



Ref: 202201/103

21 February 2022

Reply to request for information under the Freedom of Information Act	
Your ref	Email of 25 January 2022
Request	Please release the latest version of the PPE Admissions Procedures document, as per this previous request. https://www.whatdotheyknow.com/request/ppe_undergraduate_admissions_man#incoming-1313540

Dear Matthew Elliott,

I write in reply to your email requesting the information detailed above.

Information requested

Please find the requested information in the attached pdf. Some information has been redacted, for the reasons given below.

Section 40(2) - Information identifying members of staff

We have redacted the names of staff, or any other information that might identify them, where we consider this information to be exempt from disclosure under section 40(2) of the Freedom of Information Act (FOIA).

Section 40(2) provides an exemption from disclosure for information that is the personal data of an individual other than the requester, where disclosure would breach any of the data protection principles in Article 5 of the General Data Protection Regulation (GDPR). We consider that disclosure of the information requested would breach the first data protection principle, which requires that personal data is processed lawfully, fairly and in a transparent manner. Disclosure would be unfair to the individuals concerned, as it would be contrary to their reasonable and legitimate expectations. As their level of responsibility is below that of head of department, they would not reasonably expect that information about them would be made public under the FOIA without their consent.

The exemption in section 40(2) is an absolute exemption and is not subject to the public interest test provided for in section 2(2)(b) of the FOIA. To the extent that the public interest is relevant in this case, the University considers it is satisfied by the attached information and that the disclosure of names or other identifying information is not necessary to meet a legitimate public interest that would outweigh the rights of the individual(s) involved.

Section 43(2) – Contextual GCSE scores

We have withheld information from the manual relating to contextual GCSE data. Oxford contextualises GCSE grades based on school performance at Key Stage 4, so that if an applicant has been relatively high performing, given the attainment of others from similarly performing schools, this would yield a positive cGCSE score. If an applicant has been underperforming, this would yield a negative cGCSE score.

We consider any further detail regarding the calculation of GCSE contextualised scores to be exempt from disclosure under section 43(2) of the Freedom of Information Act (FOIA). Section 43(2) of the FOIA provides that information is exempt where its disclosure would, or would be likely to, prejudice the commercial interests of any person. For the reasons given below, we consider that disclosure of the information requested would be likely to prejudice the University's commercial interests.

All universities who wish to charge the maximum fee for undergraduate students are required to agree with the Office for Students (OfS) an Access and Participation Plan (APP), setting out their targets for attracting more students from historically under-represented groups, including those from disadvantaged backgrounds. If the OfS is not satisfied that sufficient progress is being made towards a university's targets, it has the power to reduce the fee that the university is able to charge its undergraduates. Universities are therefore in competition with one another to attract and admit students from specific target groups.

This competition is particularly intense for Oxford and other leading universities (such as the Russell Group), because they have higher entrance requirements: Oxford generally requires A*A*A to AAA at A-level (or other equivalent qualifications) depending on the course. This means that Oxford and similar universities are competing to recruit and admit only the highest-performing students from the specific target groups.

Oxford's system of contextualising GCSEs is part of our wider consideration of contextual data which should give Oxford a competitive edge that will enable it to identify more effectively high-performing students from the target under-represented groups, who would be most likely to thrive on an Oxford degree course. Details of our use of cGCSEs and other contextual data would be of significant value and interest to Oxford's main competitors, who might introduce similar changes to their own admissions processes, offsetting any competitive advantage that Oxford might gain.

Section 43(2) is a qualified exemption that requires the University to weigh up the public interest in disclosing the information requested, which is presumed under FOIA, against the public interest in withholding it. The University recognises that there is a public interest in the disclosure of the information requested. Generally, there is an interest in openness and transparency in the conduct of the University's affairs. More specifically, there is an interest in information relating to the efforts of the University to diversify and broaden its undergraduate student body. However, we consider that this interest can be met without impairing the University's ability to compete with other institutions, and to do so on a level –playing field. The University already publishes a considerable amount of information on its efforts to widen participation, including its APP¹. This information includes statistics on progress in meeting access targets, as well as details of the University's outreach activities across the collegiate University, including projects undertaken by individual departments and in collaboration with colleges. In our view, this information is more than sufficient to meet the public interest in disclosure. In addition, it would be contrary to fair competition if one institution were required to disclose commercially sensitive information separately from other institutions. We therefore consider that the balance of public interests lies in favour of maintaining the exemption.

INTERNAL REVIEW

If you are dissatisfied with this reply, you may ask the University to review it by e-mailing foi@admin.ox.ac.uk. A request for internal review should be submitted no later than 40 working days from the date of this letter.

THE INFORMATION COMMISSIONER

If, after the internal review, you are still dissatisfied, you have the right under FOIA to apply to the Information Commissioner for a decision as to whether your request has been dealt with in accordance with the FOIA. You can do this online using the [Information Commissioner's complaints portal](#).

¹ <https://academic.admin.ox.ac.uk/app>



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Yours sincerely

Information Compliance Team