



[REDACTED]

09 January 2020

Dear [REDACTED],

Freedom of Information request: FOI2019/00027

Thank you for your Freedom of Information request received on the 16 December 2019 in which you requested the following:

Your request:

"Competition Code: 1809_CRD_HEAL_DHTC_R3

On the 28th March 2019 you announced funding for a digital health technologies.

Please provide the bid documents for the award for the project "Transforming deteriorating patient care with a digital and sustainable rapid response system developed in the open"

Our response

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

Please see **Annex A – Documents in scope of the request** at the end of this letter for all the documents that were considered held as part of your request. Annex A will also give an overview of:

- Document type and document name
- If any redactions have been made
- If redactions have been made, the exemption(s) within the Freedom of Information Act (FOIA) that have been applied
- Any documents that have been withheld

The documents released are attached with this letter.

When considering your request we have found that some of the information in scope of your request falls within the following FOIA exemptions.

Section 40, personal information

In Annex A, you will note that information has been withheld under Section 40(2), personal information, of the FOIA. Any personal details such as names, job titles, email addresses and expertise of any non-senior and non-public facing staff has been redacted. It is our view that 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 EU General Data Protection Regulation (GDPR) 2016.

Section 40(2) is an absolute exemption and does not require a public interest test.

Section 41, information provided in confidence

In Annex A you will note that redactions have been made under Section 41, information provided in confidence, of the FOIA. To explain further, companies apply to Innovate UK in confidence with the expectation that the complete bid information, including their application and the associated documents will be kept in confidence. When an application is successful they are aware that only certain parts of the application, such as public description and grant funding requested will be put in the public domain. As such, we have redacted information that was provided to Innovate UK, now part of UKRI, by participants of the project that, if released we believe 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, commercial interests

In Annex A you will note that redactions have been made under Section 43(2), commercial interests, 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.
- It would be in the public interest to view the application form as public monies are used to fund this project. It is important that the programme has a positive impact and is beneficial to all parties involved. Seeing copies of the application form enables the public to independently assess the value for money.

Public interest in favour of withholding the information

- The application form and associated annexes contain commercially sensitive information such as business plans, cost and schedule information, technical project plans, descriptions of all risks associated with the project, and extensive descriptions of the project, all of which were disclosed to UKRI in confidence. Releasing such detailed information into the public domain could be used to the advantage of competitors when planning competing strategies for further business opportunities, especially given that this is a recent application and the resulting project is still ongoing.
- 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 the applicant's commercial advantage and thereby harm their commercial interests in a highly competitive field. We believe disclosing this information confers an advantage to competitors which would likely materially disadvantage and harm their interests, particularly in their ability to compete for grants.

- 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 maintaining 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 a 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 not content with the outcome of our internal review you are entitled to refer the matter to the Information Commissioner's Office 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,


Information Governance
Information Rights Team
UK Research and Innovation
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Annex A – Documents in scope of the request

Document number	Document name	Document type	Redactions made? Y/N	Exemption used
01	27536 Application	Application	Y	Section 40, Section 41, Section 43
02	AppendixQ2 – 27536	Appendix	Y	Section 41, Section 43
03	AppendixQ3 – 27536	Appendix	Y	Section 40, Section 41
04	AppendixQ7 – 27536	Appendix	Y	Withheld - Section 41, Section 43
05	AppendixQ8 – 27536	Appendix	Y	Withheld - Section 41, Section 43