



[REDACTED]

12 April 2022

Dear [REDACTED]

Freedom of Information request: FOI2022/00095

Thank you for your Freedom of Information request received on the 17 March in which you requested the following:

Your request:

I would like you to send me a copy of the Glencar H&S incident report held by the relevant authorities in relation to the collapse of a walk-on ceiling at the Vaccine Manufacturing and Innovation Centre in July 2021.

I would like this information to be provided in electronic format.

Our response

I can confirm UK Research and Innovation (UKRI) hold the information relevant to your request.

We have determined that the information you have requested falls under Section 41 of the FOIA, information provided in confidence.

To explain further, although UKRI have had sight of the document requested, there is no contractual relationship between UKRI and the producer of the report, Glencar Construction. Glencar have been appointed by Harwell Oxford Management Ltd who in turn have a Development Agreement with the Vaccine Manufacturing and Innovation Centre to build the new facility.

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.

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

- Releasing third party information provided in confidence to UKRI is likely to damage the possibility of ongoing 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.
- Releasing commercially confidential third party information would adversely affect UKRI and the third parties commercial interests. UKRI may be seen as a 'confidentiality' risk by releasing commercially confidential information into the public domain, particularly where it is third party information
- We believe if commercially sensitive information of companies we and engage and work closely with were disclosed 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 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 or 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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