

15 January 2025

Dear

**Complaint in respect of ATISN 22011**

With reference to your email of 14 November requesting a review of our response to your FOI request, seeking a copy of all correspondence from 1 June 2023 relating to the planned resumption of Qatar Airways flights from Cardiff to Doha from 18 December 2023, and your subsequent email of 24 November clarifying that your request for the review was to challenge whether our decision to withhold the information passes the Public Interest Test; I have been asked to respond.

Having examined the case, I have determined that your query and request for information relates to the resumption of Qatar Airways flights from Cardiff Airport to Doha, we have understood the definition of correspondence to be emails and letters, and that your request is for copies of correspondence between:

- Welsh Government (Ministers and/or Civil Servants) and Cardiff Airport;
- Welsh Government (Ministers and/or Civil Servants) and Qatar Airways;
- and
- Cardiff Airport and Qatar Airways.

where the correspondence is related to the resumption of Qatar Airways flights from Cardiff Airport.

The nature of this correspondence is commercially sensitive, and disclosure of such information by the Welsh Government would commercially disadvantage both the airport and the airline. If the Welsh Government was to disclose such information, airlines, and other businesses much wider than those relating to the airport, would not be willing to enter into commercially sensitive discussions, when disclosure of their information could be at risk of being shared with other commercial operators. The airline would also be commercially disadvantaged in that disclosure of future plans regarding flights to or from a destination allows other commercial operators to adjust their own routes and negotiations, and provides intelligence about the airline itself.

Therefore, I have concluded that policy colleagues were correct in their application of the public interest test under section 43 (Commercial Interests) of the Freedom of Information Act.

However, in my review, I considered whether the searches for the information requested were drawn too narrowly. Although the resumption of the Doha flights is a

commercial matter between the airport and the airline, your request does not ask just for limited commercial information, but requests all correspondence related to this matter between any Welsh Government official and Ministers, and the airport, and Qatar Airways. I believe that we have erred in only seeking information from the

policy team that handles matters with the airport, when it is clear that such discussions could have happened on a variety of levels and between many policy divisions.

It is also clear that we should have searched not just our electronic records management system, but also the emails of all officials in any policy division that may have spoken on this. The request is very broad, and does not limit itself to the matter of policy, but could capture, for instance, any proposed announcements as they relate to tourism, or international relations etc.

From my preliminary assessment I estimate it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to answer your request. The appropriate limit specified for central government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract the information.

We believe the number of policy divisions that could hold the information is 12 and that the number of officials in each division who would need to be asked if they hold information is 5.

To ascertain where information is in scope, we would need to ask 60 officials at 1 minute each to determine if they may have information in scope. This would take 1 hour.

Having located officials who may have information in scope, we would need to access each of their email systems and locate relevant emails. Although we can semi-automate the task by using keywords, such as "Qatar Airlines", keywords alone will not find all information in scope, as there are many ways a message may be obliquely about resumption of flights without mentioning that word. To see if an email is captured by this request, it is necessary to review the email. This is a manual process.

In an exercise, I looked at the email system of one official in an appropriate policy division and found 339 potential messages in scope. Allowing on average 3 minutes per message to read and understand if every record had information in scope, it would take me 1,017 minutes. Dividing that by 60 to get the number of hours, works out to be 16.95 hours. The time taken to review and locate all such information across all relevant Welsh Government officials' emails would be more. Even if there were only 50 records per additional person across the Welsh Government, that would mean 50 records multiplied by 3 minutes per record = 150 minutes. Dividing that by 60 gives me 2.5 hours, then multiplying that by the estimated number of

officials who may hold relevant records (60 people) would result in an additional 150 hours. For email searches alone this would result in 166.95 hours (16.95 plus 150)

Further, I undertook a search on the Welsh Government filing system. The result of those searches returned 795 records; so when multiplying that by 3 minutes per

record (2,385); then dividing by 60 to get the number of hours, this works out to be 39.75 hours.

I thus estimate the size of this combined task to be 206.7 hours (166.95 hours plus 39.75 hours).

This is substantially over the appropriate limit, and so I believe this request should have been refused in total under section 12 of the Freedom of Information Act, and the information is thus withheld.

I have considered your complaint in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests for Information](#) which is available by post on request or via the internet.

If you remain dissatisfied with this response you 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.

Yours sincerely