

**The Schools of King Edward VI in Birmingham.
Foundation Office. Edgbaston Park Road. Birmingham. B15 2UD.**

Freedom of Information Act Response

----- Original Message -----

From: [Admissions2](#) <admissions@ske.uk.net>

Cc: [Admissions](#) <admissions@ske.uk.net>

Sent: Thursday, May 29, 2014 2:27 PM

Subject: FW: FOI request Durham University's CEM Unit

Please find our responses below:

Hi

Freedom of Information Request.

1. Please inform me of the total cost paid to Durham University's CEM Centre for Evaluation and Monitoring for the last 5 years for 11+ testing, broken down by year and indicating the number of children tested each year?

We consider that disclosure of such information would prejudice the commercial interests of [the schools which make up the Grammar Schools of Birmingham] and the commercial interest of Durham University. Accordingly we consider that the exemption under s43 (2) of the Freedom of Information Act 2000 applies. The information requested would enable competitors of the University to obtain an understanding of the level of charges made to Schools for the test, which would not otherwise be available to Durham about its competitors. This would lead to competitors having an unfair advantage, and would therefore potentially prejudice the commercial interests of Durham University.

Thereafter we considered the public interest test but do not consider there is an overriding public interest in providing the information. There is a general public interest in understanding how Schools spend their funds, but this would not be furthered by the release of the information that has been withheld here. We see no other genuine public interest in the information that has been requested that would override the ability of the University to carry out its commercial functions on a level playing field, which could be damaged by the release of the information requested.

The number of children tested each year from 2009 to 2013 is as follows:

2009 - 3587
2010 - 3616
2011 - 3995
2012 - 4249
2013 - 4495

2. Please inform me the current cost per additional paper that has to be marked, eg if 1000 extra candidates sit the test, what is the extra cost? Else what was the cost per additional paper last year?

There is no cost for additional candidates.

3. What formula is used to distribute the cost of testing between grammar schools?

We confirm that we hold the information requested, but consider that the information is exempt under section 43 (2), as information which may prejudice the commercial interests of the University if released. The formula requested would provide detail regarding fee structures, which could give competitors an unfair advantage in the marketplace, for the reasons given in response to question 1.

We have also considered the public interest in the test, but see no overriding argument in favour of release of the formula, as it gives the public no better understanding of the use of public funds – only an understanding of how the University operates one of its commercial activities, and therefore the public interest fails in allowing fair competition between providers by the withholding of the information.

4. Please provide me with any evidence the University of Durham provided to the Consortium claiming that its tests were resistant to preparation and tests innate ability.

We do not hold this information.

5. Were trials undertaken eg 2 groups of children, with one group tutored for one year and one group not and then their results compared?

No trials were undertaken by the Grammar Schools in Birmingham.

6. What is the evidence that child who are tutored and over achieve would struggle in a grammar a school and it would be counter-productive, as opposed to learning an ethos of hard work and determination to succeed?

7. Does the Consortium accept child can and do prepare for GCSEs and if they work hard and over achieve they do not struggle with "A" levels? If so what is the difference in preparing for 11+ tests as opposed to GCSEs?

8. Does the Consortium accept that tuition and preparation can increase the raw scores of children as they may learn topics they have not covered at school?

9. Does the Consortium accept that the numeracy section can cover topics that many children have not ever covered at school (as the test is set so early in year 6) and therefore does not test innate ability? It relies upon a topic being covered? The best way to ensure a topic is covered is to cover it oneself or via tuition?

I would like the Consortium to consider the view of the ICO:

The General principle is: · “When a contract is awarded, successful tender information loses confidentiality with respect to price and the type and quantity of the goods supplied. The public interest also favours the release of such information.”

In addition, the OECD Council has adopted a Recommendation on enhancing integrity in public procurement [C(2008)105], which evokes some of the challenges related to public procurement. It serves as a reminder of why openness is the norm and secrecy has to be interpreted restrictively

Revealing costs will simply drive down future costs as other organisations may decide to compete in a tender at a lower price point.

The Freedom of Information Act entitles members of the public to information that is held by a public authority. The public authority is not, therefore, obliged to “create” information, or to provide a new opinion on any matters where an opinion has not already been expressed. The “information” that you have requested in questions 6-9 is not information that is held by The Grammar Schools in Birmingham, and therefore cannot be supplied.

Regards