

Dear Applicant,

**Freedom of Information request reference K/20/036**

Thank you for your Freedom of Information (FOI) request dated 17 January 2020, reference K/20/036.

Your request read:

“The names of any Chinese schools that your university recruited new students from for entry in the current academic year and the number of students admitted from each institution named.

The amount of money your university has spent on advertising targeted at Chinese students and what form this advertising took in the previous academic year (2018/19).

Whether your university hosts a Confucius Institute and details about any requests from the Confucius Institute, the Chinese embassy or other Chinese bodies to alter research or teaching on any topic (including but not limited to: Hong Kong; Taiwan; Tibet; the Tiananmen Square protests; Uighur muslims).

Details of any funding your university has received from Chinese companies or bodies since 2015.

Details about any policies your university has in relation to avoiding Chinese state interference.”

The University of Leeds holds some of this information. For your convenience we have responded to each of your questions in turn below.

**1. The names of any Chinese schools that your university recruited new students from for entry in the current academic year and the number of students admitted from each institution named.**

The University of Leeds holds this information. However, we consider this information to be exempt from disclosure under section 40(2) of the Freedom of Information Act.

Section 40(2) sets out that information is exempt from disclosure if it is the personal data of someone other than the person making the request, and disclosure would; contravene the data protection principles; contravene an objection to processing; or if the data is exempt from the right of subject access.

In this case, we consider that the release of the requested information would make it possible to identify individual students, thus revealing information about their academic history (i.e. the school(s) they attended before coming to the University). This would contravene their rights under the General Data Protection Regulations (GDPR) and as such is exempt under section 40(2).

Section 40(2) is an absolute exemption and as such the University of Leeds is not required to consider the public interest test.

**2. The amount of money your university has spent on advertising targeted at Chinese students and what form this advertising took in the previous academic year (2018/19).**

The University of Leeds holds this information. We do engage in advertising campaigns aimed at attracting students living in China. All advertising is digital in nature.

However, we consider the total amount of money spent on these campaigns to be exempt under section 43(2) of the Freedom of Information Act. Section 43(2) sets out that information is exempt where disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

We consider that to provide this information would prejudice both the University, and the organisations with whom we partner. Disclosure would reveal the organisations' spend on advertising, which would in turn be likely to unduly influence future contract negotiations. Revealing spend on advertising would allow organisations competing with the incumbent supplier(s) to inflate their own prices (where the incumbent supplier's fee is higher than the competitors), thereby distorting the market. This would negatively impact on the University's ability to secure value for money in future negotiation. Alternatively, where competitors' ordinary rates are higher, they may be inclined to 'undercut' the incumbent. This would be likely to prejudice the commercial interests of the suppliers by revealing information to their competitors which is not similarly available to them, and use it to influence pricing structures.

Section 43(2) is a qualified exemption and as such the University of Leeds is required to consider the public interest test when engaging the exemption. While the University is committed to providing information in an open and transparent manner, we do not consider there to be any particular public interest in the disclosure of the spend information.

Conversely, we consider there to be a strong public interest in the maintenance of the exemption. There is a strong public interest in the University ensuring value for money in all of its transactions. It is not in the wider public interest for suppliers to base pricing structures solely (or mainly) on what competitors are charging. A 'cheaper' service does not necessarily equate to better value for money; quality and provision of service must also be considered. We therefore consider there to be a strong public interest in avoiding the disclosure of any information which would be likely to distort the market.

Furthermore, we consider it likely that if the University were to release information which would be likely to prejudice the commercial interests of suppliers, those suppliers would be disinclined from engaging with the University in future. This would limit the University's ability to attract students from around the world, and limit the opportunities of potential students to study with us. This would not be in the public interest.

We are therefore satisfied that the public interest is in favour of withholding the requested information.

**3. Whether your university hosts a Confucius Institute and details about any requests from the Confucius Institute, the Chinese embassy or other Chinese bodies to alter research or teaching on any topic (including but not limited to: Hong Kong; Taiwan; Tibet; the Tiananmen Square protests; Uighur muslims).**

The University of Leeds hosts a Confucius Institute. Neither the Confucius Institute, nor any other organisation or bodies seek to influence research or teaching at the University.

The University of Leeds has a [Freedom of Expression Protocol](#) which sets out the University's commitment to promoting and positively encouraging free debate, enquiry and, indeed, protest.

**4. Details of any funding your university has received from Chinese companies or bodies since 2015**

Since 2015 we have worked in collaboration with 24 Chinese organisations, and received £6.4m.

**5. Details about any policies your university has in relation to avoiding Chinese state interference**

The University does not have any specific policies regarding Chinese state interference. However, we refer you to the [Freedom of Expression Protocol](#) as outlined above. Furthermore, section three of the University's [General Regulations](#) relates to "Interference with the work of the University", and the [University's Code of Practice on Corporate Governance](#) sets out the University's Values and Principles of Conduct.

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](mailto: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](mailto: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](http://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