

Freedom of Information - Peer Review Framework

Purpose

The purpose of this document is to set out what information the AHRC will and will not release concerning the peer review process.

Background

The Freedom of Information Act 2000 gives individuals the legal right to request information held by public authorities, including the Research Councils, and aims to embed a culture of openness within the public sector. Information is the foundation of the operations of the AHRC and the AHRC is committed to operating with integrity, openness and accountability. To this end we fully endorse and adhere to the requirements of the Freedom of Information Act.

Peer review in this context is the process by which decisions are reached about which of the applications submitted to AHRC for funding for research and postgraduate study should be funded. It involves sending the applications to researchers working in the same or related fields and using their comments to assess the quality and relevance of the application as a basis for deciding whether the AHRC should fund it. Information about the peer review processes used for the various AHRC schemes is provided on the web at <http://www.ahrc.ac.uk/about/PeerReview/Pages/default.aspx>.

The peer review process deals with personal information, confidential information and intellectual property (IP) of the applicant. It is vital that there is scope for the free and frank exchange of ideas in the decision making process. Both the applicant and the participants in the process have an interest in confidentiality. The peer review process may be damaged by

- release of confidential and personal information, with subsequent damage to IP rights, or failure to protect personal data as required by the Data Protection Act;
- Reviewers, Assessors, Panel and Committee members being unwilling to provide free and frank comment and a subsequent lack of confidence in the rigour of the process; or
- inadequate records of decisions because of an overly defensive approach to holding information.

The AHRC is committed to meeting the highest standards of openness and accountability consistent with the effective operation of the peer review process. The AHRC believes that retaining the confidentiality of some key aspects of the peer review process is in the best interests of good research, and hence also of the public generally.

Once applications are funded, the balance of the public interest requires a higher degree of disclosure. Issues of confidentiality, personal information and intellectual property may still apply to AHRC processes.

A public authority can only refuse to provide information where the information falls into one of the categories of exempt information. For most exemptions the release (or withholding) of information is subject to a public interest test. The most relevant exemptions are listed at the bottom of this document. *All requests for information are considered individually.*

In consultation with the other UK Research Councils, the AHRC has developed the following framework concerning the release of information at various stages of the peer review process. This framework applies to all types of applications for funding through the AHRC.

Updated March 2011.

Definitions

'Applicant' - Covers all applicants including Principal Investigators (PI) and Co Investigators (Co I), as named on application

'Grade' - A final assessment of the 'fundability' of an application, aggregating and reflecting the various inputs i.e. assessors' comments (and grades), Panel members' comments and discussions. It does not cover the individual grades (where used) in individual assessments.

'IPR' - Intellectual Property Rights

'Personal information' - As defined in the Data Protection Act, information about a living person, including sensitive personal information. The right to information under the FOI Act does not generally override an individual's right to protection of their personal information under the DPA. Although grant applications are technically submitted by an Institution rather than an individual, much of the information contained in them and received in relation to them is likely to constitute personal information. Personal information should not normally be released without the prior consent of the person to whom it belongs.

'Process forms' - Forms or proformas used to deliver the process e.g. the assessors' form, final report form.

'Routinely disclosed' - Information released, either pro-actively or on request, to applicants or the public. The AHRC may choose to disclose further information within legislation.

'Routinely withheld' - Information that is not normally released other than as required to participants in the peer review process, unless there is an overriding public interest.

Text in square brackets [] - Refers to personal information which is routinely disclosed only to the named individual requesting information about themselves, except as otherwise specified.

Stage in process	Routinely disclosed	Routinely withheld
0. Overall process.	Policy and guidance on the overall process. Specific policy and guidance on each stage of the process. Application guidance. Application forms. Process forms. Statistics on success rates, appropriately aggregated. Records management properties.	
1. Set-up of Panels, Committees, College.	Names of members. Selection process. Register of interests of high-level decision-making bodies.	Identity of nominators. Non-selected nominees or applicants.
2. Proposal submission/Application receipt. <i>(all papers including application form, proposal and supporting documentation).</i>	[Application, excluding content supplied in confidence by third parties, e.g. references] <i>N.B. may also be released to those formally authorised in application i.e. referees/HEIs/other RCs in some circumstances.</i>	Any information not explicitly listed as "Routinely disclosed".
3. Proposal, application distribution for review.	Process for reviewer selection.	Identity of proposed reviewer(s). Identity of selected reviewer(s). Proposal/Application.

<p>4. Receipt of reviewers' comments and grading. <i>This does not include comments by Panel or Committee members.</i></p>	<p>[Anonymised comments] <i>where not excluded from the process because of poor quality/slander etc.</i></p>	<p>Identity of reviewers Responses - i.e. notification from reviewers unable to provide comments because of lack of time or proposal is outside their area of expertise. Release of attributed reviewers' comments and individual reviewer's grades.</p>
<p>5. Distribution of reviewer comments to applicants.</p>	<p>Statistics on overall turnaround times for process i.e. from receipt of application to final decision as a minimum.</p>	
<p>6. Applicant's response to reviewers' comments. <i>Release only to Panel or committee members in next stage of process.</i></p>		<p>Applicant's response.</p>
<p>7. Decision-making - quality of research. <i>This covers comments by Panel/Committee members, including visiting Subcommittees.</i></p>	<p>[Agreed meeting record for applicant's proposal].</p>	<p>Meeting papers. Full meeting minutes. Draft ranking list. Identity of those making specific comments. Panel members' individual contributions to decision including attribution of votes. Draft meeting notes.</p>

<p>8. Decision making funding.</p> <p><i>This is a separate process, although in some cases the same Panel or committee as for decision making on quality.</i></p>	<p>Funding algorithm (where used).</p>	<p>Final ranking list with funding cut-off.</p>
<p>9. Feedback to Applicant.</p>	<p>[Grades]. [Decision summary]. [Anonymised comments] <i>where these formally exist.</i></p>	<p>Identity of individual participants as above. Release of individual reviewer's grades and attributed comments.</p>
<p>10. Decision information into public domain.</p>	<p>Outcome statistics on success rates. Key details of successful grants. Normally this will include: investigator name(s), institution, title, abstract, summary, amount, dates, but sensitive content may be withheld/edited to protect Health & Safety, IPR, etc Statistics of unfunded applications by broad subject group.</p>	<p>Details of unfunded grants - except by broad subject area only.</p>
<p>11. Conflicts of interest. (See also Section 1 for register of interests).</p>	<p>[Agreed record of conduct of meeting i.e. where member left the room].</p>	

<p>12. Information held on file. <i>(To include end of project reports and reviews).</i></p>	<p>Peer Review records management policies including disposal schedules for paper and/or electronic records where used.</p>	<p>Follow principles as above.</p>
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Any requests for information contained in the right-hand column above will be considered on their own merits. However, such requests are likely to be declined by reference to the exemptions stated in the Freedom of Information Act (these are listed in the table below).

In the case of requests for information which is routinely withheld, the AHRC may seek consent from the applicant for the release of any information which was provided in confidence, for instance, impact statements.

Exemptions under the Freedom of Information Act
<u>Section 12</u> : the Council reserves the right to refuse a request where the cost of researching, extracting or copying the information is disproportionately high (<i>i.e.</i> >£450 or more than 2.5 days work).
<u>Section 14</u> : Repeated requests for information or vexatious requests (<i>"Vexatious" is not defined in the Act</i>).
<u>Section 21</u> : Where information is reasonably accessible to the applicant by other means.
<u>Section 22</u> : Information intended for future publication - where release would result in the premature publication of research.
<u>Section 23</u> : Information supplied by, or related to, bodies dealing with security matters.
<u>Section 27</u> : International relations where disclosure would, or would be likely to, prejudice relations between the UK and any other state or international organisation, or international court, interests of UK abroad etc.
<u>Section 36(2)b</u> : Prejudice to effective conduct of public affairs – where disclosure would, or would be likely to, inhibit the free and frank provision of advice, or the free and frank exchange of views for purposes of deliberation, or would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.
<u>Section 38</u> : Health and Safety - where release might result in the compromising of physical or mental health, or personal security.
<u>Section 40</u> : Personal information - which is covered by the Data Protection Act, involving the disclosure of personal information.

Section 41: Information provided in confidence must be by a third party and of a confidential nature.

Section 43: Commercial interests - where release might result in breach of commercial confidentiality.