. The public interest weighs in favour of maintaining the exemption in this instance.

**Complaint Rights:**

If you are dissatisfied with any aspect of how your request was handled you may ask the University to conduct an internal review. A request for an internal review must be submitted within 40 working days of receipt by you of this response. Requests received outside this period will only be considered at the University's discretion and where there is a valid reason to do so.

Applications for internal review should be emailed to: The Freedom of Information Team, [freedom-of-information@bath.ac.uk](mailto:freedom-of-information@bath.ac.uk) or addressed in writing to University of Bath, Claverton Down, Bath, BA2 7AY.

If you remain dissatisfied you may appeal to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Further details of this process are available via the following link:

<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Please note that the Information Commissioner will only consider appeals once the internal review process has been completed.

Yours sincerely

**Rebecca Warhurst**  
**Freedom of Information Officer**