



Llywodraeth Cymru  
Welsh Government

## E-mail request

Our ref: ATISN 14892

Date: 4 May 2021

Dear

### ATISN 14892

Thank you for your request which I received on 15 February 2021. You asked for the following information:

the updated information regarding Welsh Government procurement card spend data.  
Specifically data regarding the data between 2020 and 2021.

I have concluded the information requested is exempt under Section 22 of the Freedom of Information Act (2000) – information intended for future publication. I have set out my considerations at Annex 1 to this letter.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

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

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

## Annex 1

### Engagement of section 22(1) (Information intended for future publication)

Whilst I can confirm that the Welsh Government holds information of this description, it is considered exempt under section 22 of the Freedom of Information Act. This states (inter alia):

1) *Information is exempt information if—*

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*
- (b) the information was already held with a view to such publication at the time when the request for information was made, and*
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a)*

I can confirm that Welsh Government does hold the information being requested – which will be published later this year. For that reason, we believe it is reasonable for the publication plans to remain so as to ensure the accuracy and integrity of the information.

### Public Interest Test

Section 22 is a public interest tested exemption. This means that in order to withhold information under it, it has to be shown that the public interest in withholding the information outweighs that in releasing it.

### Public interest arguments in favour of disclosure

- The general presumption of openness that the FOIA aspires to; and
- General interest on Welsh Government's expenditure.

Whilst Welsh Government acknowledges the general public interest in openness and transparency that release would engender, we believe the release of information at this stage would be confusing and may not present complete overall data compared to that which will be published.

### Public interest arguments in favour of withholding

- The intended publication date is in the not too distant future;
- Information released through the Freedom of Information Act is released to the world and not just the requester. Publishing the requested information now may not reflect the information that will be published on the Welsh Government's website; it could be misleading and not present an accurate picture – time is required for credits for disputed transactions to be applied to the accounts prior to publication as well as time to undertake quality assurance on the transactions and apply any necessary redactions - data that is protected under the Data Protection Act and data that might be commercially sensitive;
- Confusion could arise when comparing different versions of information and potentially leading to incorrect conclusions being drawn; and
- Disclosure of this information before the publication date may compromise trust in the accuracy of official information.

### Balance of public interest test

On the basis of the above, we conclude that on balance the public interest arguments are in favour of withholding information at this time. The public interest in this data will be met with the publication later in 2021.