

**By Email:** [request-535663-94ae2462@whatdotheyknow.com](mailto:request-535663-94ae2462@whatdotheyknow.com)

Our Ref: FOI 18 1210

Date: 23<sup>rd</sup> January 2019

Dear Ms Persson

**Re: Freedom of Information Request**

Thank you for your Freedom of Information request and your interest in the University of Bedfordshire.

**Request**

You requested the following information from the University of Bedfordshire, pertaining to any data analytics software used by the university using personal data about our students and staff, since 2012:

1. Whether we are using any data analytics software at all:
  - a. if so, which ones
  - b. what date this data analytics processing began
  - c. indicate whether in the past and ended, or still in current use
2. Any predictive analytics software such as used in but not only, Blackboard, Xray and JISC supported Civitas.
  - a. if so, which ones
  - b. what date this analytics processing began for predictive purposes
3. If the answer to Q1 or Q2 is yes, you requested a copy of any contract terms on using the data by the provider company including
  - a. the data items feeding analytics, any profiling, and/or used in prediction
  - b. what the prediction purposes / aims are
  - c. training the software (such as AI and machine learning) by the provider using the data provided via our organisation.
4. Whether the University is using its own student or staff population data for machine learning for purposes not included in 1-3 above (ie but not only, within the university computing department for any project or with another third-party)
5. From which time periods the student or staff data were collected, which are processed in any of the above (ie not only, retrospective student data from the last ten years / only current intake which began in autumn term 2018)

6. How many people/user accounts have access to the whole population student data in any of the above in this calendar year

## **Response**

In response to questions 1 and 2, we do not use any specialist software which we would define as predictive learning analytics. We utilise the default tools in BlackBoard, and we run queries to determine specific issues like: the distribution of content types, tool utilisation and to make a list of missing assignments (this is a customised plugin). We use the default analysis tools in BlackBoard for items such as online tests which allow us to review their validity and reliability.

We do not use predictive analytics via the VLE or associated systems. We use the default functionality for extra tools connected to the VLE, but these are used retrospectively when required.

In response to question 3, the University of Bedfordshire relies on section 43 of the Freedom of Information Act 2000 as the information requested constitutes a commercial interest. Section 43(2) of the Freedom of Information Act 2000 states:

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Section 43(3) of the Freedom of Information Act 2000 states:

The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

Section 43 not only provides an exemption from the obligation to communicate the information to an applicant, but also provides an exemption from the requirement to inform the applicant whether the information is held. The University of Bedfordshire considers that the disclosure of the requested information will prejudice the University's commercial interests because competitor knowledge could encourage a competitive response that could negatively impact the University.

In response to question 4, the University is not using its own student or staff population data for machine learning for purposes not included in 1-3 above.

Question 5 is not applicable as we are not using Learning Analytics in the way defined in the above questions.

In response to question 6, we assume that your question refers to accessing to the whole population student data for learning analytics purposes. If someone was to write a custom query to pull data from BlackBoard's database, the answer would be any of the staff in our Centre for Learning Excellence, as they have access to make such requests, as well as the team managing our hosted service in Amsterdam.

If you are not satisfied by the way we have handled your request, you can request a review by writing to the Senior Legal Officer.

If you are unhappy with the way the University handles your request through our appeals process, you have a right to appeal to the information commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel 08456 306060 or 01625 545745 or alternatively visit their website at [www.ico.gov.uk](http://www.ico.gov.uk).

Yours sincerely,

A handwritten signature in cursive script that reads "Pavel Alexandra".

**Alexandra Pavel**  
Data Protection Officer  
University of Bedfordshire