

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 6 October 2020

Public Authority: The Council of The University of Hull
Address: The University of Hull
Cottingham Road
Hull
HU6 7RX

Decision (including any steps ordered)

1. The complainant has requested information from the University of Hull ('the University') about applicants to its undergraduate Medicine course. At the date of this notice, the University has not provided a response to the request.
2. The Commissioner's decision is as follows:
 - The University has breached section 10(1) of the FOIA as it has not provided a valid response to the request within the statutory timeframe of 20 working days.
3. The Commissioner requires the University to take the following step to ensure compliance with the legislation:
 - Provide a response to the complainant's request of 4 June 2020 that complies with the FOIA.
4. The University must take this step within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 4 June 2020, the complainant wrote to the University and requested information in the following terms:

"This is a Freedom of Information request.

Please release the following statistics for your university' undergraduate Medicine course for the year 2019-2020:

- 1. total number of applicants*
 - 2. total number of applicants offered a place*
 - 3. total number of applicants interviewed*
 - 4. total number of overseas (non-EU/home) applicants*
 - 5. total number of overseas (non-EU/home) applicants offered a place*
 - 6. total number of overseas (non-EU/home) applicants interviewed"*
6. The complainant did not go on to receive a response and contacted the Commissioner.
7. The Commissioner wrote to the University on 26 August 2020 and asked it to provide a response to the request within 10 working days.
8. On 1 September 2020 the University wrote to the complainant. It noted that it had acknowledged the complainant's request on the date it received the request. At that point the University had advised the complainant that it expected there would be a delay providing a response to his request as its service had been impacted by the Coronavirus pandemic. The University told the complainant that it would provide a full response in due course.
9. On 24 September 2020 the complainant advised the Commissioner that he still had not received a response. The University did not respond to the Commissioner's further correspondence.

Scope of the case

10. The complainant contacted the Commissioner on 2 August 2020 to complain about the way his request for information had been handled.
11. The Commissioner's investigation has focussed on the University's obligation under section 10(1) of the FOIA.

Reasons for decision

Section 10 – time for compliance

12. Under section 1(1) of the FOIA anyone who requests information from a public authority is entitled (a) to be told whether the authority holds the information and (b) to have the information communicated to him or her if it is held and is not subject to an exemption.
13. Section 10(1) says that a public authority must comply with section 1(1) promptly and within 20 working days following the date of receipt of the request.
14. The complainant submitted his request to the University on 4 June 2020 and to date has not received a response under section 1(1). The University has therefore breached section 10(1) with regards to this request.

Right of appeal

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: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

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

Phillip Angell
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF