



Llywodraeth Cymru  
Welsh Government

Our ref: ATISN 18834  
Date: 17 August 2023

Dear ,

### **ATISN 18834**

Thank you for your request which we received on August 11. In it you asked:

#### **In the last 12 calendar months, how many FOIs made to the Welsh Government have been refused subject to a £600 fee being paid due to time constraints?**

I can confirm that the Welsh Government has not refused any requests for information 'subject' to a £600 fee being paid. Welsh Government's approach is not to charge requesters a fee for information. If a request is deemed to exceed the 'appropriate limit' then we will work with the requester to narrow the request down in such a way that it does not exceed that limit. If this cannot be achieved, the request is simply refused under section 12 of the Freedom of Information Act 2000 (exemption where cost of compliance exceeds appropriate limit).

I can confirm, however, that in the last 12 calendar months (i.e. since 1 August 2022), Welsh Government has refused 47 requests as exceeding the appropriate limit. Of these 47, 38 were full refusals and 9 were partial refusals (i.e. some information was provided).

#### **How was the figure of £600 chosen?**

It is important to note that the Freedom of Information Act (FOIA) gives individuals a right of access to recorded information held by a public authority at the time the request was received. It does not require an authority such as the Welsh Government to provide advice, views or opinions where those views (etc.) are not already recorded. This is confirmed by the Information Commissioner's guidance 'The Guide to Freedom of Information', page 7:

*"The Act does not cover information that is in someone's head. If a member of the public asks for information, you only have to provide information you already have in recorded*



*form. You do not have to create new information or find the answer to a question from staff who may happen to know it.”*

With that in mind, I can confirm that Welsh Government does not hold any information as to 'how' this figure was chosen. The figure is set out in section 3 of The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

<https://www.legislation.gov.uk/ukxi/2004/3244/contents/made>

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 e-mail: [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

Telephone: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)

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

Yours sincerely

ATISN	Date Rec'd	Full / Partial Refusal	Exemption
16536	01/08/2022	Full	Appropriate Limit
16537	01/08/2022	Partial	Appropriate Limit
16549	03/08/2022	Full	Appropriate Limit
16588	04/08/2022	Full	Appropriate Limit
16572	12/08/2022	Full	Appropriate Limit
16608	25/08/2022	Full	Appropriate Limit
16636	07/09/2022	Full	Appropriate Limit
16649	12/09/2022	Full	Appropriate Limit
16650	12/09/2022	Partial	Appropriate Limit
16656	13/09/2022	Full	Appropriate Limit
16682	23/09/2022	Full	Appropriate Limit
16683	24/09/2022	Full	Appropriate Limit
16684	24/09/2022	Full	Appropriate Limit
16707	02/10/2022	Full	Appropriate Limit
16725	05/10/2022	Full	Appropriate Limit
16870	14/11/2022	Full	Appropriate Limit
16946	08/12/2022	Partial	Appropriate Limit
16962	12/12/2022	Partial	Appropriate Limit
16976	14/12/2022	Partial	Appropriate Limit
16978	15/12/2022	Full	Appropriate Limit
17011	03/01/2023	Full	Appropriate Limit
17098	30/01/2023	Full	Appropriate Limit
17100	30/01/2023	Full	Appropriate Limit
17202	24/02/2023	Full	Appropriate Limit
17222	02/03/2023	Partial	Appropriate Limit
17262	10/03/2023	Partial	Appropriate Limit
17279	15/03/2023	Full	Appropriate Limit
17376	05/04/2023	Full	Appropriate Limit
17402	14/04/2023	Full	Appropriate Limit
17450	28/04/2023	Full	Appropriate Limit
17444	01/05/2023	Partial	Appropriate Limit
17456	04/05/2023	Full	Appropriate Limit
17468	08/05/2023	Full	Appropriate Limit
17471	10/05/2023	Full	Appropriate Limit
17474	10/05/2023	Full	Appropriate Limit
17488	13/05/2023	Full	Appropriate Limit
18555	02/06/2023	Full	Appropriate Limit
18576	08/06/2023	Full	Appropriate Limit
18609	15/06/2023	Full	Appropriate Limit
18637	22/06/2023	Full	Appropriate Limit
18647	26/06/2023	Full	Appropriate Limit
18651	27/06/2023	Partial	Appropriate Limit
18679	03/07/2023	Full	Appropriate Limit

18687	05/07/2023	Full	Appropriate Limit
18705	09/07/2023	Full	Appropriate Limit
18736	15/07/2023	Full	Appropriate Limit
18778	27/07/2023	Full	Appropriate Limit