

From: Freedom of Information

Sent: 18 September 2020 15:47

To:

Subject: Freedom of Information Response (Our Ref: K/20/342)

Dear

Freedom of Information Response (Our Ref: K/20/342)

Thank you for your Freedom of Information (FOI) request dated 3 September 2020, reference K/20/342.

Your request read:

“Please could you provide me with the following information:

1. The amount of money paid to International Student Recruitment companies and/or agents in each of the previous 5 financial years as commission payments for the recruitment of students
2. The territory to which these payments relate
3. The number of students recruited in this way”

The University of Leeds holds this information.

The University of Leeds does have contracts with agents specialising in attracting international students. However, we consider that the detail of these contracts is commercially sensitive and therefore exempt from disclosure under section 43(2) of the FOI Act.

Section 43(2) sets out that information can be withheld if disclosure would, or would be likely to, prejudice the commercial interests of any person or organisation, unless there is an overwhelming public interest in disclosure.

The recruitment of international students is an extremely competitive marketplace. To reveal the number of contracts held, the numbers of students recruited, and the value of contracts by territory would disadvantage both the University, and the agents with whom we work, by revealing sensitive commercial information to competitors.

It would not be difficult for those with some understanding of the marketplace (e.g. other universities or agents) to establish which organisations the University of Leeds works with, and therefore calculate how much individual contracts are worth. To reveal the nature and value of contracts held with agents would allow their competitors to ‘undercut’ them, unfairly disadvantaging incumbent providers. We consider that this would, in turn, be likely to damage relationships between the University and agents, dissuading agents from working with the University again in future or making it more expensive to secure contracts. Any damage to working relationships between the University and its existing agents carries a risk that the contract will not be renewed on current terms, and the University will lose out commercially as a result.

The University would also be likely to suffer commercial disadvantage by revealing our policies and strategies regarding the engagement of agents. This could allow other Higher Education institutions and competitor universities within the UK and worldwide to change their approaches in the market (reduce charges, offer more favourable terms etc.), benefiting from the advantage of this information.

We are therefore satisfied that the disclosure of the requested information would be likely to prejudice the commercial interests of both the University, and agents with whom we contract.

We have therefore gone on to consider the public interest test in the disclosure of this information. There is a general public interest inherent in the FOI Act which supports the disclosure of information on an open and transparent basis. We also recognise that there is interest in how the University spends its income. To that end, we can confirm that no funds from UK sources are used to pay for agent services; they are funded entirely from the international student fee income collected annually by the University.

Conversely, we consider there to be a significant public interest in the University maintaining its ability to recruit students from a range of countries. Ensuring a diverse student body provides all our students with exposure to a range of cultures, languages and develops skilled graduates prepared to contribute to society and the economy after graduation.

We also consider it to be in the public interest to safeguard the position of agents in their home countries. International students looking to apply to the University of Leeds may not be familiar with the applications or admissions process, or with the language and/or wider culture. Agents act as conduits, supporting applications from students who may otherwise feel unable to initiate or continue an application and they play a vital role in supporting students through the complex process of preparing for and submitting applications for TIER 4 visas and raising the standard of visa applications to avoid wasteful inappropriate applications. Agents can also provide a supportive and consistent presence to students (and their families), reducing the risk of students 'dropping out' of the process part way through. It would, therefore, not be in the public interest to take any action (including the disclosure of this information) which would be likely to damage the commercial interests of individual agents.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle
Deputy Secretary
The University of Leeds
Leeds

LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University's response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Chloe Wilkins
Freedom of Information Officer

Secretariat
University of Leeds