



13 August 2020



**Freedom of Information request: FOI2020/00213**

Thank you for your Freedom of Information request received on the 14 July in which you requested the following:

**Your request:**

1. *All the applications that were funded in the "Bilateral UK and US offshore wind research and development (R&D) EoI (expression of interest) competition"*
2. *All the companies funded by Innovate UK, over all competitions, in the last three years where the company director had a mental disability.*

**Our response:**

I can confirm UK Research and Innovation (UKRI) holds some of the information relevant to your request. Please see the information below.

1. In your request you have asked for all the funded applications from the "Bilateral UK and US offshore wind research and development (R&D) EoI (expression of interest) competition". However, we have determined that the information you have requested falls under Section 41 of the FOIA, information provided in confidence and Section 43 of the FOIA, prejudice to commercial interests.

**Section 41(1), information provided in confidence**

Under Section 41 of the FOIA, information provided in confidence we are exempting the content of the funded applications to this competition. To explain further, companies apply to Innovate UK in confidence and with the expectation that their bid information, including their application, will be kept in confidence. If the information was released, we believe it would result in an actionable breach of confidentiality.

As this exemption is absolute there is no requirement to conduct a public interest test.

**Section 43(2), prejudice to commercial interests**

We also believe the information you have requested 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, meaning that a test was carried out to determine whether the public interest outweighs the requirement for commercial confidentiality.

**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 application forms for this competition contain commercially sensitive information such as business plans, cost and schedule information, technical project plans and extensive description of the project, which are disclosed to UKRI in confidence. The agreement we have with participants in our programmes is that we will not release any confidential information without their permission. Releasing the information requested could be taken advantage of by competitors in planning competing strategies for further business opportunities.
- Innovate UK's competition process is highly competitive and composing a successful bid requires expertise and skill in providing quality information as well as understanding the most advantageous content to present in order to succeed. The applicant must also have the ability to support and justify the strength of their application. The applicant must do this whilst adhering within the strictly enforced scope and eligibility requirements of a particular competition. This knowledge is proprietary to the applicant. In addition, there are companies and consultancy groups that specialise in selling a grant writing service based on their grant writing expertise and knowledge. This exemplifies the commercial advantage and value that such expertise and skills deliver. As such disclosing the information requested is likely to reduce applicants' commercial advantage and thereby harm its commercial interests in a highly competitive field. We believe disclosing this information confers an advantage to competitors which would likely materially disadvantage and harm the interests of the applicants, particularly in their ability to compete for grants.
- We also considered the impact on Innovate UK if commercially sensitive information of companies we engage and work closely with were disclosed. We believe it would damage the trust in Innovate UK 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.

2. UKRI does not hold the information you have requested in regard to companies funded by Innovate UK where the company director had a mental disability. This information is not requested during the application process and is therefore not held by UKRI.

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) or [infogovernance@ukri.org](mailto:infogovernance@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: <http://www.ico.gov.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 policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,



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