



[REDACTED]

13 May 2024

Dear [REDACTED],

Freedom of Information request: FOI2024/00336

Thank you for your Freedom of Information request received on the 18 April in which you requested the following:

Your request:

I am writing to request access to records in the possession or control of Industrial Strategy Challenge Fund (ISCF) for the purpose of inspection and copying pursuant to the UK Public Records Act.

The specific records I seek to inspect and copy are as follows:

** The original proposal (Project Reference number 50868) entitled "Reliable, high throughput production and characterisation of coherent superconducting devices"*

** The Request for Proposals that the awardee responded to.*

** The detailed project budget.*

Our response

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

Information on the 'Reliable, high throughput production and characterisation of coherent superconducting devices' project is available on Gateway to Research, project reference [50868](https://gtr.ukri.org/projects?ref=50868)¹ The [Gateway to Research](#)² was developed by the UKRI's councils to enable users to search and analyse information about publicly funded research and innovation. It includes information about projects supported by all seven Research Councils, Innovate UK and NC3Rs and can be filtered by key terms, funder and start year, where you may be able to access information from what is publicly available.

Information on the project is also available on Innovate UK's [transparency data](#)³ page, where you can filter under 'project number' using the project reference 50868 to access information on the project, including award offered and actual spend to date.

We are providing a copy of the grant application. Please find this document attached with this response. Some information in the document provided as well as the detailed project budget have been withheld under the following exemptions which are explained below.

- Section 40(2) personal data
- Section 41 Information provided in confidence

¹ <https://gtr.ukri.org/projects?ref=50868>

² <https://gtr.ukri.org/>

³ <https://www.ukri.org/publications/innovate-uk-funded-projects-since-2004/>

- Section 43(2) Commercial Prejudice

Section 40(2) personal data

Names and contact details that are not already in the public domain have been withheld under section 40(2) personal data of the FOIA. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would, amongst other things, contravene one of the data protection principles in Article 5(1) of the UK General Data Protection Regulation (UK GDPR) and section 34(1) of the Data Protection Act 2018. In this case, we believe disclosure would contravene the first data protection principle, which provides that processing of personal data is lawful and fair.

Section 40(2) is an absolute exemption and UKRI is not obliged to consider whether the public interest favours disclosing the information.

Section 41 information provided in confidence

The detailed project budget and some information in the grant application have been redacted as they fall under the exemption at section 41(1) of the FOIA, information provided in confidence. As organisations submit grant applications and project budgets in confidence, we consider this information and the redacted information in the grant application are exempt under Section 41 of the FOIA. To explain further, applicants submit their grant applications in confidence with the understanding that details of their application will remain confidential and only a brief overview will be published. This is necessary to protect research and development plans, confidential intellectual property, and other commercially sensitive or market information provided in the proposal. Detailed information is necessary in proposals to enable assessments. This information is more than trivial and not otherwise accessible, as it refers to technology that is not publicly available and not easily accessible. We believe that the information has the necessary quality of confidence and was imparted under an obligation of confidence. As this exemption is absolute there is no requirement to conduct a public interest test.

Section 43(2) commercial prejudice

We also consider that the detailed project budget and the redacted information in relation to the grant application fall under the exemption at 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

- Applicants apply for funding knowing that if they achieve success only a brief overview of their successful application will be publicly available, everything else will remain confidential, including their original application.
- The grant applicants must also have the ability to support and justify the strength of their application. This knowledge is proprietary to the applicant and exemplifies the commercial advantage and value that such expertise and skills deliver. As such disclosing the information requested is likely to damage the applicant's commercial advantage and thereby harm their commercial interests and affect the value of the award.
- The full grant proposal and detailed project budget contain commercially sensitive information such as technical project plans and an extensive description of the project which are held by UKRI in confidence. Releasing this information could be taken advantage of by competitors in planning competing strategies for

further business opportunities. We believe disclosing this information via FOI confers a disadvantage to applicants which would likely materially disadvantage and harm their interests, particularly in their ability to compete for grants.

- The grant holder provides a unique specialist function that is not widely available, and information regarding the approach to addressing issues in their field of specialisation is highly commercially sensitive. The impact of disclosure would extend beyond this award, would jeopardise future areas of research and collaboration, and have implications for the sector. Information in the grant proposal is unique to the applicant and would generally constitute their expertise and intellectual property, consisting of expert knowledge necessary to their commercial advantage.
- Releasing this information is likely to damage the possibility of ongoing relationships between UKRI and other organisations. Relationships may become untenable if third parties cannot be certain that their grant applications 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 grant applications into the public domain, particularly where this is third party information.

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.

With regard to part 2 of your request for '*The Request for Proposals that the awardee responded to*', information on the [competition funding call](#)⁴ is publicly available. As this information is in the public domain, we consider that Section 21 of the FOIA - Information already reasonably accessible, would apply and have provided the relevant link above. Section 21 is an absolute exemption which means that there is no requirement to conduct a public interest test.

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 within the next 40 working days:


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 policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,


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

⁴ <https://apply-for-innovation-funding.service.gov.uk/competition/520/overview>
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