From: Freedom of Information  
Sent: 04 January 2021 15:44  
To:  
Subject: Freedom of Information Response (Our Ref: K/20/501)

Dear

Freedom of Information Response (Our Ref: K/20/501)

Thank you for your Freedom of Information (FOI) request dated 2 December 2020, reference K/20/501.

Your request read:

“I am writing to request a detailed breakdown of the use of international student recruitment agents at the University of Leeds over the past six years. I would prefer to receive this information electronically in an Excel spreadsheet, but if that is not possible I can accept hard copies or inspect the record.

When I refer to agents I am excluding the use of pathway providers.

I would like to receive information in the following field categories:
- Does your university use agents to recruit international students? Please respond yes/no
- How many current contracts do you have with student recruitment agents (broken down by EU and non-EU)?
- Number of non-EU international students enrolled using recruitment agents between 2014-15 and 2019-20 (please provide separate figures for each year)
- Number of EU students enrolled using recruitment agents between 2014-15 and 2019-20 (please provide separate figures for each year)
- Amount spent on commission fees for non-EU international student recruitment agents between 2014-15 and 2019-20 (please provide separate figures for each year, both including and excluding VAT)
- Amount spent on commission fees for EU student recruitment agents between 2014-15 and 2019-20 (please provide separate figures for each year, both including and excluding VAT)
- Number of EU and non-EU international students enrolled via a pathway provider between 2014-15 and 2019-20 (please provide separate figures for each year)
- Amount spent on commission fees to pathway providers between 2014-15 and 2019-20 (please provide separate figures for each year, both including and excluding VAT)
- Did you take action over suspected wrongdoing by student recruitment agents between 2014-15 and 2019-20? If so, how many cases did you deal with, how many of these cases led to the cancellation of a contract...
with an agent, and what were your concerns (e.g. the use of fraudulent
documents, issues surrounding fees)?

The University of Leeds holds this information.

In relation to your first question, we can confirm that the University of Leeds does
have contracts with agents specialising in attracting international students.

We are withholding the information we hold in relation to questions two to eight of
your request (inclusive) 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.

Similarly, we are unable to reveal pathway numbers because we work with more
than one provider and providing the total number would reveal to each provider the
volume delivered by their competitors, and place the University and the competing
providers in a weaker position when negotiating terms.

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.

In relation to your final question, we can advise that we keep records of all allegations of agent fraud (wrongdoing) and we only have one recorded incident in the timeframe set out in your request. This was investigated and the allegation was not upheld as intentional fraud. The case did not involve either misrepresented qualifications or financial payments. Please note that we limit the scope of agent activity quite severely and they are not able to make offers or collect fees on our behalf.

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