

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 16 November 2011

**Public Authority:** The University of York  
**Address:** Heslington  
York  
YO10 5DD

#### Decision (including any steps ordered)

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1. The complainant has asked the University of York (the University) whether it issued a specific certificate conferring a Doctor of Philosophy degree in Music to a named person on 10 July 2002.
2. The Commissioner's decision is that the University does not hold the requested information. No further action is required.

#### Background

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3. Since March 2008, the complainant has been in correspondence with the University concerning a Doctor of Philosophy (D.Phil) degree in Music awarded to a named person in 2002. This degree was submitted as part of a job application. The complainant wishes to verify the authenticity of the degree awarded to the relevant individual on 10 July 2002. This is the date on the degree certificate.
4. On 1 July 2010 the complainant asked the University whether it had conferred any D.Phil in Music degrees on 10 July 2002 and if so to whom. The decision notice for this case (FS50312278) found that the University had provided the recorded information that it held with respect to this question.

5. The complainant appealed this decision notice (EA/2011/0063). The First-Tier Information Tribunal struck out the appeal; however the judge noted that the complainant at that point was asking whether the certificate in her possession was issued by the University. He explained that if the complainant wished to make such a request, she should make a new request to the University.

## Request and response

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6. On 13 May 2011, the complainant wrote to the University and requested information in the following terms:

*'...I have in my possession a certificate that falsely states that [name redacted] was conferred with a DPhil in Music, from York University, on the tenth of July, 2002,*

*...Did York University issue the above-mentioned certificate, that is, conferring [name redacted] with a DPhil in Music, on July 10, 2002?'*

7. The University responded on 13 June 2011. It stated that it did not hold the requested information.

## Scope of the case

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8. The complainant contacted the Commissioner to complain about the way her request for information had been handled. She wished to know if the University issued the relevant certificate. She believed the University was evading the question.
9. The Commissioner considers the scope of this case to be concerned with whether the University holds information confirming it issued the relevant certificate.

## Reasons for decision

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10. Section 1(1)(a) and (1)(1)(b) of the FOIA states that any person making a request for information is entitled to be informed by the public authority whether it holds the information and if so, to have that information communicated to him.

11. The University has explained that it does not hold copies of certificates it issues to graduands. This is because, for the University, these are not the prime record or means by which it validates or confirms a degree.
12. The University has explained that it maintains records of its awards of degrees rather than certificates. It has explained the following to the complainant:
  - the award of a degree (D.Phil in Music) was approved on 24 June 2002;
  - the ceremony for the conferral of Music degrees was held on 11 July 2002;
  - the relevant individual attended the ceremony and appears in the graduation booklet (copies of which have been provided);
  - the University Registrar and Secretary does not consider the difference of one day between the date on the certificate (10 July 2002) and the date of the ceremony (11 July 2002) to be significant.
13. The Commissioner is satisfied that the University does not hold the requested information and is satisfied that it would not hold copies of certificates. The Commissioner is satisfied that the University has explained its position with respect to this degree.
14. The Commissioner is therefore satisfied that the University has fulfilled its obligations under section 1(1)(a) and 1(1)(b) of the FOIA.

## Right of appeal

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15. Either party has the right to appeal against this Decision Notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

16. If you wish to appeal against a Decision Notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
17. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this Decision Notice is sent.

**Signed** .....

**Faye Spencer**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**