



[REDACTED]

14 January 2022

Dear [REDACTED],

Freedom of Information request: FOI2021/00513

Thank you for your Freedom of Information request received on the 10 December in which you requested the following:

Your request:

Please provide a copy of the full PACE trial MRC grant application g0200434 and any supplementary documents associated with the application and held by the MRC.

Clarification received on 13 December 2021:

Thank you for your reply.

Further to your request for clarification of: "any supplementary documents associated with the application". These would be the 'original' application plus any 'follow-up applications' that were amended to satisfy the MRC requirements for approval, i.e., the application history. This will be irrelevant if the application was perfect first-time.

Our response

I can confirm UK Research and Innovation (UKRI) hold information relevant to your request. Please see the information attached as 'FOI2021/00513 PACE Trial application'.

A small amount of information has been redacted under Section 40(2) of the Freedom of Information Act (FOIA) because it comprises the personal information of the research team (pages 23-48) and details of three proposed members of the Trial Steering Committee (page 87), two proposed members of the Data and Ethics Monitoring Committee (page 88) and one proposed collaborator (page 104).

The names withheld relate to one individual initially proposed as a collaborator and five individuals proposed as members of two committees. As the proposed collaborator was not subsequently involved on the study and the proposed members did not join the specified committees, we consider that to disclose this information would contravene Principle 1 of the Data Protection Act (DPA) 2018. Further personal information related to contact details (pages 8, 10 and 11) and names of individuals in relation to travel costs and consumables (pages 13, 15, and 16-19) has also been redacted under section 40(2).

Section 40(2) exempts personal 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 Regulations (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.

We have considered the legitimate interests of all parties in disclosure of this information and have found that on balance there is not an overriding legitimate interest in disclosure that outweighs the reasonable expectations of privacy of the individuals concerned. Section 40(2) is an absolute exemption and does not require a public interest test.

Information which refers to proposed referees on pages 11-12 has been redacted under Section 40(2) personal data and section 41(1) information provided in confidence of the FOIA. In relation to Section 41 the guidance provided to applicants and peer reviewers clearly states that applications are submitted to the MRC in confidence and that the peer review process will be carried out with the same degree of confidence. The individuals named in the application were suggested as potential reviewers by the applicants and would not have known their names had been suggested. There was no obligation for the MRC to take up referee suggestions and there is no information on record that any of these individuals were asked to provide comments. Under these circumstances the proposed peer reviewers would expect their details to remain confidential. Releasing the names of proposed reviewers may affect participation in the peer review process and limit the MRC's ability to conduct peer review effectively. Breaching the established duty of confidence to reviewers and applicants, would result in an actionable breach of confidence. As this exemption is absolute there is no requirement to conduct a public interest test.

With regard to your clarification request for any supplementary documents associated with the application, we have identified one document comprising a response to a number of points raised by the board who deferred the original application pending further information from the Principal Investigator (PI). These were addressed by the Investigator in a letter of response to the board which subsequently led the board to approve the application. Due to office closures over the Christmas period we were unable to physically access the document in time for it to be included in this response, however we can confirm that we are reviewing the document for sensitivities and will provide a follow up response as soon as possible.

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