



Arts & Humanities
Research Council

Freedom of information and data protection

Please read Annex A, which describes your obligations as a Peer Review College member in relation to confidentiality and information legislation. The following paragraphs provide the context and practical implications.

1. The Freedom of Information Act 2000 (FOI Act) seeks to ensure a culture of openness and accountability in the running of public bodies. Any information the AHRC holds could be requested under the FOI Act, and may need to be released – subject to any disclosure exemptions stated in the information legislation.
2. The Research Councils must ensure that the peer review process encourages and supports the free and frank exchange of views between specialists, whilst maintaining the highest possible standards of openness and accountability. As such, the Councils use a joint framework (the Peer Review Framework) which outlines which peer review information which is routinely disclosed and that which is routinely withheld. Amongst other things, the Framework states that:
 - a. each request for information must be treated on its own merits, and with consideration of relevant information legislation and case law;
 - b. anonymised feedback about peer reviews may be given to applicants;
 - c. the names of, or information which would identify, those who peer review an application will not normally be disclosed; and
 - d. meeting papers and minutes of meetings which decided on grades and funding decisions, including the identification of the contributions made by individual panel members, will not normally be disclosed.
3. If an individual is identifiable from information in your possession, and is the focus of that information, such information constitutes personal data and is subject to the rules of the Data Protection Act 1998 (DPA). If you hold personal data, such as that found in copies of applications, award decisions, mark lists, consolidated mark sheets or other relevant papers, you must treat it in accordance with the DPA. Personal data must be kept securely, only used for the purpose for which it was supplied, and disposed of securely once it is no longer needed.
4. Any information you hold (including notes you take) relating to AHRC matters could be the subject of a Freedom of Information request. You should be careful how you record your views, in case your views need to be disclosed. It is essential that Peer Review College members operate impartially, honestly and fairly.
5. The AHRC expects that panel members will shred applications, relevant papers and notes after the panel meeting, or leave them at the meeting for the AHRC to dispose of. Any personal data received by email must also be kept securely - copies must not be made, and electronic files/emails must be destroyed as soon as possible and in line with the process for the destruction of paper equivalents.
6. If you carry out a peer review using the Je-S system, the first time you are asked to provide an electronic review for the AHRC a screen will show the "Reviewer Protocols". These outline the standards the Research Councils require of reviewers in terms of

confidentiality and conduct. You must agree to follow these protocols before being presented with any review material. You will be expected to confirm compliance with these protocols each year (not each time a new review is requested).

7. If you receive any requests for information relating to your work for the AHRC, please pass them, immediately, to the AHRC's Information Manager (d.sykes@ahrc.ac.uk). You are not expected to respond directly to the public, or to provide the public with any information.

Annex A Confidentiality and information legislation

Peer Review College members agree to treat all applications made to the AHRC confidentially. This duty of confidence covers:

- the fact that the applicant has applied; and
- the content of the application.

Information about applications must only be disclosed to third parties when the AHRC or the applicant has given consent in writing.

Peer Review College members must not use information provided in a grant application for any purpose other than providing a review or assessment of it to the AHRC. Peer Review College members will destroy the application once a panel meeting has been conducted or a review has been provided (whichever is relevant).

The AHRC will not normally disclose panel member or peer reviewer comments (or notes) to the applicant, although in some cases it may be necessary. The AHRC will only use comments for carrying out panel meetings or as part of the funding decision process. Comments will only be disclosed to individuals outside of the AHRC if it is required as part of the funding decision process, or is required under the Data Protection Act or the Freedom of Information Act (or any other law or regulation to which the AHRC is or may become subject to).

The AHRC will not release your name in connection with any specific comments that are released under the Data Protection Act or the Freedom of Information Act without first obtaining your permission. In such circumstances, the AHRC will ask the applicant to keep your comments confidential and not to release your name in connection with them without first obtaining your permission. However, the names of panel and Peer Review College members are made available on the AHRC's website.

The panel's comments on, and grading of, applications will be recorded by AHRC staff. The AHRC will not use these minutes or grades, or disclose them to any person or organisation, except:

- as is necessary to record the decisions of the panel;
- to inform any other person or body within the AHRC, or any other body that may be co-funding the applications, as part of the funding decision process;
- to send to the applicant as part of AHRC feedback - if first agreed by the panel; or
- as may be required under the Data Protection Act or the Freedom of Information Act (or any other law or regulation to which the AHRC is or may become subject to).