

By email only.

23 April 2020

Dear Adam Hodgson,

Freedom of Information Act 2000
Request for information: Response
Date of request: 15 March 2020
Due date: 15 April 2020
Ref: RITM0275053

We refer to your request for information under the Freedom of Information Act 2000 ("the Act").

Below is your question with the University's corresponding response.

Question

Dear University of Southampton,

I am writing to request information under the Freedom of Information Act 2000.

I would like to know:

1. The subsidies provided by the university, to external bus companies operating university bus routes, for the last 5 complete academic years (2014/15 to 2018/19), broken down by the following where possible:

- o Student travel
- o University staff travel
- o Any other subsidy provided

If the breakdown is not possible, a single subsidy figure for each academic year would be acceptable.

2. The expenditure on, and income from, any university provided bus services, including shuttle buses, for the last 5 complete academic years (2014/15 to 2018/19), broken down by the following where possible:

- o Student travel
- o University staff travel
- o Bus staff salary
- o Equipment costs, covering vehicles and facilities
- o Any other operating costs

If the breakdown is not possible, a single expenditure and single income figure for each academic year would be acceptable.

3. The number of complaints received by the university regarding university bus services, for the last 5 complete academic years (2014/15 to 2018/19).

If the data is collected in financial years, rather than academic years, please do provide the information in this format, for the last 5 financial years (including 2018-19 if possible), making it clear which format has been used.

Yours faithfully,
Adam Hodgson

Response:

In accordance with [section 1\(a\)](#) of the Act, we confirm that the University holds information of the description specified in your request. The answers to your questions are as follows:

In response to question 1 and 2:

Whilst we hold the requested information, we are unable to provide it, as it is exempt from disclosure by virtue of [Section 43\(2\)](#) of the Act, entitled Commercial Interests.

The release of such information would likely prejudice the commercial interests of the University and other companies. The information requested contains data, which would give insight into a University activity that would be likely to prejudice its commercial interests. To disclose this detailed information into the public domain at this stage would be likely to affect its future commercial negotiating position. The University needs to maintain excellent working relationships with collaborators while successfully negotiating new contracts, enabling us to have competitive prospects in the higher education sector.

It is important that contractual negotiations allow the University to secure its future sustainability in the higher education sector. Releasing the requested information would undermine the University's negotiating position by giving insight into its commercial strategy.

As Section 43(2) is a qualified exemption, the University has considered the [public interest test](#):

Factors favouring disclosure

- Openness and Transparency: it is in the public interest that the University, as public authorities, is as open and transparent as possible in the way that we operate and the way in which we make decisions are made, and how the University spends public money.

Factors favouring non-disclosure

- Commercial Interests: it is not in the public interest to disclose information that would undermine the University's capacity to effectively negotiate contractual agreements. Higher education providers are in a

highly competitive market and sharing the requested information would harm our negotiating position with external transport providers.

- Efficiency and effectiveness: It is not in the public interest to disclose information that would reduce the efficiency and effectiveness of the University by eroding its ability to negotiate with companies individually, based upon the specific circumstances of the agreements with those suppliers.

Given the above considerations, the University concludes that it is in the greater public interest not to disclose the information at this time.

The University of Southampton competes globally for students, academics, research funding and accreditation and we hope you understand that there is a need to balance Freedom of Information with our ability to offer the best standards in teaching and research.

The university can however provide the following information relating to your question:

The University publishes the following procurement related contract details: contract name, dates, total contract value, service and/or goods supplied, supplier name and address on the [Contracts Finder](#) website. This is a government website for advertising contract opportunities and contracts awarded, including the overall contract value.

The University advertises all tender opportunities on our e-procurement portal called In-Tend, which is accessible to any suppliers that register on the following link: <https://in-tendhost.co.uk/universityofsouthampton/asp/Home>

Procurement contract information is also published on the EU portal for advertising tender opportunities and contracts awarded, called [SIMAP](#).

Question 3:

Information in response to the question is exempt from disclosure by virtue of [Section 40\(2\)](#) of the Act.

The University does not keep separate records for the types of complaint that are the subject of your enquiry. The University would therefore need to manually access complaint files, including personal sensitive data in order to determine the nature of received complaints and whether or not it fell within the scope of your query.

The information requested constitutes an individual's personal data as defined under [Section 3 of the Data Protection Act 2018](#). To release the information would breach the first data protection principle of the Data Protection Principles concerning fairness.

Section 40(2) of the Act confers an absolute exemption.

Unilink encourage hearing consumer comments or queries regarding their bus services and can be contacted at the following link: <https://www.unilinkbus.co.uk/customer-service>

If you do not feel that we have dealt with your request in accordance with the requirements of [Part I](#) of the Act, you may request a review. Your request for a review should specify in what respect you consider that the requirements of [Part I](#) have not been met. Please address your request to the Chief Operating Officer at the following address: foi@soton.ac.uk.

In accordance with section 5.3 of the [Code of Practice](#), a request for a review must be sent within 40 working days of the date of this email. The University is not obliged to accept any requests for a review beyond 40 working days.

We will endeavour to respond to your request for a review within 20 working days of receipt.

The Information Commissioner is responsible for enforcing rights of access to information and the operation of the publication scheme. You may apply to the Information Commissioner in writing (FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF) or [electronically](#) for a decision whether, in any specified respect, your request for information has been dealt with by the University in accordance with the requirements of [Part I](#) of the Act. The Information Commissioner will not normally take action unless they are satisfied that the University's review procedure has been exhausted.

Yours sincerely,

foi

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REF: REQUEST FOR INFORMATION
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