

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 22 November 2022

Public Authority: University Council
Address: University of Manchester
Oxford Road
Manchester
M13 9PL

Decision (including any steps ordered)

1. The complainant requested information from the University of Manchester ("the University") about trigger warnings, content warnings and content notes issued to students for certain modules of its English Literature degree course.
2. The Commissioner's decision is that, on the balance of probabilities, the University does not hold information within the scope of the request.
3. The Commissioner requires no steps to be taken as a result of this decision.

Request and response

4. The complainant wrote to the University and requested information in the following terms:

"Thank you for your response to my request for information - your reference 021-685

After careful consideration I would now like to request a revised request for information via the Freedom of Information Act and the Environmental Information Regulations.

Please note that I am now only interested in information which applies to each of the following modules on the English Literature degree course.

ENGL10021 -Reading Literature
ENGL10072 -Literature and History
ENGL20231 -Chaucer: Text, Contexts, conflict
ENGL20372 -Shakespeare
ENGL20482 -Gender, Sexuality and the Body.
ENGL21151 -Renaissance Literature
ENGL21022 -Medieval Metamorphoses.
ENGL30172 -Narrative Theory and Victorian Fiction.

Please note that the definition of trigger warnings and or content warnings and or content notes should extend to the following kinds of advice and or warning and or note and or guidance. It should be guidance and or warning(s) and or advice and or note(s) designed to...

(i)...Protect and prewarn students who may be at risk of suffering stress and or discomfort and or anxiety and or emotional upset and or trauma and or distress when they are confronted with and or asked to study/explore stories and or plots and or ideas and or issues and or topics and or characters and or episodes and or images and or artworks and or films and or photographs and or historical and religious writings and or historical artefacts which may in some way reflect their own personal experiences and or other real life experiences.

and or

(ii)...Warn students that the content of courses and or modules and or specific teaching materials and or individual works and or ideas and or writings and or artefacts and or images either contain sexually explicit and or violent content and or have the potential to cause offence because they reference and or deal with and or include issues and depictions relating to age and or disability and or birth and or death and or abortion and or gender and or sexuality and or race and or religious belief and or political belief and or prejudice and or discrimination and or murder and or torture and or warfare and or drug use and or alcoholism and or poverty/deprivation and or income inequality and or class and or social position and or environmental collapse.

Please note that the reference to teaching materials both above and in the questions below should taken to mean particular novels and or particular plays and or particular poems and or particular pieces of

music and or particular musicals and or particular songs and or particular recordings and or particular photographs and or particular paintings and or particular statues and or particular sculptures and or particular busts and or particular drawings and or other kind of artworks and or cartoons and or other animated works. The reference should also include examples of historical writings and historical texts and or any writings from antiquity and or any writings, texts and artworks from Ancient Greece and or Ancient Rome. It should also include but not be limited to any artworks and pots from Ancient Greece and or Rome. It should also include sacred religious works (including but not limited to the Bible) and or religious writings and or philosophical works and or political theories/writings. They should also include historical artefacts and or any pieces of armour or weaponry and or human remains and or any fossils and or any historical finds. They should also include cinema films (live action or animated) and or television dramas and or TV documentaries and or TV programmes (live action or animated) and or individual academic textbooks.

Please note that I am interested in information applying to all warnings and or notes including those that issued verbally.

Please redact the names of any students, teaching staff, University employees and researchers from the documents and information provided.

I am interested in all information generated and or held by the relevant department of the University which relates to its own actions and decisions as well as the actions and decisions of its academic staff and or employees and or anyone acting on its behalf. I am also interested in all relevant information held by the University which relates to the actions and decisions of other individuals and or bodies within the University.

1...Are any of the above modules currently issuing trigger warnings and or content warnings and or content notes which cover entire degree courses and or specific modules and or specific topics and or specific seminars and or specific literary/dramatic/artistic/poetic traditions and or the work of particular authors/novelists/poets/dramatist/historians/philosophers and or particular artistic schools and traditions and or particular genres of film and or the works of particular filmmakers/artists/photographers AND OR particular issues and subjects and or particular historical time periods and or particular historic events and or particular historic figures and or particular religious figures and or particular religious works and or particular philosophies.

2....If the answer to question one is yes can you please provide the following details. In the case of each trigger warning and or content warning and or content note (s) can you provide a copy of the actual warning and or note. In the case of each warning and or note can you identify what it relates to. Please see the definitions above. In the case of each warning and or note can you identify the relevant module. In the case of each warning and or note can you state when it was introduced and why. In the case of each warning and or note can you state how it is communicated to the student(s). For instance, is it communicated in writing and or verbally.

3...Are any of the above modules currently issuing trigger warnings and or content warnings and or content note (s) which apply to specific teaching materials. Please see the definition of teaching materials above.

4...If the answer to question three is yes can you provide a copy of the specific trigger warning and or content warning and or content note(s). In the case of each warning and or note can you provide the title of the teaching material(s) it relates to. In the case of the teaching materials can you identify the relevant novelist and or playwright and or poet and or thinker and or author and or filmmaker and or documentary film maker and or artist and or photographer and or musician and or historical figure and or religious figure. In the case of each warning and note can you state when it was introduced and why. In the case of each warning and note can you state which module and which course it relates to. In the case of each warning and note can you state how is it communicated to students. For instance, is it communicated verbally or in writing.

5...Since 1 February 2021 and Irrespective of whether the University routinely issues trigger warnings and or content warnings and or contents notes have any teaching staff on any of the modules felt the need to rest and or drop individual teaching materials (see definition above) and or remove material from those teaching materials. If the answer is yes, can you identify the specific teaching materials. In the case each of these teaching materials can you identify the relevant author and or writer and or novelist and or playwright and or poet and or filmmaker and or TV dramatist and or artist and or photographer and or musician and or historical figure and or religious figure. In the case of each of these teaching materials can you state whether it has been dropped from the course altogether or whether it has been rested. If information has been withdrawn, can you identify the information which has been withdrawn. In the case of each work that has been dropped and or rested and or has had material withdrawn can you state when this action was taken and why."

5. The University responded on 18 March 2022 and advised that it did not hold any recorded information within the scope of the request but it did

provide some examples of descriptions that would be issued for certain modules.

6. The complainant expressed dissatisfaction with that response on 18 March 2022.
7. Following an internal review, the University wrote to the complainant on 7 July 2022 and upheld its original decision.

Scope of the case

8. The complainant contacted the Commissioner on 21 July 2022, to complain about the way their request for information had been handled.
9. The Commissioner has considered whether, on the balance of probabilities, the University holds recorded information within scope of the request and whether it has complied with section 1(1) of FOIA.

Reasons for decision

Section 1 general right of access

10. Section 1 of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him”.

11. The Commissioner has sought to determine whether, on the balance of probabilities, the University holds the requested information.
12. The University has explained that in response to the initial request, it consulted with its Head of School Operations for the School of Arts, Languages and Cultures, who then asked the question to each of the relevant academic leads. The academic leads are the people within the University who would implement these warnings for each of their respective areas, therefore they would be aware if these warnings existed. These searches did not locate the information requested because such information did not exist at the time of the request.

13. When issuing its response the University explained that, for the most part, the courses specified in the request do not use formal trigger or content warnings as part of the delivery of their curricula. Departmental policy is that such warnings should be left to the discretion of Course Unit Directors.
14. The University added that while the curricula for the specified courses have been modified from time to time for academic reasons, no teaching materials on any of them have ever been dropped, rested or expurgated in response to student reactions to or feedback on them. The University then provided some contextual information within its response in an attempt to satisfy the complainant but acknowledged that this information did not meet the scope of the request.
15. On the balance of probabilities the Commissioner is satisfied that the requested information is not held by the University, as he has not been provided with any evidence that the University would hold further information.
16. The Commissioner is satisfied that the University has complied with its obligations under section 1(1)(a) FOIA in this case. He is therefore satisfied that the University has complied with the requirements of section 1 of FOIA.

Right of appeal

17. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

18. 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.
19. 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

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF