



Llywodraeth Cymru
Welsh Government

ATISN 15392

21 September 2021

Dear

ATISN 15392 – Emails containing ‘Attain’ and ‘Consultant Connect’

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) (FOIA) received on 05 August. I have interpreted your request as follows:

- *To provide copies of the 136 emails that Welsh Government located in the initial search using key words ‘Attain’ and ‘Consultant Connect’*

Response

Your previous request asked for the number of emails held by ourselves that contained the words ‘attain’ and/or ‘consultant connect’. This provided a return of 136 emails. As all you asked for was the number of emails contain these words, no attempt was made at that time to differentiate between those emails that related to the organisations Attain and Consultant Connect and those where the words appeared as part of the text of the email but had no relation to those organisations. For example there may be emails that contain the word ‘attain’ where we are discussing targets for COVID vaccination, etc. On an initial assessment, only a very small proportion of these emails do in fact relate to the organisations which your previous requests suggest you are interested in and the majority are concerned with other Welsh Government business. To interrogate each email chain and any associated attachments to assess whether we would be able to release them into the public domain under this freedom of information request would involve a considerable amount work on behalf of Welsh Government, including consulting with any affected third party.

Consequently, when weighting up the resources required to comply with this request against the value releasing the information would deliver we believe this amount to ‘disproportionate effort’ as referenced within the Information Commissioner’s Office guidance on dealing with vexatious requests (Section 14). To that end, it is our view that this request should be refused on the grounds that it is ‘vexatious’ within the meaning of section 14(1) of the FOIA. The arguments for this, as established in guidance from the Information Commissioner, are set out below.

The request captures a substantial volume of information

Whilst the request only captures 136 emails, some of these are long and some contain a number of attachments. As such the request captures more info than the number may suggest.

The authority has real concerns about potentially exempt information, which it will be able to substantiate if asked to do so by the ICO

When taking in to account that a significant proportion of the emails captured by this request are not related to the organisations your previous request have indicated is the subject of your interest, we are firmly of the view that a significant proportion of the information included within the emails would be exempted as it relates to a range of matters not related to the two organisations, which we believe should not be disclosed to the public at this point in time. If we are to consider disclosure, we would need to consult with a number of third parties to ascertain what concerns they may have with information relating to them before we can reach a firm decision as to whether the information can be released. As this information does not relate to the two organisations you have previously requested information about, it is difficult to see what, if any, public interest is served by releasing much of the information captured by this request.

Any potentially exempt information cannot easily be isolated because it is scattered throughout the requested material.

Given the nature of the emails captured by the request it is more than reasonable to assume that a significant proportion of the information requested would be exempted from release. Any information that can be properly exempted is very likely to be spread throughout the emails and their attachments, requiring a significant amount of work to identify and undertake the redactions in situ. Given the nature of the emails we do not believe that this is a reasonable use of governmental resources.

Next Steps

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

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,