Freedom of Information request: 2018/0146

Thank you for your Freedom of Information request received on 18th September in which you requested the following:

Your Request:

“Could you please send me under FOI legislation any summaries, reports or assessments that the Medical Research Council has made or commissioned on the impact of a “no deal” Brexit and any action it is taking in respect of such a scenario.”

Our response:

I can confirm UK Research and Innovation does hold information considered to be relevant to your request.

The relevant information takes the form of a paper prepared for the MRC’s Management Board in 2017 which provided an overview of existing EU Framework funding for health research, an assessment of the impact of Third Country status (as the default position should there be no agreement on associated status) and proposals for equivalent funding mechanisms. No further assessments have been made.

As the MRC paper contains information that may inform proposals for future funding mechanisms it is considered to be exempt under Section 36 of the Freedom of information Act (Prejudice to effective conduct of public affairs), and specifically 36(2)(c), as disclosure would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

Section 36, as a qualified exemption, requires the application of a Public Interest Test and consideration by the public authority’s ‘ Qualified Person’. The appointed Qualified Person for UK Research and Innovation is Sir Mark Walport, our Chair Executive Officer. Sir Mark has considered the MRC Management Board paper and his opinion was that the material should be exempt as prejudice would occur from disclosure. The factors considered under the Public Interest Test, for and against disclosure of the paper are summarised below:

Factors in favour of releasing the information included:
- Disclosure of the relevant information may be in the public interest to promote transparency and accountability.
- The quality of advice and the content of deliberations by MRC, and UK Research and Innovation officials may benefit if there was a broader expectation of such information being made publicly available.
- There is a clear public interest in demonstrating that the work of the MRC and UK Research and Innovation is effective in contributing to the development of policy.
Even though the proposals for possible funding mechanisms may inform future planning the impact of releasing estimates prepared in August 2017 may lessen over time.

Factors against releasing the information included:

- There is a public interest in the MRC, as part of UK Research and Innovation, being able to have free and frank deliberations regarding their work to ensure that effective operational arrangements can be developed.
- Public release of information restricts the ability to test implications of policy decisions and undertake without prejudice rigorous and candid assessments.
- Disclosure would impact on the ability to debate live issues and reach decisions free from external interference and distraction – particularly in an area where the dynamics of the issue can change at short notice. In this case despite the rapidly changing circumstances the proposals for equivalent funding mechanisms are likely to inform any future planning and estimates considered by MRC.

Overall UK Research and Innovation considers that the public interest is best served by the maintaining this exemption.

If you have any queries about this response please contact me, or if you are unhappy with the service you have received in relation to your request and wish to request a review of our decision, please write to:

**Complaints Officer**
UK Research and Innovation
Polaris House
North Star Avenue
Swindon
SN2 1FL
Email: foi@ukri.org

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the 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:

Information Commissioner
Wycliffe House,
Water Lane
Wilmslow
Cheshire
SK9 5AF

Enquiry/Information Line: Between 9am and 5pm Monday to Friday 0303 123 1113 or 01625 545745
Further information about the Office of the Information Commissioner can be found at http://www.ico.gov.uk/

Yours sincerely,

UK Research and Innovation, Information Governance Team
Email: foi@ukri.org