



[REDACTED]

17 June 2022

Dear [REDACTED],

Freedom of Information request: FOI2022/00179

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

Your request:

Thank you for the reply to my GDPR SAR. Following on from this, I am now making an FOI request, specifically please give the full name of the 'ROMB' referred to in the response you sent to my SAR, a copy of their remit, terms of reference or any other information corresponding to their roles, and, if possible, a list of the current membership.

Our response:

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

The acronym 'ROMB' refers to the Research Outcomes Management Board. A copy of the Terms of Reference for the Board is provided as an attachment, 'FOI2022 00179 Research Outcomes Management Board ToR'. This outlines the Board's purpose and role, and provides further information on membership and responsibilities. For your information, the acronym "DDaT" as stated on page 3 of the attached document stands for "Digital, Data, And Technology".

We consider that the names of current members of the ROMB would be exempt 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).

In short, given that members of ROMB do not hold senior positions or public facing roles, we believe that the test for and against disclosure weighs in favour of protecting the rights and interests of these individuals.

To explain further, we have considered releasing the names of individuals in accordance with Section 40(3A) which states:

The first condition is that the disclosure of the information to a member of the public otherwise than under this Act:

- a) would contravene any of the data protection principles, or*
- b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.*

We have therefore assessed whether releasing this information would contravene the first of the data protection principles, that "*Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject*".

To this end, we have looked at the two lawful bases for processing that are relevant to this request under Article 6 of the UK GDPR: (1a) consent and (1f) legitimate interests

UK GDPR Article 6(1a) Consent

As noted in the Information Commissioners (ICO) [guidance](#), for this basis to be satisfied the individuals must give their consent freely to the specific disclosure. During the course of collating the information relevant to your request, we sought the consent from a subsection of members, however this was declined. As the subsection of members did not provide consent, we went on to consider (f) legitimate interests.

UK GDPR Article 6(1f) Legitimate interests

In order to determine if this lawful basis can be engaged we must consider the purpose, necessity, and (if applicable) a balancing test.

UKRI recognises that there is an expectation as a public body to be transparent in how it conducts its business using public funds, and in matters that are of public interest. However, we must also consider the rights of individuals and that their personal information would be disclosed to the world at large and would be free from any duty of confidence.

We have considered the reasonable expectations of the individuals concerned, who do not hold senior positions or public facing roles, and consider that the balancing test for and against disclosure weighs in favour of protecting the rights and interests of individuals.

Given that in response to your request we are providing the Terms of Reference, which will help to further the public's understanding of the ROMB we have determined that there is not a sufficient necessity to disclose the names of the individual members in this instance.

We have therefore concluded that as neither the consent nor legitimate interest lawful basis have been met, that Section 40(2) should be engaged, and this information has been withheld. Section 40(2) is an absolute exemption and does not require a public interest test.

To support transparency, we are able to confirm that the ROMB is composed of eleven members; seven representatives of UKRI Councils that use the research outcomes collection system, and four members representing UKRI corporate functions.

The councils that use the research outcomes collection system (which at present is Researchfish) are:

- Arts and Humanities Research Council (AHRC)
- Biotechnology and Biological Sciences Research Council (BBSRC)
- Economic and Social Research Council (ESRC)
- Engineering and Physical Sciences Research Council (EPSRC)
- Natural Environment Research Council (NERC)
- Medical Research Council (MRC)
- Science and Technology Facilities Council (STFC)

Innovate UK are not represented as they use a different system, nor are Research England who run the Research Excellence Framework ([REF](#)) for assessing outcomes.

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: 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,


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