Peer Review Framework: Accessing information about Research Council proposals and funding

1.   Introduction

1.1   The Research Councils invest public money in research to advance knowledge and generate new ideas which lead to a productive economy, healthy society and contribute to a sustainable world.

1.2   Proposals for Research Council funding are submitted by the scientific community in confidence. This duty of confidence extends to the decision making process to protect the innovative research ideas and to allow the provision of free and frank comments and advice to inform the final decision on funding.

1.3   Proposals are assessed by a process known as Peer Review which usually involves a two-stage process where proposals are considered by external experts (by correspondence) and then by a Research Council Board/Panel (at a meeting). Information on funding awarded is routinely published on the RCUK Gateway to Research[1] and on Research Council websites. Published information includes:
- Funding decisions listed by meeting (including proposal score and/or ranking).
- Proposal success rates.
- Details of successful Proposals for funding.

1.4   The Peer Review Framework is designed to explain:
   - i.   How the Peer Review process is used by the Research Councils to make funding decisions.
   - ii.   What information is routinely published relating to Peer Review and the funding of proposals.
   - iii.   The approach taken by the Research Councils in responding to requests for information that is not routinely published.

1.5   This Framework is designed for use by:
   - i.   Applicants and Research Organisations
     To provide information on how the feedback on proposals is treated, and how it might be used.
   - ii.   Board/Panel members and external reviewers
     To provide information on how they should treat the information that they receive and generate during the Peer Review process, and to raise awareness of the implications that information rights legislation (the Freedom of Information Act (FOIA), Environmental Information Regulations (EIR) and the Data Protection Act (DPA)) have on this information.
   - iii.   Members of the public
     To provide general information on the Peer Review process and to outline what information is routinely published and how this can be accessed.
   - iv.   Research Council staff
     To provide a quick reference guide to the information held and the approach taken when considering requests for information

1.6   The Framework consists of eight sections:
   - i.   **Part ONE** introduces the Peer Review process and explains why it is important to the Research Councils. It also introduces the considerations that

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[1] Available at: http://gtr.rcuk.ac.uk/

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are made when requests for information are made, including requests under information rights legislation.

ii.   **Part TWO** provides a summary of the information generated through the Proposal and Peer Review process and outlines how the information is published or shared as part of the process.

The primary focus of this framework is funding proposals but the same principles apply to other Research Council funding schemes, for example training and career development awards and the Research Council owned research institutes and units.

PART ONE

2.   Information that is freely available

2.1   Information relating to Peer Review is available via the Research Council's UK (RCUK) website, alongside the websites of the individual Research Councils. This includes the membership of the Research Council's Research Boards and Panels and where relevant Peer Review colleges. Information relating to the expertise and declared interests of individual members is also available.

2.2   Applicants are made aware that certain information will be made publicly available by the Research Councils. Full details of the information generated by the Peer Review process and its availability can be found in **Part TWO**.

The RCUK Gateway to Research

The following information on research funded by the Research Councils can be found on the RCUK Gateway to Research (http://gtr.rcuk.ac.uk/) and on additional 'Grants on the Web' tools on individual Research Council websites:

   i.   Name of the host Research Organisation.
   ii.   Names of applicants, including the Principal Investigator and Co-Investigators, and their Research Organisation and department.
   iii.   Name(s) of project partner organisations.
   iv.   Project title.
   v.   Technical and non-technical abstracts of the proposal including the Impact Summary.
   vi.   Total value and duration of the award and any supplementary awards.
   vii.   Outcomes and publications resulting from these grants

If you have any problems in accessing this information, please contact the

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Research findings and results

The Research Councils take their responsibility to ensure that the outputs from publicly funded research are made widely available very seriously. The RCUK Policy on Open Access (www.rcuk.ac.uk/research/Pages/outputs.aspx) aims to ensure on-line access to peer-reviewed and published research papers, free of charge to the reader.

Making research data available to users is a core part of the Research Councils' remit and is undertaken in a variety of ways. The RCUK common principles on data policy provide an overarching framework for individual Research Council policies on data sharing (www.rcuk.ac.uk/research/Pages/DataPolicy.aspx).

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3. The Peer Review Process

3.1 Proposals for Research Council funding are assessed by Peer Review. Effective Peer Review of research underpins every aspect of the Research Councils' work and ensures that proposals are scrutinised by experts who specialise in the areas of research covered in the proposal.

3.2 Peer Review usually involves a two stage process.
   i. Proposals are first sent, in confidence, to experts who work in the same or related fields in the UK or abroad. Issues that reviewers are asked to assess include the viability, quality, where applicable the ethics, potential benefits, cost-effectiveness, and potential impact of the proposed research. In providing their comments on proposals these external expert reviewers are providing advice to inform research council decision making.
   ii. The second stage is where the proposal, comments from expert reviewers, and the applicant's response to these comments are considered by a Research Council Board/Panel. The quality and relevance of the proposal is assessed and a recommendation is made on whether or not the proposal should be funded (and at what level). The Research Council Board/Panel is viewed as being part of the Research Council process and the level of transparency that is expected is reflected, for example the identities of Research Board/Panel members is published on Research Council websites.

3.3 The Peer Review process used by the Research Councils is confidential to protect information contained within proposals and any references to the work of others, and is anonymous to support the free and frank exchange of views. There is an implicit contract between the applicant, Research Council, external reviewers and Board/Panel members. For the Peer Review process to be effective, commitment to it is required by everyone involved. The material shared with the reviewers will include information provided on a confidential basis, including research hypotheses, methodology, preliminary findings and data from on-going projects, personal information of the researchers involved, and in some cases clinical data. The release of this information may compromise Intellectual Property, preliminary hypotheses and/or research data which might affect the potential to publish. When providing comments reviewers will sometimes also refer to their own on-going research and similar considerations would apply.

The duty of confidentiality
The duty of confidentiality to applicants and reviewers is established when a proposal is submitted and when reviewers agree to comment, and is outlined in the following documents:

JeS Terms and Conditions*:*
JeS is the online tool for submitting proposals for Research Council funding. JeS is also used by external reviewers to submit their comments, and by the Research Councils to provide feedback to the applicant and their Research Organisation.

The JeS handbook provides guidance to applicants and Research Organisations. Section 3.3 outlines what information will be routinely published by the Research Councils on funded proposals; section 4 outlines the duty of confidence that extends to all parties.
https://je-s.rcuk.ac.uk/Handbook/pages/SystemRequirementsFormatsandSa/TermsandConditionsofUse.htm

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RCUK Grant Terms and Conditions:
The RCUK Terms and Conditions outline how Research Council funded grants should be managed. The document specifies what information is routinely published and how information relating to applicants may be shared between the Research Councils and partners on a confidential basis.
www.rcuk.ac.uk/research/Pages/grantstcs.aspx.

Guidance provided to Peer Reviewers
Each Research Council provides advice to those participating in the Peer Review

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4.   The Freedom of Information Act and Peer Review

4.1   The Research Councils are public bodies and have obligations under the FOIA to publish a publication scheme, listing information that is routinely published and providing advice on how information that is not routinely published can be requested.

4.2   Where information is requested under the FOIA, the Research Councils are required to inform the requestor whether the information is held and, if it is held, to communicate the information to them. However, in specific circumstances, the FOIA does allow the Research Council to withhold the information in line with exemptions outlined in the FOIA.

5.   The Environmental Information Regulations and Peer Review

5.1   As with the FOIA, the EIR places an obligation on the Research Councils as public bodies to provide information in response to requests for environmental information, and to proactively publish environmental information.

> **Environmental information** is any information relating to:
> a) The state of the elements of the environment, and the interaction among these elements.
> b) Factors affecting, or likely to affect the elements of the environment.
> c) Measures (including administrative measures) affecting or likely to affect the elements of the environment as well as measures designed to protect elements of the environment.
> d) Reports on the implementation of environmental legislation.
> e) Cost benefit and other economic analyses and assumptions used within (c).
> f) The state of human health and safety inasmuch as they are or may be affected by (a), (b) or (c).

5.2   As with the FOIA, the EIR allows information to be withheld in specific circumstances under exceptions outlined in the EIR.

5.3   The principles for handling a request for information under the EIR are the same as handling a request under the FOIA; therefore further references to the FOIA include the EIR, unless specified.

6.   The Data Protection Act and Peer Review

6.1   The Research Councils abide by the DPA with respect to all personal information that they hold. For Peer Review this includes the personal information of the applicants and others named in the proposal, external reviewers and Board/Panel Members.

7.   How we handle information requests– The Basics

7.1   All information held by the Research Councils[2] is subject to the FOIA, EIR and DPA, and all requests for information are considered on a case-by-case basis.

7.2   We recommend checking the FOIA web pages for the Research Council and Research Organisation before making an information request. These pages will include a Publication Scheme, which will signpost frequently published information, and advice on how to request information that is not published. Requestors may also wish to look at the guidance available on the Information Commissioners Office (ICO) website at http://ico.org.uk/for_organisations/freedom_of_information.

7.3   When a request is received all of the relevant information will be identified and reviewed, and compared to the information that is already in the public domain. The Research Council will release as much additional information as possible.

7.4   However, as outlined above, funding proposals contain personal details and other confidential information which may be exempt from disclosure. Peer Review also involves the free and frank exchange of ideas and advice between applicants, external reviewers, Research Council staff and Board/Panel members relating to the research proposed and the applicants. This information may also be exempt

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[2] This includes information held by research institutes/units that are wholly owned by a Research Council.

from disclosure. In most cases, when an exemption is being considered, a Public Interest Test (PIT) will be undertaken considering the benefits and implications of disclosing the requested information.

7.5   If the request is very broad or covers a long time period we may ask the requestor to clarify or refine the request. This may be to help us identify relevant information or to manage the request within the appropriate limits of the FOIA. Wherever possible the Research Councils will refer to information that is already publicly available, for example details of successful Proposals for funding and information published by the applicant and/or Research Organisation.

7.6   The Research Councils must ensure that there is no inappropriate release of information into the public domain because once released, information cannot be retrieved and may result in damage to confidence in the Peer Review process. Peer Review is also used by other research funders, so any damage caused by the inappropriate release of information would have a wider impact than just the Research Councils. Issues that the Research Councils are concerned about include:
   i.   Concerns of applicants and external reviewers resulting from the release of personal information and the resulting loss of confidence in the Peer Review process and the Research Councils' adherence to the DPA.
   ii.   The impact on applicants and Research Organisations resulting from the release of confidential information relating to research plans, preliminary findings/data and intellectual property, impact on individual privacy and the resulting loss of confidence in the Peer Review process and risks of legal action against the Research Councils
   iii.   Concerns of reviewers, including those outside the UK, and Board/Panel members resulting in their being unwilling or unable to provide free and frank advice and comments which are sufficiently detailed to inform funding decisions. Such concerns may lead to overly-guarded, less useable reviews.

7.7   The Research Councils believe that the confidentiality of aspects of Peer Review is in the best interests of good research, and the public good more generally. The Research Councils therefore aim to ensure that there is no inappropriate release, and that any disclosure does not damage the system which is used in broadly similar ways by many other UK and international research funders.

PART TWO

8.   Information held by the Research Councils.

8.1   Tables 1 to 9 below outline the Peer Review process and the information generated at each stage. The tables also show whether this information is:
- Routinely published.
- Shared, in confidence, as part of the Peer Review process (e.g. with external reviewers, Board/Panel members, applicants or research organisations). See the tables below for further details of what information is shared with whom.
- Routinely disclosed in response to information requests.
- Not routinely disclosed.

8.2   Any information that is requested will be considered for release under the appropriate information rights legislation whether it is routinely disclosed or not. However, requestors should note that there are exemptions within legislation that might apply. Further information can be found in **Section 9.**

Table 1: Peer Review process

Policy and guidance to applicants and reviewers on the overall process	Routinely published
Proposal and supplementary attachments	Not routinely disclosed
Statistics on response rates	Routinely disclosed
Records management policies and retention schedules	

Table 2: Boards/Committees/Panels/Colleges membership and selection process

Names of members	Routinely published
Register of interests	
Selection process	Routinely disclosed
Identity of nominators	Not routinely disclosed
Non-selected nominees or candidates	

Table 3: Proposal submission/ receipt

All papers including proposal document, cover letters and supporting documentation	Shared with external reviewers and Board/Panel members
	Certain information routinely published if successful
	Summary information may be disclosed if unsuccessful

Table 4: Proposal, distribution for review

Process for reviewer selection	Routinely published
Identity of proposed reviewer(s)	Not routinely disclosed
Identity of selected reviewer(s)	

Table 5: Receipt of external reviewer's comments and grading

Responses i.e. notification from reviewer(s) unable to provide comments	Not routinely disclosed
Anonymised comments[1]	Routinely provided to the applicant and Research Organisation in confidence as determined by the Research Council
Identity of reviewer(s)	Not routinely disclosed
Attributed reviewer comments and individual reviewer grades	

[1] Except those excluded from the process because of poor quality/libellous content etc.
Note: This does not include comments by Board/committee/Panel members.

Table 6: Applicant's response to reviewer(s) comments

Applicant's response	Shared with Board/Panel members and external reviewers in exceptional cases.

Table 7: Decision making

Anonymised summary of decision making meeting outcomes (ranked or scored) with funding cut off	Routinely published
Funding algorithm (where used)	Routinely disclosed
Available budget	
Meeting papers	Not routinely disclosed
Full meeting minutes	
Panel member's individual contributions to decision including attribution of votes	
Agreed meeting record for applicant's proposal	
Identity of those making specific comments	
Agreed record of conduct of meeting i.e. where member left the room	

Note: Meeting papers and minutes may be available at The National Archives (if the Research Council has signed up to the Public Records Act), or other place of repository. Draft papers may be retained depending on the retention schedules of individual Research Councils.

Table 8: Feedback following decision making meeting

Information about awards	Routinely published
Overall score, decision feedback and anonymised reviewer comments	Routinely provided to the applicant and Research Organisation in confidence as determined by the Research Council
Release of individual reviewer(s) grades and attributed comments	Not routinely disclosed
Identity of individual applicants, external reviewers or Board/Panel members	Not routinely disclosed

Table 9: Decision information

Outcome statistics on success rates	Routinely published
Key details of grants[1]	
Details of unfunded proposals	Not routinely disclosed, although summary information may be disclosed if unsuccessful (see Table 3)

[1]See section 2.2 for further information

9.   Exempt information

9.1   Information rights legislation recognises that in some cases there may be a legitimate reason for not providing some or all of the information requested and include a number of exemptions[3].

9.2   When considering any request for information there are many factors that would be taken into account when deciding whether to release the information. The Research Council will always consult with all of the parties who contributed towards the information and ensure that the arguments for and against the release of the information are considered from all points of view, and can be documented for audit purposes.

<u>Requests made under the Freedom of Information Act or the Environmental Information Regulations</u>
9.3   Table 10 lists some of the exemptions of the FOIA, and the equivalent exceptions of the EIR, that may apply to Peer Review information.
Note: these exemptions/exceptions do not map directly to each other and the list in the table above is not exhaustive. Further information on all of the exemptions/exceptions of the FOIA/EIR, and how they should be applied is available from the ICO (http://ico.org.uk/for_organisations/guidance_index/freedom_of_information_and_environmental_information).

<u>Table 10: FOIA exemptions and equivalent EIR exceptions</u>

FOIA		EIR	
Section		Regulation	
12	Cost of compliance exceeds the appropriate limit	No equivalent	
14	Vexatious or repeated requests	12(4)(B)	Request is manifestly unreasonable
36	Prejudice to effective conduct of public affairs	No equivalent	
No equivalent		12(4)(e)	The request would involve the disclosure of internal communications
38	Health and safety	12(5)(a)	Disclosure would adversely affect public safety
40	Personal information	13	Personal information
41	Information provided in confidence	12(5)(d)	Confidentiality of proceedings where confidentiality is provided by law
43	Commercial interests	12(5)(e)	Commercial information to protect a legitimate economic interest

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[3]The EIR contains exceptions and not exemptions, but their effect is the same.

9.4   When the request is being considered under the FOIA or EIR, it is likely that a PIT will need to be undertaken. Because of this, the views of those who contributed to the information will be sought on the release of the information. This is so that:

- The PIT considers all of the necessary information regarding the potential impact of disclosure on the Research Council, the applicant or other individuals, and the Research Organisation.
- The Research Council can secure an opinion on whether the individual agrees with the sharing of the information.
- All parties are aware of the request, what information will be disclosed, and which Act the information is being disclosed under.

Note: the Research Council will endeavour to respect the views provided, but it should be noted that there may be occasions where a requested direction may not be appropriate, or disclosure may be forced following a successful complaint by the requestor to the ICO. In these circumstances the Research Council will always contact the affected individual(s) before the disclosure takes place.

Requests made under the Data Protection Act

9.5   Section 7.4 of the DPA states that an organisation does not have to comply with a request if it would mean disclosing information about another individual who can be identified from the information, except where:

- The other individual has consented to the disclosure.
- It is reasonable in all the circumstances to comply with the request without that individual's consent.

9.6   The Research Council will consult with the person whose personal information is being requested, for example the external reviewer whose comments are being sought, to seek their opinion on whether they are happy for the information to be released. However, as with requests under the FOI/EIR, there may be competing factors which mean that the information is released, but the Research Council will always inform the affected individual(s) prior to the disclosure.