

Mr John Gilchrist
Freedom of Information Officer

14 October 2019

Ref: FOI/September 2019/ Samira El Amein

By email to request-606256-d0a09259@whatdotheyknow.com

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Dear Ms El Amein

Your request for information received on 21 September 2019 has been dealt with under the provisions of the Freedom of Information Act 2000 (FOIA).

You asked:

I would like to request the following data relating to all law courses (i.e. both the single honours LLB or BA and any joint honours law courses) offered by your university.

I am requesting the data for candidates who received offers for one of the aforementioned law courses in the 2017/2018 and 2018/2019 admissions cycles (I refer to these candidates as 'the offerholders').

If the data for 2018/2019 is not available for whatever reason, please provide it for 2016/2017 (I am looking for at least two admission cycles' worth of data, in order to ensure that it is reliable).

I request the following data for each admissions cycle:

1. The total number of offerholders for the aforementioned law courses.
2. The number of offerholders who were either planning to complete or had completed BTECs as their most recent qualification.
3. The number of offerholders who were either planning to complete or had completed a Higher National Diploma ('HND') or Higher National Certificate ('HNC') as their most recent qualification.
4. The number of offerholders who were either planning to complete or had completed an Access to Higher Education diploma as their most recent qualification.
5. The number of offerholders who received offers while planning to resit their A-levels. (These individuals will show up on your system as having completed one set of A-levels already, with predictions for at least one other A-level).

University Response

The information requested on costs is regarded as competitive data and is not available to our competitors.

Section 44 (1)(a) of the Freedom of Information Act 2000 permits the University to withhold information if its disclosure would be prohibited by law. Due to competition law, under the Competition Act 1998, the University must exercise caution in releasing any information of a strategic nature such that it may constitute an exchange that would infringe competition law by placing it in the public domain where it could potentially be access by other Higher Education Institutions.

Competition law is seen to be infringed if parties do not actually agree on an anticompetitive act but exchange information that would lead competitors to understand how and what benchmarks have been set.

This would include the release of strategic, or strategically useful, information. It is therefore necessary to withhold such information that is not already in the public domain and would include specific information about the University's admissions operations. Such information has therefore been withheld because the University believes that its release would breach the Competition Act 1998.

By disclosing the information it would be placed in the public domain where it would be readily accessible to other institutions in the Higher Education sector; thus it could adversely affect the free competition between institutions.

This is an absolute exemption and the University is not required to consider the public interest in the release of this data.

I trust this satisfies your request sufficiently. Under the Freedom of Information Act 2000, you have the right to complain about the University's response to your request for information. If you have such a complaint, you may contact Mr David Maplas, Director of Student Affairs, Middlesex University, Hendon campus, London NW4 4BT, tel: 020 8411 5830, d.malpas@mdx.ac.uk within 40 days of the date of this letter for a review of the University's decision. If you remain unsatisfied with the outcome of that complaint, you may seek further recourse by lodging an appeal with the Information Commissioner.

Yours sincerely

John Gilchrist
Freedom of Information Officer