

5th April 2019

Sent by email: [REDACTED]

Dear [REDACTED],

Freedom of Information request: 2019/0075

Thank you for your Freedom of Information (FOIA) request received on 14th March 2019 in which you requested the following:

Your Request:

Please provide full information pertaining to bids received from bodies in England relating in particular to the programme 'Creating a network of digital pathology imaging and AI centres'.

- I understand that up to £50 million was available to establish centres of excellence in digital pathology and/or medical imaging with artificial intelligence (AI).
- I would like to see disclosure of all successful bids under this competition (which closed on 2/8/18).
- In particular I would like to see exactly what was proposed by University Hospital Coventry & Warwickshire NHS Trust.

Our response:

I can confirm that UK Research and Innovation does hold the information you have requested.

In your request you have asked for the full information pertaining to bids from bodies in England into the Creating a network of digital pathology imagine and AI centres competition. You have also asked to see disclosure of all successful bids for this competition.

Under Section 41 of the FOIA, information provided in confidence, we are exempting the information regarding full bid information from English applicants. To explain further, companies apply to Innovate UK in confidence and with the expectation that their bid information, including their application, feedback and scoring data will be kept in confidence. If the information was released we believe this would result in an actionable breach of confidentiality. As this exemption is absolute there is no requirement to conduct a public interest test.

We also hold the view that the full information on the bids, such as the application form, contains information which falls within the scope of the exemption of Section 43 of the FOIA. This exemption is used when we believe disclosure would result, or 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 we are obliged to undertake a Public Interest Test.

There is a general public interest in the disclosure of information to ensure transparency and openness of a public organisation to ensure accountability of public organisations and how they spend public money.

However, the agreement Innovate UK has with their applicants state that we will not release confidential information without their permission. The application form contains commercially sensitive information such as

cost and schedule information, technical project plan and extensive description of the project. It is in our view that releasing such information could be taken advantage by its competitors in planning competing strategies for future business opportunities. Applicants complete the application form knowing that if they achieve success only a brief overview of their successful bid will be publicly available, everything else will remain confidential.

We also considered the impact disclosing on Innovate UK if commercially sensitive information of companies they work and engage with were disclosed. The agreement Innovate UK have with the participant of a project states that they will not release confidential information. The application forms requested contain commercially sensitive information such as costs, a detailed project plan and schedule information. We believe it would damage the trust in Innovate UK and likely impact their ability to carry out their role and manage their current and future investments.

Hence, taking the above arguments into account, we reached the decision that the need for commercial confidentiality outweighed the need for public interest; therefore, the information is exempt from disclosure.

In regard to the disclosure of all successful bids for the Creating a network of digital pathology imaging and AI centres, this information is scheduled to be released on Innovate UK's transparency data in April 2019 and will be available on the below links.

[Innovate UK funded projects since 2004](#)

[Innovate UK funding competition winners 2018](#)

As the information is intended to be published, it is being exempted from disclosure under section 22, intended for future publication. Section 22 is a qualified exemption meaning it is subject to the public interest test to determine whether the public interest is sufficient for immediate disclosure.

Innovate UK regularly publish the details of successful applicants to their competitions and this information can be found on the transparency data on Innovate UK's website. This information is scheduled to be released very soon, in April 2019. As this information is currently in the process of being published we are therefore exempting this information.

The outcome of this test was that there isn't an immediate need to disclose the information.

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,

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