

**Internal Review of Freedom of Information Act (FOIA)
Request – FOI 2023/144**

1.0 Background

The University has conducted an internal review of the complaint made by John Lubbock.

The review has been undertaken and approved by Joe Woolston, Director of Strategy, Planning and Performance.

With this report the University has the opportunity, when considering the complaints made by John Lubbock to:

- Review the procedures that were applied to the initial response.
- Correct any mistakes that were made.
- Review the form of the response.

1.1 The Request and request for internal review

Request email received, Sunday, July 30, 2023 11:21 PM

Mr Lubbock requested information and details relating to the University's possible connection to BGI Genomics.

An acknowledgement of the request with a request for clarification was sent to xxx on Monday, July 31, 2023 10:18 AM.

A response was sent on Tuesday, August 8, 2023 3:59 PM

All related correspondence is given in full in Appendix 1 below.

Request for internal review email received, timed and dated Wednesday, August 23, 2023 11:07 AM

An email from John Lubbock requesting an internal review of our response to the request was received on 23rd August 2023 and acknowledged 23rd August.

The complaint email is given in full in Appendix 3 below.

This report will consider the approach and application of the Freedom of Information Act 2000 by the University in relation to the original request and response and will look at the comments above.

1.2 Timing

This internal review finds that the original request was responded to within the allowed 20 working day period.

2.0 Considerations of the original response

2.1 The original request

I am following up on my previous FoI where I asked for the details of any contracts with the company BGI Genomics, or any subsidiaries of BGI Group:

https://www.whatdotheyknow.com/request/university_of_westminster_and_bg

I would now like to ask for a list of any joint research agreements as well as contracts with BGI, because I believe there has been at least some joint research work conducted. This piece of research, which says it was "part of a bigger project for characterization of COVID-19 disease", seems to be a joint research project between BGI and Westminster. Please can you confirm if this was part of a joint research project between your university and BGI, and if there has been any other joint work carried out?

https://plus.figshare.com/collections/Low-coverage_whole_genome_sequencing_for_a_highly_selective_cohort_of_severe_COVID-19_patients/6347534

2.2 The original response

In summary, the University believed that the information requested was not held and so could not provide a recorded answer for the request.

Please see Appendix 2 below for full details of the original response.

In our initial response the University followed its processes and sought information from its research and finance teams which led to a response that it held no information in relation to the request.

The Internal review has found that the University carried out its processes correctly and cross checked with the teams and no information is held.

No further action is required, other than to pass this report on to the requestor to complete the internal review.

3.0 Findings and Recommendations

- The University continues to find the response that no information held is correct.
- The University has since been made aware that Manuel Corpas carried out research in partnership with BGI Genomics when he was working at a

previous institution in Spain. However, it took a while until the resulting research paper titled '*Low-coverage whole genome sequencing for a highly selective cohort of severe COVID-19 patients*' got published which was after he joined the University of Westminster in 2021. This is why Corpas's affiliation on the research paper is marked as University of Westminster despite the University not having anything to do with the research paper.

- This report should be given to the requestor and the internal review noted as completed.

We hope you find this review useful.

Please note that with the conclusion of this review you may take any remaining complaints relating to the University's handling of your request to the Information Commissioner who can be reached at:

By Post:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By Telephone: 01625 545 700

Web: www.ico.org.uk

Yours sincerely,

Joe Woolston
Director of Strategy, Planning and Performance

Appendix 1- Related Request and Acknowledgement

From: John Lubbock <request-1009890-62a40202@whatdotheyknow.com>
Sent: Sunday, July 30, 2023 11:21 PM
To: FOI <FOI@westminster.ac.uk>
Subject: Freedom of Information request - University of Westminster and BGI Genomics 2

CAUTION: This email originated from outside of the University. Do not click on any links or open attachments unless you trust the sender and know the content is safe.

Dear University of Westminster,

I am following up on my previous FOI where I asked for the details of any contracts with the company BGI Genomics, or any subsidiaries of BGI Group:

https://www.whatdotheyknow.com/request/university_of_westminster_and_bg

I would now like to ask for a list of any joint research agreements as well as contracts with BGI, because I believe there has been at least some joint research work conducted. This piece of research, which says it was "part of a bigger project for characterization of COVID-19 disease", seems to be a joint research project between BGI and Westminster. Please can you confirm if this was part of a joint research project between your university and BGI, and if there has been any other joint work carried out?

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Yours faithfully,

John Lubbock

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Is foi@wmin.ac.uk the wrong address for Freedom of Information requests to University of Westminster? If so, please contact us using this form:
https://www.whatdotheyknow.com/change_request/new?body=university_of_westminster

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

-----Original Message-----

From: Malcolm Bacon <M.Bacon@westminster.ac.uk> On Behalf Of FOI

Sent: Monday, July 31, 2023 10:18 AM

To: John Lubbock <request-1009890-62a40202@whatdotheyknow.com>

Cc: FOI <FOI@westminster.ac.uk>

Subject: RE: Freedom of Information request - University of Westminster and BGI Genomics 2 - FOI 2023/144

Dear John Lubbock,

Please find the acknowledgement of your recent request for information attached.

Regards

Malcolm Bacon

Information Compliance Manager

I am currently working from home. I should be reachable on the mobile number below in normal office hours

2023 Information Security Message:

Limit Personal Data Transmission.

University Data Protection Information: <https://www.westminster.ac.uk/about-us/our-university/corporate-information/information-compliance-records-management-and-information-security/personal-data-protection>

Information Compliance Team

3rd Floor

32-38 Wells Street

London W1T 3UW

E: m.bacon@westminster.ac.uk

T: +44 (0)20 7911 5158

M: +44 (0)7444 399 282

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piece of research, which says it was "part of a bigger project for characterization of COVID-19 disease", seems to be a joint research project between BGI and Westminster. Please can you confirm if this was part of a joint research project between your university and BGI, and if there has been any other joint work carried out?

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Yours faithfully,

John Lubbock

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Our Ref: FOI2023/144

John Lubbock
request-1009890-62a40202@whatdotheyknow.com

Monday 31st July 2023

Dear John Lubbock,

Freedom of Information Act 2000 – Request for Information

I acknowledge your request for information received by the University on Monday 31st July 2023.

Your request is being considered and you will receive the information requested within the statutory timescale of 20 working days as defined by the Freedom of Information Act 2000, subject to the information not being exempt or containing a reference to a third party.

If appropriate, the information may be provided in paper copy, normal font size. If you require alternative formats, e.g. language, audio, large print, etc. then please let me know.

For your information, the Act defines a number of exemptions which may prevent release of the information you have requested. There will be an assessment and if any of the exemption categories apply then the information will not be released. You will be informed if this is the case, including your rights of appeal.

If the information you request contains reference to a third party then they may be consulted prior to a decision being taken on whether or not to release the information to you. You will be informed if this is the case. There may be a fee payable for this information. This will be considered and you will be informed if a fee is payable. In this event the fee must be paid before the information is processed and released. The 20 working day time limit for responses is suspended until receipt of the payment.

Further information about your rights is also available from the Information Commissioner at:

Information Commissioner's Office.
The Information Commissioner Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Web Address: www.ico.org.uk

Yours sincerely,
Information Compliance Team
foi@westminster.ac.uk

Appendix 2 – Response

From: Elizabeth Gildersleve <E.Gildersleve@westminster.ac.uk> On Behalf Of FOI
Sent: Tuesday, August 8, 2023 3:59 PM
To: John Lubbock <request-1009890-62a40202@whatdotheyknow.com>
Subject: RE: Freedom of Information request - University of Westminster and BGI Genomics 2

Dear John Lubbock,

Please see attached the University's response to your recent request for information.

Kind regards,

Elizabeth Gildersleve
She/Her
Information Compliance Assistant
University of Westminster
32-38 Wells Street
London W1T 3UW

Email confidentiality notice

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Yours faithfully,

John Lubbock

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Our Ref: FOI2023/144

John Lubbock
request-1009890-62a40202@whatdotheyknow.com

Tuesday, 08 August 2023

Dear John Lubbock,

Freedom of Information Act 2000 – Request for Information

Regarding your request for information received by the University of Westminster on 31st July 2023.

The Request

The University can confirm that it holds information relating to your request. Please see below for details of your recent request.

I am following up on my previous FoI where I asked for the details of any contracts with the company BGI Genomics, or any subsidiaries of BGI Group:

https://www.whatdotheyknow.com/request/university_of_westminster_and_bg

I would now like to ask for a list of any joint research agreements as well as contracts with BGI, because I believe there has been at least some joint research work conducted. This piece of research, which says it was "part of a bigger project for characterization of COVID-19 disease", seems to be a joint research project between BGI and Westminster. Please can you confirm if this was part of a joint research project between your university and BGI, and if there has been any other joint work carried out?

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The Response

The University does not hold any information on joint research agreements or contracts with BGI.

We hope this information may be of use to you.

Copyright in our response to your request belongs to the University of Westminster. All rights are reserved. This document is for personal use only and may not be copied, or stored in any electronic form, or reproduced in any other way or used for any other purpose, either in whole or in part, without the prior written consent of the University of Westminster. All copies of this document must incorporate this Copyright Notice.

If you are dissatisfied with this response you may ask the University to conduct a review of its decision.

By Post: Information Compliance Team
University of Westminster
3rd floor, 32-38 Wells Street
London, W1T 3UW

By Telephone: 0207 911 5158
By Email: foi@westminster.ac.uk

Please do so in writing (including by fax, letter or email) or in some other recorded form (e.g. audio or video tape), describe the original request, explain your grounds for dissatisfaction, and include an address for correspondence.

If after contacting the University of Westminster you are not happy with the outcome, you also have a right of appeal to the Information Commissioner.

Please note that the Information Commissioner will not investigate the case until the internal review process has been completed.

By Post: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By Telephone: 0303 123 1113
Web: www.ico.org.uk

Yours sincerely,

Information Compliance Team
foi@westminster.ac.uk

Appendix 3 – Complaint Email Correspondence

From: John Lubbock <request-1009890-62a40202@whatdotheyknow.com>
Sent: Wednesday, August 23, 2023 11:07 AM
To: FOI <FOI@westminster.ac.uk>
Subject: Internal review of Freedom of Information request - University of Westminster and BGI Genomics 2

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Dear University of Westminster,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of University of Westminster's handling of my FOI request 'University of Westminster and BGI Genomics 2'.

In response to my requesting clarification about a specific research agreement which I posted a link to, I have been told you hold no information, despite me putting the information in front of you:

'This piece of research, which says it was "part of a bigger project for characterization of COVID-19 disease", seems to be a joint research project between BGI and Westminster. Please can you confirm if this was part of a joint research project between your university and BGI, and if there has been any other joint work carried out?

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I have asked a specific question here - can you tell me if this was part of a research project or not. The answer is yes or no. Either it was or was not, and it is not an acceptable response to simply say 'i don't know'. I am therefore pursuing this to get a straight answer to this straightforward question.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/university_of_westminster_and_bg_2

Yours faithfully,

John Lubbock

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From: Elizabeth Gildersleve <E.Gildersleve@westminster.ac.uk> On Behalf Of FOI
Sent: Wednesday, August 23, 2023 2:38 PM
To: John Lubbock <request-1009890-62a40202@whatdotheyknow.com>
Subject: RE: Internal review of Freedom of Information request - University of Westminster and BGI Genomics 2

Dear John Lubbock,

Thank you for your email. The University acknowledges your request for an internal review and we hope to get back to you soon.

Kind regards,

Elizabeth Gildersleve
She/Her
Information Compliance Assistant
University of Westminster
32-38 Wells Street
London W1T 3UW

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