

Request Reference: 3329

FOI Request dated 21/01/2025 -

1. What IT Systems or Applications are you running for Research Funding Management or Current Research Information System (CRIS) as below:

a) Pre-Awards

- GrantsNow
- Worktribe
- Unit 4 RCP
- Other (Please specify):

Is this a Cloud SaaS application or on premise or just hosted on Cloud?

b) Contract Management:

- GrantsNow
- Worktribe
- Cayuse
- Other (Please specify):

c) Ethics

- GrantsNow
- Worktribe
- Cayuse / Haplo
- Infonetica
- Other (Please specify):

Is this hosted on premise or in the Cloud?

d) Funder Opportunity Scanner

- GrantsNow
- Research Professional
- RP Pivot
- Other (Please specify):

Is this hosted on premise or in the Cloud?

e) Due Diligence / Risk Management

- GrantsNow

- Worktribe
- Unit 4 Research Management
- Other (Please specify):

Is this hosted on premise or in the Cloud?

d) Post-Awards

- GrantsNow
- Worktribe
- Unit 4 Research Management

Is this hosted on premise or in the Cloud?

What is the Contract Value for the system(s) above?

What are the start and end date of the current contract(s)? If separate systems, please state contract value and end dates for each system.

What are the annual subscription charges for the system(s) above?

Response

1 & 2 - Information held. However, the University declines to release the requested data as it considers information about applicants PG applications and offers to be exempt from disclosure under section 43 (2) of the Freedom of Information Act 2000. Section 43 (2) states that, 'information is exempt information if its disclosure under the Act would or would be likely to prejudice the commercial interests of any person'.

The exemption at 43(2) is claimed because the untimely release of the data into the public domain would be likely to influence the behaviour of competitor institutions to the detriment of free and open competition and prejudice the University's commercial position by providing an understanding of our offer strategies in a highly competitive sector and so harm the ability of universities to compete fairly and openly.

Universities operate in a global marketplace and compete for students, research funding and accreditation. Competition is heightened as it also takes place in a harsh economic climate and, in England and Wales, a particular funding environment. Recent analysis shows that there is a high degree of applications in common between institutions (applicants can apply for multiple institutions simultaneously). Institution-level data for this and other institutions would give some insight to competing institutions on their recruitment and levels of success in their respective recruitment strategies. This would give a competitor an unfair advantage and allow them to alter their "offer making" and recruitment behaviour. The sensitivity of the data in question here is heightened further, moreover, in the context of more granular subject/course-level data for the active cycle. These commercial sensitivities and the nature and likelihood of prejudice are reflected in, and further protected by, competition law in the UK and European Community and competition authorities, which prohibit the exchange of anticompetitive information. Accordingly, universities and companies must be extremely careful when considering the release of commercially and strategically sensitive information. While the Freedom of Information Act does not define commercial interests, competition legislation recognises that the exchange or exposure of commercially sensitive information, directly or indirectly, could allow another university to deduce or infer a commercial strategy or could result in non-coordinated anti-competitive effects. Disclosure could thus be used to support anti-competitive behaviour between competing suppliers of courses or give an unfair advantage to another supplier.

An indirect exchange with the University's competitors of information (a) which is not in the public domain and (b) concerns the parameters of competition (in terms of its offering and capacity) and (c) reduce or remove uncertainties inherent in the process of competition, would make it easier for current or potential competitors to predict each other's behaviour and adjust their own behaviours and commercial strategies accordingly, to the disadvantage of others and the detriment of free and fair competition.

The commercial interests of the University would be further undermined if individuals gain an advantage over others in the selection process through up-to-date knowledge of the most recent offer strategies. The University reputation is reliant on recruiting the most qualified applicants possible, via a fair and equitable recruitment process. Further, placing information in the public domain prematurely could lead to misinterpretation and misrepresentation of the data possibly dissuading potential applicants, and/or leading to incorrect assumptions about the nature of the University candidates.

Public Interest Test

As section 43 (2) is a qualified exemption, the University has performed a public interest test and has, on balance, concluded that release of the data would prejudice the commercial interests of the University.

Factors for Disclosure -

- There is a presumption of a general public interest in disclosure;
- There is a strong public interest in accountability and the proper scrutiny of the University's actions and decisions as a public authority;
- Public confidence in the proper administration of University business can be served by increasing the transparency of the processes in question.

Factors against disclosure -

- promoting market and consumer transparency while protecting public interests in lawful and open competition;
- the ability of public sector organisations to compete for resources fairly, without undue advantage or prejudice;
- providing consistently presented and timed data, from across the sector (for instance through information resources made available by the sector, such as the [UCAS Course Search](#) and the [KIS](#) information, which provide more useful information to applicants when considering what courses and providers to apply to);
- having a fair and orderly application process, avoiding detrimental outcomes for applicants, HE providers and students;
- not prejudicing the financial or strategic position of the University (or any organisation). The University operates in a global market and faces growing competition from a range of public, private and online providers of tertiary education and targeted course offerings;
- universities securing, fairly, best value for themselves, their students and stakeholders;
- demonstrating respect for commercial and short-term sensitivities. The consistent release of complete and stable data at an appropriate point, in line with other sector bodies and standard reporting requirements not only avoids unfair competition but prevents applicants and others using data as a proxy for course demand, quality and suitability.

In accordance with the provisions of section 17(4) of the FoIA, this letter acts as a Refusal Notice in respect of the information withheld under section 43(2) above.

3 - The University of Hull can confirm it holds this information. However, the University refuses your request for release under section 21(1) of the Freedom of Information Act, 2000 (FoIA) as the information sought is reasonably accessible to you by other means.

Information about student demographics of students can be obtained from the database held by the [Higher Education Statistics Agency \(HESA\)](#). Basic information is freely available on the main HESA website and you can [contact HESA](#) if you require assistance with their Open Data and Official Statistics. If your request is bespoke or includes a number of elements, you may need to request a tailored dataset. Tailored datasets from the HESA database are provided by [JISC data analytics](#).

For the purposes of this exemption, [section 21 \(2\) \(a\) states](#), 'information may be reasonably accessible to the applicant even though it is accessible only on payment'. Please note, data for the last academic year will be published by HESA in line with their publication schedule.

1. What IT Systems or Applications are you running for Research Funding Management or Current Research Information System (CRIS) as below:

a) Pre-Awards

Worktribe (Cloud Saas)

b) Contract Management:

Worktribe (Cloud Saas)

c) Ethics

Managed via internal processes

d) Funder Opportunity Scanner

ResearchConnect (Cloud Saas)

e) Due Diligence / Risk Management

Worktribe (Cloud Saas)

d) Post-Awards

Worktribe (Cloud Saas)

What is the Contract Value for the system(s) above?

*Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

This part of your request we have exempt from disclosure by virtue of the following exemption:

Section 43(2) – Commercial Interests

Section 43 is a class-based qualified exemption and is therefore subject to a Public Interest test.

Public interest considerations Factors favouring disclosure

Disclosing information regarding current contract annual spend would ensure the University are being open and transparent with the public. The disclosure would encourage public debate and increase public awareness on this subject matter. It would also allow the public to see where the public funds for the University are being spent.

Factors against disclosure

Disclosing the information requested is likely to damage the relationship between the University and the service provider(s). In turn, this could prejudice the commercial interests of the service provider(s), especially in cases where there may be a limited number of suppliers in the market. Making a disclosure could identify information which has been specifically obtained through negotiation between the University and the service provider(s), thus prejudicing the University position in future negotiations.

Balance test

Despite there being an identifiable public interest in the University being open and transparent, the interests of the University may be jeopardised if information relating to sensitive commercial contract expenditure is disclosed. The community would also be impacted as costs to the University could be driven up by the lack of competition due to companies refusing to do business with University's that disclose commercially sensitive information. If this information were to be disclosed, this could cause harm between the University of Hull and its service provider(s). Having weighed up all of the factors outlined above, on balance the argument for disclosing this information is not made out and therefore it is in the public interest to withhold this information from disclosure.

Section 17 of the Freedom of Information Act 2000 requires the University, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. In accordance with the Freedom of Information Act 2000 this email acts as a Refusal Notice for those aspects of your request

What are the start and end date of the current contract(s)? If separate systems, please state contract value and end dates for each system.

Worktribe

Main System - February 2022 – February 2026

Contracts Module – February 2024 – February 2029

ResearchConnect – April 2023 – April 2028

What are the annual subscription charges for the system(s) above?

* Section 43(2) – Commercial Interests (as above)

Please be aware that Freedom of Information (FOI) requests made with the intention of furthering commercial interests, such as selling goods or services or gaining a competitive advantage over potential suppliers, are outside the intended scope of FOI. Using FOI for gaining a commercial advantage over others is not in line with the purpose of the Act and provides minimal or no benefit to the public. ICO guidance sets out that: "The

public interest here means the public good, not what is of interest to the public, and not the private interests of the requester.”

To assist you on this occasion and for future reference, you may find the following information helpful:

- If you are interested in becoming a supplier, please see our webpage: Buyer Profile (<https://www.hull.ac.uk/work-with-us/more/supplying-our-university/buyer-profile#:~:text=Applying%20to%20be%20a%20Supplier%2FContractor%20to%20the%20University&text=To%20let%20us%20know%20about,not%20telephone%20the%20Procurement%20Office.>)
- We suggest you view the University's E-Tendering Website (<https://www.hull.ac.uk/work-with-us/more/supplying-our-university/procurement>) and the Contracts Finder (government website): <https://www.gov.uk/contracts-finder> for information about contracts awarded/due for tender.
- For all procurement enquiries, see <https://www.hull.ac.uk/work-with-us/more/supplying-our-university/procurement>