



[REDACTED]

16 May 2022

Dear [REDACTED]

Freedom of Information request: FOI2022/00103

Thank you for your Freedom of Information request received on the 21 March in which you requested the following:

Your request:

1...Does UK Research and Innovation currently issue its new employees with any and or all the following....

(a)...A language guide or similar which advises employees on the most appropriate words, phrases, and terms to use when writing to and or communicating with and or referring to their colleagues and or members of the public and or the organisation's clients/customers/service users and or representatives and employees in the organisation's stakeholder and partner organisations. Typically, such a guide will outline words, terms, and phrases to avoid for whatever reason while providing more acceptable words, terms, and phrases. Such guidance could be included in a staff handbook (or similar) or it could be issued in the form of specific written advice. Alternatively, it could be included on the organisation's intranet site and or it could be issued/held digitally and or it could be included in any training/induction video/film.

(b)...A guide or similar which helps and encourages staff to promote diversity and inclusivity both in the workplace and or in their dealings with members of the public and or in their dealings with the organisation's clients/customers/service users and or in their dealings with employees in and or representatives of the organisation's stakeholders and any partner organisations. The guide will include but will not be limited to advice on best practice when it comes to diversity and or inclusivity and or anti-discrimination policies. It will encourage staff how to avoid discrimination on the grounds of race and or religion and or gender and or sexuality and or age and or disability and or political belief and or social class and or income and or social background. Such guidance could be included in a staff handbook (or similar) or it could be issued in the form of specific written advice. Alternatively, it could include on the organisation's intranet site and or it could be held / issued digitally and or it could be included in any training/induction film/video.

(c)....A guide or similar which advises staff on the importance of respecting and using a person's preferred gender pronoun. That person could be a colleague and or a member of the public and or one of the organisation's customers/clients/service users and or an employee and or representative of a stakeholder or partner organisation. Such guidance could be included in a staff handbook (or similar) or it could be issued in the form of specific written advice. Alternatively, it could be included on the organisation's intranet site and or it could be held /issued digitally and or it could be included in any training/induction film/video.

2...If you have answered yes to any part (or indeed all of question one) can you please provide copies of the guidance irrespective of the form in which it is issued.

3...Since January 1, 2019, has the organisation issued any kind of guidance (as defined in question 1 a to c) to other employees other than new recruits. If the answer is yes, can you, please provide copies of the guidance irrespective of the form in which it is issued.

Thank you for dealing with my request.

Our response

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

1(a): UKRI holds a content style guide intended to apply to content that is published externally on the UKRI website. Please find attached a copy of the current content style guide '*FOI2022-00103 UKRI style guide*'. The guide is being reviewed and we are in the process of developing a new guide.

Some councils may also provide guidance on accessibility of documents and attached is a guidance note from Innovate UK, '*FOI2022-00103 (Innovate UK) Notes on accessible material*'

1(b): UKRI holds an EDI Managers' toolkit '*FOI2022-00103 equality-diversity-inclusion toolkit*' and a reasonable adjustments toolkit for managers '*FOI2022-00103 reasonable-adjustments-toolkit*' which we are providing to you. The EDI Managers' toolkit is currently under review and not in use, as the document is outdated and may contain information that is incorrect. UKRI is undertaking a review of its EDI materials and resources with a view to developing and reintroducing them.

UKRI also provides training to staff on EDI, the content of which is developed by external providers. We have determined that this information relating to EDI training courses falls under Section 41 of the FOIA, information provided in confidence. To explain further, these training materials remain the intellectual property of the supplier and as part of the contractual agreement with these companies UKRI is not permitted to disclose the documentation to any third party without the written consent of the supplier. 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 consider this information also falls under the exemption at section 43(2) commercial prejudice of the FOI Act. 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 understand that the training programme, and in turn the relevant training materials, have had a positive impact and were beneficial to all parties involved, and returned good value in relation to the funds spent.
- It would be in the public interest to review copies of the training material thus enabling the public to independently assess the impact of the training provided.

Public interest in favour of withholding the information

- The training material in this instance was provided under a contractual agreement. Releasing 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.
- 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 provided in confidence into the public domain, particularly where this is third party information.

- The training material remains the intellectual property of the supplier, which if released would be very likely to negatively impact the commercial viability of the training providers and may also harm their ability to compete for future commercial opportunities.
- Disclosing the information requested is likely to reduce the supplier's commercial advantage and thereby harm their commercial interests in a highly competitive field. We believe disclosing this information confers an advantage to the training providers' competitors which would likely materially disadvantage and harm the interests of these suppliers.
- We also considered the impact on UKRI if commercially sensitive information of companies we engage and work closely with were to be 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 commercial confidentiality outweighs the public interest in disclosure; therefore, this information is exempt from disclosure under Section 43.

Within peer review and funding, individual councils work closely with their communities to develop supporting guidance and material. These materials are used by the councils listed and are not adopted across UKRI:

- EPSRC's guidance for peer review panels and panel interview meeting procedures makes reference to the benefits of diverse panel membership, such as the gender balance of panel members (annex 1), and unconscious bias training. EPSRC's Equality Impact Assessment (EIA) guidance also refers to '*the use of gender-neutral language both written and spoken*'.
- EPSRC's guidance on gender inclusivity wording in call documentation and information on unconscious bias training has been withheld as it was developed with an external provider. For the same reasons as detailed in the section 41 information provided in confidence and section 43(2) commercial prejudice exemptions above, we consider release would result in an actionable breach of confidence and would be likely to prejudice the commercial interests of the external provider.
- STFC includes guidance for panel members on safeguarding objective decision making available here - [Why do we use independent reviewers? – UKRI](#)¹
- NERC has a set of EDI slides which are shared voluntarily with its staff and networks. It is not mandatory training - [BAS EDI 101 Training slides external collaborators](#)².
- MRC includes a small section within its induction packs relating to EDI which covers expectations of staff, links to resources and ways to get involved available here - [Workplace inclusion – UKRI](#).³ In addition, there is also an induction presentation (attached as '*FOI2022-00103 MRC - EDI Induction Slides*') provided to all new starters about MRC's EDI work and expectations of staff. However, this is intended to be informative not mandatory.

1(c): Some individual councils do have some guidance as follows:

- BBSRC refers to the use of pronouns, within their peer review method of working guidance at section 6.4 stating, (6.4) *Please use non gendered pronouns when writing your feedback to avoid bias and any possible unintentional upset.*
- Innovate UK provides guidance on the use of pronouns (see annex 2)
- NERC also shared guidance with staff regarding adding pronouns to email signatures (see annex 3)

UKRI's pride network has also provided guidance for staff on this matter attached as '*FOI2022-00103 Annex 4 Pronouns and how to use them*'

Please note that any guides attributed to individual councils or staff networks are not formal or directive UKRI-wide guides for all staff but informal resources. They are not formal UKRI guidance.

Some information in the attached documents has been redacted such as names, images, email accounts and phone numbers as they fall under the exemption at section 40(2) personal data. Section 40(2) exempts personal

¹ <https://www.ukri.org/councils/stfc/guidance-for-reviewers/peer-reviews/why-do-we-use-independent-reviewers/#contents-list>

² <https://www.bas.ac.uk/wp-content/uploads/2020/07/BAS- EDI 101 Training slides external-collaborators.pdf>

³ <https://www.ukri.org/about-us/mrc/working-for-us/workplace-inclusion/>

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.

2...If you have answered yes to any part (or indeed all of question one) can you please provide copies of the guidance irrespective of the form in which it is issued.

Please see responses under 1 (a-c).

3...Since January 1, 2019, has the organisation issued any kind of guidance (as defined in question 1 a to c) to other employees other than new recruits. If the answer is yes, can you, please provide copies of the guidance irrespective of the form in which it is issued.

All guidance issued to staff has been detailed above.

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,


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

Annex 1 - EPSRC

- **All panels must be mixed gender**
 - 30% target for the under-represented gender for all panels
 - Exceptions to this policy should be rare, and only in unexpected circumstances

Annex 2 – Innovate UK

Including Pronouns in your Email Signature

What Are Pronouns?

Pronouns are the words we use in place of a noun when referring to someone in the third person. For example instead of 'man', we use he/him/his, for 'woman', she/her/hers. Gender neutral or non-binary pronouns do not associate an individual with a gender of either man or woman. The most common set of nonbinary pronouns is they/them/their used in the singular. Other nonbinary pronouns include ze (pronounced "zee") in place of she/he, and hir (pronounced "here") in place of his/her. Some people will describe themselves with a pronoun mix (e.g. she/they), meaning that they use both pronouns.

Everyone has pronouns based on their gender identity. It isn't possible to know someone's gender identity from their appearance alone, so we shouldn't make assumptions about a person's identity, and therefore pronouns, from their appearance, voice, or characteristics. It is best practice to use they/them when you don't know an individual's pronouns.

Why Is It Important To Get Pronouns Right?

When someone is referred to with a pronoun (e.g. he/she/they) that doesn't align with their gender identity, it can make them feel alienated. Getting pronouns right is a basic way to respect a person.

Including pronouns in your email signature, presentations and social media profiles is an important move towards inclusivity, it shows you care about individuals' preferences and is a simple solution to accidental misgendering. Consider including pronouns in your email signature, e.g. alongside or under your name and job title add "Pronouns: He/Him" as below:

Annex 3 - NERC

Pronouns in your email signature and zoom name

'Preferred pronouns' or 'gender pronouns' are the pronouns that a person chooses to use to refer to themselves. The most common pronouns are 'she/her' and 'he/him', but people may also choose to use other pronouns such as 'they/them' or 'ze/zir'.

Adding your preferred gender pronouns to your email signature, even if your gender identity is the same as your birth sex, is a great way of being more inclusive in the office. Not only does it let others know how you would like to be referred to, but it also signals that you will respect the gender identity and pronouns of others. This helps to create an environment where transgender, non-binary and people with other gender identities feel more comfortable being themselves.