

14 September 2010

Reference: Fol-112

Dear Mr Taylor,

FREEDOM OF INFORMATION ACT 2000 – REQUEST FOR INFORMATION

I am writing in response to the request you made to BBSRC under the Freedom of Information Act 2000.

Statement of Information Requested

You requested the following information:

Section 10.25 of the BBSRC studentships guide states:

"Students may, however, bring to BBSRC's attention any situation where they consider that they have not had access to appropriate procedures."

I would like to request:

** Any policies and procedures which exist within the BBSRC setting down how reports made under this provision are to be dealt with.*

** The appropriate contact point for students to use when making such reports, and which post holder or team the reports would be directed to.*

** Details of reports made under this provision and the actions taken by the BBSRC, including information on any systemic changes to institutions' procedures which have been prompted by the reports.*

Duty to Confirm or Deny

I confirm that BBSRC holds information relevant to your request. However, some of the information requested is exempt from disclosure as described below.

Exemptions Which Apply

Section 40 Personal information

Information is considered to be exempt from disclosure if it constitutes personal data of which the applicant is not the data subject. Information of this type is protected by the Data Protection Act.

Section 43 Commercial interests

Information is exempt from disclosure if it is a trade secret or if release of the information would be likely to prejudice the commercial interests of any person.

Note: A person may be an individual, a company, the public authority itself or any other legal entity.

Application of Public Interest Test in Relation to Section 43 of the Act

The public interest test (which determines whether or not the interest in maintaining the exemption outweighs the interest in disclosing the information) was applied to exemption under Section 43. An explanation of the public interest test is provided:

The disclosure of academic institutions' names which complaints were made against would be likely to prejudice the commercial interests of those academic institutions. A commercial interest is defined as a person's ability to participate competitively in a commercial activity, in this case providing services to students by academic institutions or companies. When making this decision, the following factors were considered:

- disclosing this information could potentially damage these institutions' reputation as providers of services to students and scientific community or the confidence that customers (students) and stakeholders may have in these academic institutions.
- disclosure could potentially damage academic institutions' position when competing against other academic institutions.

Background

BBSRC has a responsibility to ensure that the funds it disperses are spent properly, in accordance with the law and in the public interest. Included within this responsibility is a need to draw the attention of members of the scientific community funded by the BBSRC to the need to conduct their research, and to be seen to do so, according to best scientific practice.

BBSRC Statement on Safeguarding Good Scientific Practice (http://www.bbsrc.ac.uk/web/FILES/Policies/good_scientific_practice.pdf) addresses the issues involved in the proper conduct of scientific research, and provides guidance on the standards expected. It also considers the procedures to be followed should allegations of scientific misconduct be made.

Information Requested

I will answer your questions in turn:

** Any policies and procedures which exist within the BBSRC setting down how reports made under this provision are to be dealt with.*

As stated in the BBSRC Studentships Guide (http://www.bbsrc.ac.uk/web/FILES/Guidelines/studentship_handbook.pdf), "it is the responsibility of the academic institution or company to ensure that students and supervisors have access to effective procedures for resolving problems which arise from the administration and supervision of the

studentship and that, where multiple procedures exist, guidance is available to all interested parties on which procedures should be used in a given set of circumstances; such procedures are normally outlined in a local code of practice. Should a grievance arise, students are expected to make use of these procedures. BBSRC will not intervene unless the student has pursued any complaint or grievance through the available channels...” If the available grievance channels at the academic institution or company are exhausted but without satisfaction to the student they can register a complaint with BBSRC.

** The appropriate contact point for students to use when making such reports, and which post holder or team the reports would be directed to.*

Formal complaints should be registered with the BBSRC Complaints Officer (<http://www.bbsrc.ac.uk/organisation/policies/position/foi/complaints.aspx>)

** Details of reports made under this provision and the actions taken by the BBSRC, including information on any systemic changes to institutions' procedures which have been prompted by the reports.*

Since the introduction of the BBSRC complaints procedures, BBSRC received 10 formal complaints from students.

A summary of those complaints is included in the **Table 1** below.

Names of complainants and those who allegations were made against are not provided as this information is exempt from disclosure under section 40 of the Act.

Details of academic institutions or companies which allegations were made against are not provided as this information is exempt under section 43 of the Act as described above.

Table 1

Complaint's reference number	Nature of complaint	Actions taken by BBSRC
1	Complaint from a student about their supervisor at the host organisation.	BBSRC requested information from host organisation on whether the complaint was handled appropriately and within stated procedures at the host organisation. Host organisation concluded that the complaint was conducted thoroughly and correctly. However, host organisation found that there were issues due to multiple complaints procedures and made several recommendations that it would take forward, e.g. review of procedures, staff training. As a result, BBSRC amended its studentship guide in section

		10.25 by adding “... <i>and that, where multiple procedures exist, guidance is available to all interested parties on which procedures should be used in a given set of circumstances...</i> ”
2	Complaint from a student about their supervisor at the host organisation.	Complainant was referred to BBSRC complaints procedures and asked to confirm that they had invoked and exhausted formal complaints and appeals procedures at host organisation. Complainant was also advised that if they were denied access to the host organisation’s procedures, they could bring it to BBSRC’s attention.
3	Complaint from a student about researchers at host organisation.	Complainant was referred to BBSRC complaints procedures and asked to confirm that they had invoked and exhausted formal complaints and appeals procedures at host organisation. Complainant was also advised that if they were denied access to the host organisation’s procedures, they could bring it to BBSRC’s attention.
4	Complaint from a student about their supervisor at the host organisation.	Complainant was informed that BBSRC could not take any action as complaint was subject of litigation or legal proceedings.
5	Complaint from a student about termination of their studentship by host organisation.	BBSRC investigated whether the stated complaints procedures were followed by the host organisation and was satisfied that the procedures were applied and followed appropriately.
6	Complaint from a student about working conditions in laboratories at host organisation.	Complainant was referred to BBSRC complaints procedures and asked to confirm whether they had invoked and exhausted formal complaints and appeals at host organisation and to provide agreement to BBSRC Complaints Officer contacting the host organisation for report

		on their case. No response was received from the complainant.
7	Complaint from a student about problems encountered relating to conduct of scientific research.	Complainant was informed that BBSRC could not take any action as complaint was subject of litigation or legal proceedings. Complainant was also advised that, on completion of action, they could bring to BBSRC's attention any proven instances where the host organisation had not followed stated procedures within the BBSRC Statement on Safeguarding Good Scientific Practice.
8	Complaint from a student about their supervisor at the host organisation.	Complainant was referred to BBSRC complaints procedures and asked to confirm whether they had invoked and exhausted formal complaints and appeals at host organisation and to provide agreement to BBSRC Complaints Officer contacting the host organisation for report on their case. No response relating to this request received.
9	Complaint from a student about termination of their studentship by host organisation.	Complainant was informed that BBSRC could not take any action as complaint was subject of litigation or legal proceedings. Student also informed that from the evidence provided it seemed that formal complaints procedures at host organisation had been exhausted and that it had acted appropriately and correctly and within stated procedures.
10	Complaint from a student about their supervisor at the host organisation.	Complainant was referred to BBSRC complaints procedures and asked to confirm whether they had invoked and exhausted formal complaints and appeals at host organisation and to provide agreement to BBSRC Complaints Officer contacting the host organisation for report

		on their case. No response was received from the complainant.
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If you have any queries about this letter, please contact me quoting the reference number above.

Yours sincerely,

Ksymena Okonska
Freedom of Information Officer
BBSRC

Complaints Process

If you are dissatisfied with how we have handled your request, you may register a formal complaint with the BBSRC Complaints Officer at complaints.officer@bbsrc.ac.uk, who will conduct an internal review.

If you are not happy with the outcome of the internal review, you have the right to apply directly to the Information Commissioner, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 01625 545 745, www.informationcommissioner.gov.uk.