

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 3 November 2022

Public Authority: University of London
Address: Malet Street

London
WC1E 7HU

Decision

1. The complainant requested information relating to the student record of current Taiwanese President, Tsai Ing Wen. The University released relevant information but refused to provide the remainder under Section 1 of FOIA.
2. The Commissioner's decision is that on the balance of probabilities, the University does hold further information under section 1(1)(a) FOIA in relation to the request and breached section 10(1) FOIA as it failed to provide a response within the statutory time for compliance and failed to provide all of the information which it held.
3. The Commissioner requires the University to take the following steps to ensure compliance with the legislation.
 - The University must issue a fresh response to the request which is adequate for the purposes of the FOIA.
4. The University must take these steps 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 FOIA and may be dealt with as a contempt of court.

Request and response

5. The complainant made the following information request to the University on 4 December 2021:
6. "Can you tell me the degree awarded date of Tsai Ing-Wen's PhD degree?

I need the information of the detail date by the format of year/month/date."
7. The final position of the University was that it had provided the complainant with all the information it holds within the scope of the request.

Reasons for decision

8. This reasoning covers whether the University has complied with its obligations under section 1(1) (general right of access to information) and section 10(1) (time for compliance) of the FOIA.
9. The position of the University is that it has answered the request and provided the complainant with all the information it holds within the scope of the request.
10. The complainant considers that the University has not fully answered their request. Specifically, the University has provided the year and the month, but not the date, which the complainant believes they should hold.
11. The Commissioner asked the University to review if the date was held and if they would be prepared to disclose this information. On further searches the University confirmed it did hold the information.
12. The Commissioner considers that the University did not provide the complainant with an adequate response to their request, due to the lack of date provided.
13. The Commissioner's decision is therefore that the University has failed to provide the complainant with a complete response to their request and, therefore, the University has breached section 1(1) (general right of access to information) and section 10(1) (time for compliance) of the FOIA.
14. The Commissioner requires the University to provide the complainant with disclosure of the information now located. The University should either provide the complainant with the requested information or an adequate refusal notice should be provided.

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@justice.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
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Wilmslow
Cheshire
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