



[REDACTED]

22 January 2025

Dear [REDACTED],

Freedom of Information request: FOI2024/01245

Thank you for your Freedom of Information request received on the 20 December in which you requested the following:

Your request:

Please can you provide a copy of the Board paper mentioned in the response to question 2 of my previous request [2024/2025 Marine Facilities Programme update' paper from the NERC Cruise Programme Executive Board meeting held on 10 October 2024].

Our response:

I can confirm that UK Research and Innovation (UKRI) holds information relevant to your request. Please see the information below and find attached "*CPEB Autumn 2024 – Paper 5_Redacted*".

We are exempting the names, contact details and information pertaining to individuals 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 also believe that a small amount of the information contained within this document 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.

Public interest in favour of withholding the information

- The release of information relating to an organisation's financial status or ongoing operations would likely have a negative effect on their ability to operate and conduct business effectively in an open and competitive market. This information could provide an advantage to competitors when composing competing strategies or materially disadvantage the organisation themselves, by affecting the cost of goods and services and their ability to secure future contracts.

- Releasing information provided in confidence to UKRI is likely to damage the possibility of ongoing and future relationships with other organisations. Relationships may become untenable if third parties cannot be certain that their commercial information will remain confidential when held by UKRI.
- Breaching the commercial interest may also adversely affect future negotiation opportunities for UKRI. UKRI may be seen as a 'confidentiality' risk if it routinely releases information relating to business arrangements into the public domain, particularly where this is third party information.
- We also considered the impact on UKRI if commercially sensitive information of companies we engage and work closely with were disclosed. We believe it would damage the trust in UKRI and likely impact our ability to carry out our role and manage our current and future investments.

Taking the above arguments into consideration, we reached the decision that the need for commercial confidentiality outweighs the public interest in disclosure; therefore the information is exempt from disclosure.

If you have any queries regarding our response please do let us know. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review, explaining which elements of this decision you disagree with and why. Internal review requests should be submitted within 40 working days of the date of our response and should be addressed to:

Head of Information Governance

Email: 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.

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 procedure](#)¹.

Yours sincerely,


 Information Governance
 Information Rights Team
 UK Research and Innovation
foi@ukri.org | dataprotection@ukri.org

¹ <https://www.ukri.org/who-we-are/contact-us/make-a-complaint/#skipnav-target>