

## **RESEARCH AWARDS**

Requirements on Confidentiality for Research Award Applications

For members of the Research Advisory Panel and external reviewers

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## YORKSHIRE CANCER RESEARCH

### Requirements on Confidentiality for Research Award Applications

#### Background

This note has been produced to inform the members of the Charity's Research Advisory Panel (RAP), external reviewers, observers at Strategic Fit or Research Advisory meetings and applicants for Awards what arrangements are in place to protect the confidentiality of Research Award applications. Concerns stem from a number of different angles; the confidential nature of the Awards process itself and much of the data that is contained within any application the Charity receives, together with the legitimate expectations of applicants that their information and data will be treated confidentially; the protection of novel ideas; and the fear that possible patent protection could be harmed by inadvertent premature disclosure. This note aims to highlight a number of simple steps that the Charity requires RAP members, external reviewers and observers at Strategic Fit or Research Advisory meetings to take in order to protect the Charity, themselves and the applicants. In the case of Observers, written information provided in advance will be minimised as far as possible and sufficient to allow them to follow the proceedings.

#### What is confidential information?

Any information or data that is not publicly available can be classified as confidential. Anyone who receives information knowing it to be confidential is legally bound to its provider, not because they have signed any confidentiality agreements, but simply because they received it knowing it to be confidential. This places a burden of responsibility on recipients which they cannot avoid.

**For the purposes of RAP members and reviewers, all Research Award applications, their content and any associated documents received by the Charity are classified by the Charity as confidential, and the Charity requires that all due care must be taken to protect their contents from disclosure. The Research Funding and Award process is stated to be confidential and we have an obligation to ensure this is upheld. This also applies to invited observers attending the Strategic Fit or Research Advisory meeting.**

#### Why do we need to maintain confidentiality?

The personal data in proposals includes names, email addresses, CVs of applicants, information on their employment and salaries and as such we need to take due care with this information given current data protection legislation and the data protection regulations that came into force in May 2018 (General Data Protection Regulation or GDPR).

In terms of potential intellectual property and/or ideas that belong to the applicant, in Award applications researchers are disclosing their future research plans which will contain innovative ideas which, while not necessarily patentable, are the results of their ongoing research and they have a reasonable expectation that they can control the method that this is presented to the world. A secondary consideration (which is less common--but no less important--with the types of projects currently under review) is that premature disclosure can fatally preclude patent rights. In the UK any publication, often even at a very trivial level, can be held as evidence that the ideas are not new and therefore not protectable. What information is in the public domain can be interpreted very broadly and the Charity's general advice to applicants is not to disclose information to anyone if a patent application is contemplated.

#### What the Charity requires you to do

There are a few simple measures the Charity requires RAP members and external reviewers to take:

- Remember that the application, all information and data contained within it, and all associated documents are confidential and treat them as such.
- If you need to show it to a colleague to help with your assessment, then give them a copy of this note and ensure that they realise you are seeking their views in confidence.
- If you do consult another colleague, let the Charity know when you send in your assessment.
- Do not keep the application where it may be seen by other people.
- When you have completed your assessment destroy any paper copies of the application and/or delete the Word or PDF file.