



[REDACTED]

14 October 2022

Dear [REDACTED],

Freedom of Information request: FOI2022/00279

Thank you for your Freedom of Information request received on the 29 August in which you requested the following:

Your request:

In response to a freedom of information request I made in 2019 (UKRI Ref: 2019/0297), on 16 December 2019 I was provided a redacted version of documents that were submitted by Brunel University as part of their application for grant EP/H026177/1 (EPSRC Centre for Innovative Manufacturing in Liquid Metal Engineering) that was eventually awarded in 2010. These included a redacted version of the original 'Case for Support' document. Regarding this, I have a query and a further request/appeal:

Freedom of information request:

In the redacted document named "01 EP_H026177-1 CfS_Redacted.pdf" (which contained the Case for Support), on pages 7, 8, 9 and 10, certain sections under PRA1 - PRA6 and ULRA1 - ULRA6 were redacted. Was the decision to redact these sections taken solely by the UKRI, or was this done after contacting other stakeholders?

Appeal:

May I appeal that I be provided a non-redacted version of the Case for Support document please. In particular, I am interested in looking at the content under the sections PRA1, PRA2 and PRA4, which were redacted. I believe a public scrutiny of the technical contents of grant proposals is very important. From what I can tell, there does not appear to be any personal information of any individuals under the aforementioned (redacted) sections of this document. In addition, the grant EP/H026177/1 came to an end long ago in 2015 and any exploitation that could have been made from this content would have been made by now. Hence, I believe there should be no problem in releasing all the technical details presented in this proposal.

Our response:

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

Due to the amount of time since our previous response was issued in December 2019, we have decided to handle this as a new FOI request for the Case for Support document for grant EP/H026177/1.

Before considering whether it would now be appropriate to release the requested document in full, we would like to address your questions.

Firstly, you have asked whether the decision on request FOI2019/0297 to redact the withheld information was taken solely by UKRI, or after contacting other stakeholders. We can confirm that the decision was solely taken by UKRI, however, the research organisation holding the award was consulted to provide insight on the current status of the information, this was to help us reach a decision on the implications of any disclosure.

You also asked for confirmation of the exemptions previously applied and whether these included exemptions relating to personal data. We can confirm, that as was indicated in Annex A of our response FOI2019/0297, the UK Research and Innovation, Polaris House, North Star Avenue, Swindon SN2 1FL

previous exemptions applied to the Case for Support document were Section 41, information provided in confidence, and Section 43, commercial interests. Section 40, personal information, was not considered to apply, therefore, you are correct in your comment that the redacted sections do not contain any personal information of individuals not already available in the public domain.

In regard to your current request for the Case for Support document, we have considered the application, and the passage of time since it was awarded, and have released some information previously redacted as the research discussed has been completed, or relevant research outcomes have been published. Please find attached an updated version, "*FOI2022 00279 EP-H026177-1 CfS_Redacted*".

A small amount of information has been withheld, relating to research that is still ongoing, where information has been provided in confidence and disclosure would be detrimental to commercial interests. Further information on the exemptions considered to apply is provided below.

Section 41 – information provided in confidence

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

To explain further, organisations apply to EPSRC in confidence and with the expectation that their bid information, including their application and related documents, will be managed in confidence. The platform research activities (PRAs) and user-led research activities (ULRAs) are key technical components of the ongoing work being conducted in this area which was provided in confidence to better inform the peer review process. If this information was released, we believe it would result in an actionable breach of confidentiality.

As Section 41 is an absolute exemption, there is no requirement to conduct a public interest test.

Section 43 – commercial interests

We have also determined that some of the redacted information also falls under Section 43(2) of the FOIA, commercial interests. This exemption applies 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 the 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

- Although this grant closed in 2015, a subsequent grant awarded to the same research organisation and principal investigator, [EP/N007638/1](https://gtr.ukri.org/projects?ref=EP%2FN007638%2F1)¹, is still active and progressing work in the same area. Some of the PRAs continue as major research activities and many of the same companies remain project partners for the continuing research programme, therefore releasing this information would likely continue to prejudice their commercial interests by exposing details of research challenges faced to competitors.
- Release of this information could prejudice the publication of future research publications arising from this and subsequent related research programmes, thereby reducing the scientific worth and overall impact of this publicly funded programme.
- The Case for Support document is one of a number of documents disclosed to EPSRC and UKRI in confidence. Releasing all the information contained within this document would expose information about current research plans which would provide competitors with an unfair advantage, allowing them to plan

¹ <https://gtr.ukri.org/projects?ref=EP%2FN007638%2F1>

competing strategies for further funding opportunities, and reduce the effectiveness of the applicants' ideas and innovation and expose details of the challenges they face.

- We also considered the impact on UKRI if commercially sensitive information, such as new innovations or the research challenges faced, of companies and individuals 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.

In addition to the above public interest arguments, we also took into consideration the additional arguments that you presented:

- that public scrutiny of the technical contents of grant proposals is very important
- as the granted ended in 2015 any exploitation that could have been made from this content would have been made by now.

However, on balance, we believe that there is an overriding public interest in protecting the detailed information contained in the technical parts of the grant proposal, in this case that of the PRAs and ULRA within the Case for Support.

As explained under the public interest test, this information continues to be relied upon as there is a subsequent, live award in which some of the major research activities are still on-going. As indicated, the research organisation has been consulted afresh and disclosure would lead to a breach of confidentiality.

Furthermore, we believe that information which is of public interest is accessible in the public domain on the [UKRI Gateway to Research](#)². This includes a summary of the grant, the planned impact, funding value, start and end date as well as publications and outcomes which can be accessed [here](#)³.

Your rights:

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

² <https://gtr.ukri.org/>

³ <https://gtr.ukri.org/projects?ref=EP%2FH026177%2F1#/>