



[REDACTED]

24 March 2020

[REDACTED]

**Freedom of Information request: FOI2020/00070**

Thank you for your Freedom of Information request received on the 6 March in which you requested the following:

**Your request:**

*Dear Economic and Social Research Council,*

*Can you please provide information of all Directors, leadership teams and consortium proposals submitted for the 29 January 2020 deadline for the ESRC/Health Foundation UK Centre for Evidence Implementation in Adult Social Care (Strategic Priorities Fund).*

*Please can you list the names of members of the consortium and the lead Director nominated.*

*Can you also please provide a list of all Directors and consortiums who submitted an Intention to Submit for the deadline of 22 November 2019*

**Our response**

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

Your request for information is in regard to a live call which is currently ongoing. As this process is currently in transit it would not be appropriate to disclose details of directors, leadership teams or consortium proposals at this present time. We have applied the following exemptions below in our refusal of this request, however please note that UKRI will publish information regarding the successful bidder once the process has been completed.

**Section 40 – Personal Information**

We are exempting the names of individuals 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 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**

We have determined that the information you have requested falls under Section 41 of the FOIA, information provided in confidence. To explain further, UKRI does not release detailed information related to live applications or open calls as this information has been provided to UKRI in confidence and therefore cannot be released. 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.

**Section 43 – Commercial Interests**

We believe the information you have requested falls under the scope of 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.
- It would be in the public interest to view the proposals as public monies are used to fund these activities. As this is the case it is important that the programme has a positive impact and is beneficial to all parties involved. Seeing copies of these documents enables the public to independently assess the impact of the programme.

#### **Public interest in favour of withholding the information**

- The proposals contain commercially sensitive information such as business plans and cost and schedule information which are disclosed to UKRI in confidence. The agreement we have with participants in our programmes is that we will not release any confidential information without their permission. Releasing the information requested could be taken advantage of by competitors in planning competing strategies for further business opportunities. Applicants complete their applications knowing that if they achieve success only a brief overview of their successful bid will be publicly available, everything else will remain confidential.
- ESRC'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 or call. This knowledge is proprietary to the applicant. As such disclosing the information requested is likely to reduce a bidder's commercial advantage and thereby harm its commercial interests in a highly competitive field. We believe disclosing this information confers an advantage to competitors which would likely materially disadvantage and harm the interests of applicants.
- We also considered the impact on UKRI if commercially sensitive information of companies we and 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 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 an internal review of the decision, please contact:

Head of Information Governance

Email: [foi@ukri.org](mailto:foi@ukri.org) or [infogovernance@ukri.org](mailto: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,

[REDACTED]

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