

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 11 November 2022

Public Authority: The Governing Body of the University of
Wolverhampton

Address: Wulfruna Street
Wolverhampton
WV1 1LY

Decision (including any steps ordered)

1. The complainant requested information from the University of Wolverhampton ("the University") about trigger warnings, content warnings and content notes given to students of BA (Hons) English and History, BA (Hons) English Language and Literature, BA (Hons) English, BA (Hons) Fine Art and BA (Hons) History courses. The University provided some of the requested information but advised that no further information within the scope of the request was held.
2. The Commissioner's decision is that, on the balance of probabilities, the University does not hold further 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. On 29 November 2021 the complainant wrote to the University and requested information in the following terms:

"[...]"

Please note I am only interested in information which applies to students on the following courses.

BA (Hons) English and History
BA (Hons) English Language and Literature
BA (Hons) English
BA (Hons) Fine Art
BA (Hons) History

Please note that the definition of trigger warnings as used in the questions below should extend to those trigger warnings and or content notes and or that guidance (or similar) which is designed to...

(i) Prewarn students that particular topics and or ideas and or issues and or discussions and or study materials and or texts and or films and or artworks may cause upset and or anxiety and or depression and or trauma either because they mirror and or 'trigger memories' of an event from their own lives or because they may reflect real life experiences.

And or

(ii)...warn students that the content of the courses and or modules have the potential to cause offence either because they feature and touch upon and or refer to and or depict matters and issues relating to any or all of the following: youth and or old age and or race/ethnicity and or gender and or sexuality and or sexual relations and or nudity and or issues relating to domestic violence and or issues relating to abortion and or sexual abuse and or drugs and drug abuse and or alcoholism and or ableism and or disability and or issues relating to disability and or issues relating to disability and or issues relating to religious belief and or issues relating to warfare and issues relating to Empire and Imperialism and or issues relating to slavery and or violence and criminality and or issues relating to violence and or issues relating to race relations and or issues relating to racial conflict and or issues relation to class and social background and or issues relating to poverty and or deprivation and or income inequality and or homelessness and or unemployment and or entitlement and or depictions of and or issues relating to animals and or wildlife and or animal cruelty.

*Please note that I am interested in both general and or umbrella trigger warnings (which may cover particular modules and or seminars and or topics and or reading lists and or the works of particular writers) and those trigger warnings which relate to specific novels and or plays

and or musicals and or songs and or pieces of music and or recordings and or downloads and or records and or concerts and or poems and or artworks (including paintings and or portraits and or photographs and or drawings and or illustrations and or statues and or sculptures and or busts and or video installations and or cartoons and or prints) and or specific cinema films (live action and or animation) and or specific animated shorts and or specific animated works and or particular documentaries and or specific TV dramas and or TV shows and or particular historic artefacts and or particular historic writings/texts and or human remains and or religious texts and or academic textbooks.

[...]

1...Are any of the aforementioned courses currently issuing general/umbrella trigger warnings which cover particular modules and or courses and or topics and or writers AND OR individual trigger warnings (as described above) which relate to any specific novels or plays and or poems and or musicals and or songs and or recordings and or records and or downloads and or concerts and or artworks (as defined above) and or cinema films (both live action and animated) and or animated shorts and or other animated works and or documentaries and or TV programmes and or historic artefacts and or historic writings and or religious texts and or academic textbooks

2...If the answer to question one is yes can you provide a copy of both the general/umbrella warning(s) and or the individual trigger warning(s). In the case of both can you state what they relate to. In the case of specific warnings can you identify what artworks (as defined above) and or films and or novels and or plays and or poems and or pieces of music and or animated work and or religious texts and or historical texts/writings and or human remains and or historic artefacts and or books and or personalities and or writers and or thinkers and or cinema films and or documentaries and or TV programmes and or animated works they apply to. In the case of each trigger warning can you state why it was introduced.

3...Since 1 August 2020 and irrespective of whether any trigger warnings are currently in operation has any student studying on the aforementioned courses complained about the inclusion in the courses or any novel and or play and or poem and or musical and or song and or recording and or records and or concert and or download and or piece of music and or any artwork and or animated work and or religious text and or historical document and or written work and or academic textbook and or cinema film and or documentary and or TV programme and or the work of a particular author or thinker. If the answer is yes, can you identify the texts and or works at the centre of complaint including the title/name of any novel and or poem and or

play and or artwork and or religious text and or historical documents/piece of writing and or cinema film and or documentary and or TV programme and academic textbook. (together with any authors).

4...Irrespective of whether the university routinely issues trigger warnings (of the kind defined above) and since 1 August 2020 have any of the degree courses felt the need to rest and or drop any novel and or play and or poem and or musical and or song and or record and or recording and or animated work and or download and or concert and or piece of music and or artwork and or religious text and or historical document and or cinema film and or documentary and or TV programme and or the work of any particular writer and or artist and or academic textbook from any of their course materials and or modules and or reading lists following concerns expressed by students. If the answer is yes, can you identify what has been dropped and why."

5. The University responded on 23 December 2021 and provided some of the requested information. It advised that no further information within the scope of the request was held.
6. The complainant expressed dissatisfaction with that response on 26 January 2022.
7. Following an internal review, the University wrote to the complainant on 18 March 2022 and upheld its original decision. It did, however, provide further detail about the texts and materials that tutors would usually highlight to students before discussing.

Scope of the case

8. The complainant contacted the Commissioner on 30 March 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 further information relevant to the scope of request.
12. The University has explained that, when providing its response to the request, its searches included consultation with relevant faculty staff and lecturers who performed searches on electronic and paper records including PowerPoint presentations, course manuals and books, and on online modules on the University's Virtual Learning Environment.
13. When preparing its internal review outcome, the University extended its searches to include consultation with its Faculty of Art, Business and Social Sciences. This included relevant faculty staff and lecturers performing searches on electronic and paper records including PowerPoint presentations, course manuals and books and on online modules on the University's Virtual Learning Environment.
14. The University also consulted with its Library Service and was advised that the use of formal content or trigger warnings is not part of the institutional Reading List Policy and therefore no general or template content warnings are created or applied within the online reading list system. Whilst module leaders and academics can annotate and add notes to items, a search of the published reading lists in the subject areas covered in the complainant's request does not show any notes with the wording 'trigger warning' or 'content warning'.
15. Furthermore the Library Service stated that no students or academic staff have contacted its online system via email to request content warnings be added to reading lists or reading list items within the past twelve months. No complaints have been received regarding inappropriate content on reading lists via the Library system's inbox in the same time period.
16. The University has stated that it has tried to be helpful to the complainant as, although a formal central list of trigger warnings does not exist within the University, staff did review their modules and materials (electronic and paper) and they forwarded any topics they would consider pre-warning students about. The University explained

that for some modules, no wording could be provided as these would be verbal discussions between the tutor and the class.

17. On the balance of probabilities the Commissioner is satisfied that further requested information is not held by the University, as he has not been provided with any evidence that the University would hold further recorded information.
18. 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

19. 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

20. 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.
21. 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
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Wycliffe House
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