

17 March 2023

Dear

## **ATISN 17237 - Recycling**

### **Information Requested**

Thank you for your request which I received on 6 March 2023. You asked for:

1. Information on which local authorities in Wales may fail to reach local authority recycling targets.
2. Information on which local authorities in Wales are currently failing to recycle more than 64 per cent of the waste they collect.
3. The latest information relating to Local Authority Municipal Waste Management as reported by statistics for Wales.

### **Our Response**

For question 1, Welsh Government does not hold recorded information on which local authorities may fail to reach these targets.

For questions 2 and 3, the information you have requested is due to be published at:

[Local authority municipal waste management: April to June 2022 | GOV.WALES](#) . f

On 26 April 2023. Please visit the above link after that date to see the data. I am therefore withholding the data at this time under FOIA S.22, information intended for future publication – please see Annex A for my reasons for applying this exemption.

In the meantime, you may see the current published data here:

[Local authority municipal waste management: April 2019 to March 2020 \(gov.wales\)](#)

Welsh Government is working to encourage all Local Authorities who have not yet reached the 70% level to undertake the work necessary to achieve it, and there are several policy interventions available to them. We offer both financial and expert support to help them achieve their ambitions.

### **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](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 A**

### **Application of exemptions/exceptions**

The Freedom of information Act provides a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

- The local authority municipal waste management report: April to June 2022

This Annex sets out the reasons for the engagement of section 22 of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

### **Engagement of section 22 (Information intended for future publication) of the Freedom of Information Act**

The Welsh Government believes that the data should be exempt from early disclosure ahead of its intended publication in April. Although the data is largely assembled, checks on the data are incomplete, and publication now, ahead of the completion of the QA process, may cause incorrect information to be released into the public domain. This, in turn, would lead to a loss of confidence in Welsh Government data, and might have repercussions for local authorities identified in the release.

### **Public Interest Test**

In order to satisfy the public interest test in relation to the exemption(s), it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

### **Public interest arguments in favour of disclosure**

There is a clear strong public interest in release of the data, to allow the public to assess the effectiveness of policy and the performance of local authorities in meeting the policy targets. This public interest is clearly recognised, which is why the information is intended for publication. There is also a public interest that data should be seen in a timely manner.

### **Public interest arguments in favour of withholding**

It is not in the public interest that incorrect or inaccurate data be placed in the public domain, and thus it is not in the public interest that complex statistical data be published without completion of a thorough quality assurance process. Where inaccurate information is released into the public domain, this may cause harm to both the credibility of data published by Welsh Government, as well as having a negative impact on local authorities about which the incorrect data is released.

### **Balance of public interest test**

I am mindful of the clear public interest in accessing this data, and in a timely manner. Although this argument is very strong, I also note that the proposed publication is less than a month away, so any prevailing public interest in release, must be a prevailing public interest in release now, rather than in release at all. On balance, I find that the public interest in releasing accurate and quality assured data countervails any public interest in immediate release of the data, and thus the information is being withheld.