

By e-mail: [request-754553-8bce47f6@whatdotheyknow.com](mailto:request-754553-8bce47f6@whatdotheyknow.com)

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

8<sup>th</sup> June 2021

Dear Mr Covell

**Request for Information under the Freedom of Information Act (FOIA), 2000 – 2021/145**

Your request was received on 12<sup>th</sup> May 2021 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:**

*My request is regarding statistics for the BSc Physics, BEng Civil Engineering and BEng Computer Systems Engineering. courses. All requests are for the 2021 cycle. If this is not possible, I would still like to request for the data from the 2020 cycle/the most recent data available. Please can I have the following anonymised data about candidates who applied for each course. Please could you provide the data separately for each course.*

- 1. For each applicant, can I know their A-Level predicted grades.*
- 2. For each applicant, can I know whether they were successful in receiving an offer.*

*Also please could you provide a 'percentage chance' of receiving an offer for each set of predicted grades using the data.*

**Response:**

Information requested for both the current academic year and the previous academic year has been exempted from disclosure by virtue of s43(2) which applies where disclosure would or would be likely to prejudice the commercial interests of any organisation, including the University itself.

Section 43 is a qualified exemption, which means that once the likely commercial prejudice has been identified and the exemption engaged, public interest factors for and against disclosure must be considered.

On this occasion, the University of Bath considers that disclosure of the requested information for the current, on-going academic intake would be likely to prejudice its own commercial advantage. Release would provide competitors with valuable commercial intelligence and unfairly inform other

universities vying to attract the same students of the University's current commercial viability in respect of the courses you have identified. The marketplace in which the University operates, is increasingly competitive and apprising competitors of sensitive current commercial information is likely to erode the university's competitive edge.

Information for the full year 2020 has also been exempted by virtue of s43(2). This information relates to small courses and the relative offer rates and grade offer levels around these courses is considered commercially sensitive information.

In respect of 2020 information, a number of unique factors characterise the courses you have identified, specifically that these are relatively small courses with limited numbers of students.

From the offer rates and grade offer levels in respect of small courses, it is possible that perceptions of relative competitiveness might be influenced with an unpredictable impact on future student behaviour in decision-making and choices.

The University of Bath operates in an intensely competitive marketplace, both nationally and internationally, seeking to attract the best quality students to its highly rated courses and the release into the public domain, under FOI, would provide valuable commercial intelligence to its competitors. In essence, it would inform and influence competitor institutions around possible strategic choices and competitive positioning to attract the highest quality of students for themselves, thus undermining the University of Bath's position.

To maintain and consolidate its position as a global leader in key academic arenas, the University must retain an element of commercial integrity in certain key areas of its operation and one such area, in light of the small courses you have identified, is in respect of its offer thresholds.

To ensure the University of Bath is able to maintain and consolidate its advantage, it is the University's opinion that the public interest favours the non-disclosure of the requested information at this time for both current and previous years. The conclusion is that the public interest factors in favour of disclosure are outweighed by the potential harm to the University's commercial interests that would be likely to result from disclosure of this information.

The University acknowledges a general public interest in favour of transparency and publishes details of its student demographics here:

<https://www.bath.ac.uk/publications/student-numbers/>

HESA is also provided with data about the University's student figures each year:

<https://www.hesa.ac.uk/data-and-analysis/students/where-from/>

#### 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/official-information-concerns-report/official-information-concern/> Please note that the Information Commissioner will only consider appeals once the internal review process has been completed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rebecca Warhurst', written in a cursive style.

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