



By e-mail: Michael Lee <request-468024-cbfdb321@whatdotheyknow.com>

Office of the University Secretary
4 West
University of Bath
Claverton Down
Bath
BA2 7AY

29 March 2018

Dear Mr Lee

Request for information under the Freedom of Information Act (FOIA), 2000 – 2018/066

Your request was received on 28 February 2018 and is copied below for your reference.

"For each school within the university and for each academic year from 2006 to 2016 please provide:

- 1. The total number of viva examinations that took place for that school's students for that year.*
- 2. The total number of viva examinations in which a student successfully passed.*
- 3. Total that failed (please count conversion to MSc as a failure)."*

On 12 March 2018, you amended your request as follows:

"I apologise but I need to make the following clarifications with respect to my request:

- i. Please only consider statistics regarding PhD students and disregard any other form of award that undergoes viva examinations (e.g. EngD, etc).*
- ii. Please count any resubmission result as part of its own category and do not include it in the failure category."*

Section 1(1) 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.

In respect of question 1, we can confirm that we hold the information that you have requested, which is contained in the attached csv document. Please note that department names refer to those as they existed in the relevant academic year

We are withholding some limited data in accordance with section 40(2) of the FOIA, which relates to personal information. Figures showing small numbers of students (fewer than five) have been withheld as there is sufficient risk that persons could be identified, by triangulation of requested data with other information held or otherwise known, and instead shown as <5.

In reaching this conclusion the University has considered the conditions outlined under Schedule 2 of the Data Protection Act (DPA), which describe when disclosure of such information would be fair and lawful. The University considers that the processing of this personal data in this context would breach the first data protection principle. The individuals in question have not consented to this information being disclosed. Moreover we consider that disclosure would cause an unwarranted intrusion to the privacy and rights of the individuals who would not have had the expectation that this information would be released into the public domain.

In respect of questions 2 and 3, examiners' recommendations following vivas are submitted to faculty boards of studies for approval, and in some situations their reports will not indicate whether a viva has been recommended as failed, as opposed to both the thesis and oral examination.

Section 12 of the FOIA states that a public authority is not obliged to comply with a request for information if the cost of compliance would exceed the appropriate limit as outlined in The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This limit for the University of Bath is £450 (or 18 hours of work).

In so far as it is possible to ascertain success or failure from examiners' reports, providing the additional information to answer questions 2 and 3 would require us to ask academic departments to examine more than 1,500 individual student records, as well as potentially checking other files and contacting students and supervisory staff. We are not asking for this information to be assembled as we estimate that the time this would take would exceed the limit.

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 addressed in writing to: The University Secretary, University of Bath, Claverton Down, Bath, BA2 7AY or e-mail M.G.W.Humphriss@bath.ac.uk.

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/concerns/getting/> 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 'John Evans', with a long horizontal line extending to the right.

John Evans
Freedom of Information Officer