

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 30 November 2023

Public Authority: Swansea University

Address: Singleton Park
Swansea
SA2 8PP

Decision (including any steps ordered)

1. The complainant made a request for information to Swansea University ("the University") relating to subjects studied in the University's faculty of Humanities and Social Sciences. The University has confirmed that it does not hold the information requested under section 1(1)(a) FOIA.
2. The Commissioner considers that, on the balance of probabilities, the University was correct to confirm that it does not hold the requested information.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 1 May 2023 the complainant made a request for information to the University, the wording of which is contained in an Annex to this Notice.

5. The University responded on 21 June 2023 with the following:-

“The faculty of Humanities and Social Sciences does not have a policy on the use of trigger warnings. All texts and teaching materials are discussed in class so that students can be given context for any content which might be challenging and also to give academic staff the chance to explore these themes with them in an open and supportive environment.”
6. The complainant requested an internal review on 28 June 2023 to which the University provided a response on 26 July 2023. At internal review, the University stated that it held no recorded information about trigger warnings, content warning and content notes. It reiterated that lecturers discuss the upcoming content of modules with students at the start of each semester but that this is not formally documented as trigger/content warnings.
7. The complainant wrote to the Commissioner as they wished to challenge the above response. They believed that the University did hold recorded information within the scope of their request. They considered that in its original response the University concentrated only on the phrase “trigger warnings” and not on the other references such as “content notes” or “content warning.” They considered that the University should have provided information about the discussions of module content referred to in the internal review response as this is covered by the phrases “content notes” and “content warnings.” The complainant was also concerned that the University has not answered part 5 of his original request.
9. The complainant complained to the Commissioner on 24 August 2023 about the way in which the University had handled their request. The Commissioner wrote to the University on 14 September 2023.
10. The University provided a further response to the complainant which answered part 5 of the complainant’s request and provided further submissions in respect of the remaining requested information. The University reiterated its responses in paragraphs above. The complainant was content with the University’s response to part 5 of their request, however they still wished to challenge the remaining response.
11. The University provided a further response to the complainant which answered part 5 of the complainant’s request and provided further submissions in respect of the remaining requested information. The University reiterated its responses in paragraphs above. The complainant was content with the University’s response to part 5 of

their request, however they still wished to challenge the remaining response.

Reasons for decision

12. Section 1(1) of FOIA provides 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.”

13. The Commissioner has sought to determine whether, on the balance of probabilities, the University holds the requested information.

14. The University has confirmed that the Faculty of Humanities and Social Sciences does not have a policy on the use of trigger warnings, explaining that informal discussions are held in lectures regarding the content of upcoming topics, and students have the opportunity to explore potentially challenging texts and themes with academic staff. Therefore it follows that it does not hold recorded information within the scope of the complainant’s request.

15. On the balance of probabilities the Commissioner is satisfied that the requested information is not held by the University as it has confirmed that it does not formally document the above discussions and therefore there would be no requirement for the information to be held by it.

16. The University has complied with its obligations under section 1(1)(a) FOIA in this case.

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: 0300 1234504

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.....

Deirdre Collins
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex

"Please note that I am interested in information which relates to any or all of the following modules on the BA (Hons) English Literature degree course.

- (a) Monsters, theories, transformations
- (b) Approaches to gender in English Literature
- (c) Of Gods and Heroes, Greek Mythology
- (d) Medieval Encounters
- (e) Contentious Shakespeare
- (f) The Roman comic novel, excrement and sacrament
- (g) Roman Satire: Ranting and Bantering
- (h) Welsh Gothic/Gothic writing
- (i) Beyond Shakespeare

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 or religious writings and or historical artefacts which may in some way reflect their own personal experiences and or other real life experiences.
- (ii) warn students that the content of the 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 that they have the potential to cause offence because they reference and or deal with and or include issues and depictions relating to birth and or childhood and or abortion and or age and or death and or disability and or sexuality and or gender and or religious belief and or race and or racism and or discrimination and or rape and or abuse and or slavery and or imprisonment and or warfare and or colonialism and or bloodshed and or economic exploitation and or income disparity and or class and or social background.

Please note that the reference to teaching materials both above and in the questions below should be 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 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 redact the names of any students, teaching staff, faculty employees and researchers from the documents and information provided.

I am interested in all information generated and or held by the relevant faculty/department 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 faculty/department which relates to the actions and decisions of other individuals and or bodies within the University.

1. Are students studying any and all of the aforementioned modules listed above issued with what might be termed a general content warning and or trigger warning or content note which covers the overall content of each and or all of the modules. Alternatively, this general note or warning could relate to specific literary/dramatic/artistic/poetic traditions which feature in any of the modules and or the work of particular authors/novelists/poets/dramatists which feature in any of the modules. It could also include particular artistic schools and traditions and or particular genres of film and or the works of particular filmmakers/artists/photographers which feature in the modules 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 which feature in the modules.

2. If the answer to question one is yes can you please provide the following details. In the case of each general 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 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 or verbally.
3. Are students studying any and all of the aforementioned modules listed above issued with a trigger warning and or content warning 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 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 or verbally.
5. Since 1 June 2022 and in relation to any or all of the modules listed above have staff felt the need to rest and or drop or edit individual teaching materials (see definition above). If the answer is yes, can you identify the specific teaching materials. In the case of 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 which has been dropped and or rested and or has had material withdrawn can you state when this action was taken and why."