



[Redacted]

9 December 2022

Dear [Redacted],

**Freedom of Information request: FOI2022/00351**

Thank you for your Freedom of Information Act (FOIA) request received on the 25 October in which you requested the following:

**Your request:**

*I would like to request the grant application for this MRC award from 2020 (Innovate UK Research and Innovation Grant 71067 "Edged sensing array affording Intelligent integrated airspace awareness")*

**Our response:**

I can confirm that UK Research and Innovation (UKRI) hold information relevant to your request. Please see the information below and attached.

A copy of the application form is provided with this response as "*FOI2022\_00351 Application 71067\_Redacted*". Some information has been withheld as exemptions under the FOIA are considered to apply, these include Section 40 relating to personal information, Section 41 information provided in confidence and Section 43 commercial interests. Further information on the exemptions considered to apply is provided below.

We have determined that the application contains personal information relating to the lead applicant and additional team members, including contact details, names, experience and qualifications. This has been withheld under Section 40(2) of the FOIA. Disclosing this information would contravene the first Data Protection Principle as defined under Section 86 of the Data Protection Act 2018 and Article 5 of UK General Data Protection Regulation (UK GDPR). Section 40(2) is an absolute exemption and does not require a public interest test.

We have also determined that some information contained within the application form falls under Section 41 of the FOIA, information provided in confidence.

To explain further research proposals are submitted to Innovate UK in confidence. If the information was released, we believe it would result in an actionable breach of confidentiality. There is a need for the information to remain confidential, both for the duration of the project that was funded and following its completion, given that research and development can continue after this period. The release of this information may affect the ongoing operation and commercial opportunities for the organisation.

Section 41 is an absolute exemption and does not require a public interest test.

In addition, we believe that information relating to project plans, market assessment, technological approach, competitive analysis and commercial impacts, as well as cost information included in the application form falls under the scope of Section 43(2) of the FOIA. This exemption is used where disclosure would likely result in a person's (an individual, a company, the public authority itself or any other legal entities) commercial interests being prejudiced.

This is a qualified exemption, and a test was carried out to determine whether the public interest in maintaining the exemption outweighs public interest in disclosure.

### **Public interest in favour of disclosure**

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- There is also a public interest in transparency in order to ensure the accountability of public organisations and how they spend public funding.
- It would be in the public interest to view the application as public monies are used to fund these activities. As this is the case it is important that the project has a positive impact and is beneficial to all parties involved. Seeing copies of the application and full research proposal enables the public to independently assess the impact of the project.

### **Public interest in favour of withholding the information**

- An applicant's ideas may be, currently or in the future, the subject of IP filing. Disclosing descriptions of products, processes and key technical information could hinder their chances of being successful in any IP application.
- Releasing the information would be likely to weaken the position of the participants of the project in the competitive research environment as participants would usually continue working on projects, or on the research, even after the grant has come to an end, thus prejudicing the ongoing operations and marketing opportunities of the company.
- The application contains commercially sensitive information which is disclosed to UKRI in confidence. Releasing the information requested could be taken advantage of by competitors in planning competing strategies for further business opportunities.
- We also considered the impact on UKRI if commercially sensitive information of companies we engage and work closely with were disclosed. Releasing this information may damage the possibility of ongoing commercial relationships with other organisations.
- We follow the government guidance on [managing public money](#)<sup>1</sup>. Standards expected of all public services include integrity, reliability, spending money in the public interest and achieving value for money. Our current thorough process ensures that only the best projects receive public monies. Releasing this information could jeopardize the fair and transparent competition process and undermine our function to fund the best projects. In turn, undermining this process would go against our responsibilities to manage our use of public funds.

Taking the above arguments into consideration, we reached the decision that the need to protect commercial interests outweighed the public interest in disclosure; therefore, the relevant information has been withheld as exempt from disclosure.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:

Head of Information Governance  
Email: [foi@ukri.org](mailto:foi@ukri.org)

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: [www.ico.org.uk](http://www.ico.org.uk).

<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1060283/MPM\\_Spring\\_21\\_without\\_annexes\\_040322.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1060283/MPM_Spring_21_without_annexes_040322.pdf)

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,

  
Information Governance  
Information Rights Team  
UK Research and Innovation  
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