To UKRI Observatory,

**Freedom of Information request: 2019/0014 AH**

Thank you for your Freedom of Information request received on 10th January 2019 in which you requested the following:

**Your Request:**

(In relation to FOI request 2019/0013 regarding AHRC council member Anthony Lilley’s payments) We would make an FOI request of our own @ukri news. Could you also publish the relevant contracts and invoices, as this seems rather strange.

**Our response:**

I can confirm UK Research and Innovation hold some information relevant to your request.

Following searches, we can confirm that a contract between the Arts and Humanities Research Council (AHRC) and Professor Anthony Lilley for work undertaken was not let and no contract information is held.

On review, we have identified issues with the process and control procedures followed by the AHRC in this case and we have initiated an internal audit to investigate both the specific compliance issues and the wider effectiveness of the control procedures within AHRC. UK Research and Innovation is committed to the highest standards and on completion of the audit, we will take all necessary actions to strengthen procedures.

Professor Lilley is no longer being paid as a strategic advisor to AHRC above his role as a Council member and we have apologised to him for the failure of our processes in this matter.

UKRI has received invoices relating to this work, for the total sum of £159,930.00. The payments made relate to a period May 2017 to December 2018 for strategic advice provided to AHRC by Professor Lilley. Professor Lilley provide strategic advice during a period where AHRC needed senior level sector knowledge and expertise to develop the business case and commissioning for a major research programme in the Creative Industries.

UKRI has determined that the invoices submitted contain information commercially sensitive to the supplier and will not be releasing copies of these. Exemption S43 (2) (Commercial interests) has therefore been applied. Section 43 is a qualified exemption and therefore subject to a Public Interest Test. Our arguments are set out below:
Factors in favour of releasing the information were:

- 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 the transparency in order to ensure accountability of public organisations and how they spend public money.

Public interest test in favour of withholding the information:

- 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 if it is held by UKRI

- Breaching the commercial interests may also adversely affect future negotiation opportunities for UKRI. UKRI may be seen as a ‘confidentiality’ risk if it routinely releases information relating to business arrangements in to the public domain, particularly where this is third party information.

- Invoices contain information commercially sensitive to the supplier, which if released may harm future commercial opportunities, including information relating to their charging policy, including day rates.

- Invoices contain information that the supplier would not anticipate UKRI releasing including bank payment details.

UKRI has reached the view that, on balance, the public interest is better served by withholding this information under section 43(2) of the FOI Act.

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,

Mark Hinder  
Head of Information Rights  
Information Governance  
UK Research and Innovation,  
Email: foi@ukri.org