

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 26 February 2015

**Public Authority:** Oxford Brookes University  
**Address:** Headington Campus  
Gypsy Lane  
Headington  
Oxford  
OX3 0BP

#### **Decision (including any steps ordered)**

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1. The complainant has requested from Oxford Brookes University (the "University") the reasons for the increased entry requirement to the one year foundation paramedic degree course and who required the increase, the University or SCAS (South Central Ambulance Service).
2. The University provided the complainant with a document containing the course entry requirements and it confirmed that it does not hold any further information.
3. The Commissioner's decision is that the University does not hold any further information falling within the scope of the request. Therefore, the Commissioner does not require the University to take any steps.

#### **Request and response**

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4. On 18 September 2014, the complainant wrote to the University and requested information in the following terms:

*"Oxford Brookes University (OBU) run paramedic courses in conjunction with South Central Ambulance Service (SCAS) for their own employees who are qualified Emergency Medical Technicians (EMT's or Tech's).*

*This is the one year foundation degree course in paramedicine.*

*For the years 2012 and 2013 you required 5 GCSE's including English, Maths and a "hard" Science as an entry criteria.*

*This year you have increased the entry requirement to 5 GCSE's as before but you now require 3 A levels as well. (a level 3 diploma or Access course is also acceptable)*

*Can you tell me what the rationale/reasoning is of increasing the entry requirement? Were the staff who completed the 2012 and 2013 courses not deemed good enough? Who required the increase in entry requirement, OBU or SCAS?"*

5. The University acknowledged the request on 19 September 2014 and asked the complainant to clarify whether his question was concerning its regular two year course or the one year SCAS course.
6. On the same day the complainant confirmed this question and the University informed him that his correspondence was being forwarded to the relevant team.
7. On 21 and 28 October 2014 the complainant returned to the University to chase its response to his request.
8. On 31 October 2014 the University stated that its entry requirements for the course "*have not changed and the requirements for 2014 are the same as those specified for 2012 and 2013.*" It provided the complainant with the document containing the requirements.
9. The complainant requested an internal review from the University on 3 November 2014.
10. On 4 November 2014 the University acknowledged the complainant's internal review request and informed him that the relevant team would contact him in due course.
11. Following an internal review the University wrote to the complainant on 19 November 2014. It upheld its original position.

### **Scope of the case**

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12. The complainant contacted the Commissioner on 2 December 2014 to complain about the way his request for information had been handled.
  13. The Commissioner will consider whether the University holds further information falling within the scope of the complainant's request.
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## **Reasons for decision**

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### **Section 1(1) – information not held**

14. Section 1(1)(a) of the FOIA requires a public authority to inform the complainant in writing whether or not recorded information is held that is relevant to the request. Section 1(1)(b) requires that if the requested information is held by the public authority it must be disclosed to the complainant unless a valid refusal notice has been issued.
15. In scenarios where there is a dispute as to whether a public authority holds any recorded information falling within the scope of a request the Commissioner, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities.
16. In other words, in order to determine such complaints the Commissioner must decide whether on the balance of probabilities a public authority holds any recorded information falling within the scope of a request (or was held at the time of such a request). Without evidence to suggest that the University holds further information, this argument cannot carry weight.

### **The complainant's position**

17. The complainant has disputed the University's claim that it does not hold further information that falls with the scope of his request.
18. The complainant said SCAS claimed that the University had set the academic standards for entry onto the course in question, albeit it being a joint venture from both organisations. He argued that SCAS stated the increase for 2014 to include 3 A-levels was the University's decision and not SCAS. Therefore, the complainant had challenged this, as he is of the view that it is age discrimination. He had asked the University where the increase for the course entry had derived from and he referred it to the website. He stated that information on this website indicates that last year, A-levels were not required for entry onto the course.
19. The complainant argued that he needed evidence to reveal who is responsible for the increased course entry requirement.

### **The University's position**

20. The University confirmed that its response was factually correct. It argued that the entry requirements for the programme at the University have not changed in 2014 and are the same as in previous years.

21. The University stated that it does not own the website to which the complainant referred to. It said that it is owned by SCAS and that the University does not have control over its content. It reiterated that its response was accurate and it confirmed that the University does not hold further information that is relevant to the request.

### **The Commissioner's position**

22. The Commissioner has viewed the SCAS website<sup>1</sup> and he notes the statement which clarifies that the entry requirements for each of the courses are varied. He recognises that the statement advises interested parties to contact the appropriate university for specific information. The website contains a list of requirements which includes "*Must have 5 GCSEs*" which the Commissioner recognises this to be a **minimum** requirement for entry to a specific course/programme and not an absolute.
23. The Commissioner acknowledges the complainant's concerns regarding the course entry criteria for the course in question. However, the complainant has not produced any evidence to indicate that there has been an increase to the course entry requirements.
24. Therefore, based on the University's position, the Commissioner is satisfied that on the balance of probabilities, the University does not hold further information falling within the scope of the request.

<http://www.southcentralambulance.nhs.uk/get-involved/workingforus/degrees-for-paramedics.ashx>

## Right of appeal

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25. 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](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

26. 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.
27. 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 .....**

**Rachael Cragg**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**