



GOVERNANCE AND LEGAL SERVICES

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1 May 2012

Dear Sir/Madam

Request for an internal review

Thank you for your email of 26 April 2012, in which you requested an internal review of our response dated 10 April 2012 (the 'Response') to your request for information under the Freedom of Information Act 2000 (the 'FOIA') dated 22 March 2012 (the 'Request').

Internal review process

In undertaking my review, I have considered whether our University dealt with its obligations under the FOIA, taking into account all facts relevant to the issue. In particular, I have considered:

1. The terms of the Request.
2. The information held by our University within the scope of the Request.
3. Our Response, including the process by which that decision was reached.
4. Our various obligations under the FOIA.
5. Whether prejudice would be caused by withholding or releasing information within the scope of the Request to a member of the public.
6. Best practice guidance of the Information Commissioner's Office and the Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000.

Outcome of the internal review

Having considered carefully the factors above, I have concluded that the decision set out in our University's Response is upheld for the following reasons:

Contrary to your statement that our University already compiles the information you requested, I must inform you that this is not the case. Like all other universities, we are required to report individual cases of breaches of the visa requirements to the United Kingdom Border Agency (UKBA). The UKBA compiles its own statistics from the individual case information that we provide. There is no statutory requirement for us to compile, keep, or return statistical data on these matters to the UKBA, or indeed, to any other body. As we



only compile and keep data to meet our own operational requirements and to fulfil our statutory obligations to our internal and external auditors and other reporting authorities, we hold no data that would answer any of your questions.

As a consequence, the University would be required to deploy a member of staff to compile the data you have requested. The time this work would take has been carefully costed as requiring a minimum of 20 hours of staff effort, with the task being undertaken by an appropriately experienced member of the current team. This has been costed, on the basis of 20 hours of such staff time, at £455.80, which exceeds the statutory limit established by the FOIA. I have reviewed this costing and am satisfied that it is a fair and accurate assessment of the likely cost. Consequently, the University is claiming an absolute exemption in accordance with Section 12 of the Act which states that public authorities are not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

I have concluded that our Response to the Request is justified and proportionate. In light of the considerations above, I am satisfied that it is not appropriate to release any information falling within the scope of your request.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a review of the decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Louise Nadal', written in a cursive style.

Louise Nadal
Head of Governance and Legal Services