



Ref: ATISN 24502

15 April 2025

Dear Daniel,

Complaint in respect of ATISN 24502 – Cabinet Paper

I am responding to your email which was received on 03 April 2025, in which you asked us to review the response issued to your request for information under the Freedom of Information Act 2000 (FOIA). This letter is to inform you of the outcome.

In your original request dated 06 March 2025, you referred to a cabinet paper – Item 4: Social Care – approaches to Sustainability Planning - that was presented to Cabinet on 20 January and you asked for a copy of this along with any attached documents.

This request was processed under the Freedom of Information Act 2000. We provided our response to you on 01 April indicated that the paper was being exempt under Section 35 (1)(a) Formulation of Government Policy and following a public interest test, we provided our arguments for withholding the paper.

I have reviewed our response, and I am satisfied that it was the correct response.

As explained in our consideration of the public interest test, that we understand that the public would be interested in the development of such a policy along with the increasing pressures that are placed onto already over stretched social services and the challenges that are being faced. However, there are wider consequences of releasing the paper at such an early stage in the development of the policy and before the Welsh Government has been able to form its internal position, not least because officials need to be able to explore ideas with their Ministers and have the knowledge that different options and outcomes may eventually be agreed. This needs to be conducted in a 'safe space' where officials feel confident to openly discuss these issues and should this paper be released into the public domain, not only would it breach that trust but it is likely that different outcomes or conclusions may be finally agreed. Sharing this information to the public at this stage would likely cause confusion, and impact future clarity, in relation to the Welsh Government's position to local authorities and stakeholders who have an interest in social care.

The public interest test suggested that this would be likely to inhibit free and frank provision of advice and exchange of views in the development of the future policy on social care. I agree that this is a very likely consequence of releasing the Cabinet Paper at this stage.



In summary, I am satisfied that the cabinet paper has been properly considered in relation to the exemption of Section 35(1)(a) of the Freedom of Information Act, and also when undertaking the public interest test.

I have reviewed our response to your FOI request 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. In my view this was a reasonable response, and therefore I do not uphold your complaint.

If you remain dissatisfied with this response you also have the right to complain to the Information Commissioner at:

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

Tel: 01625 545 745
Fax: 01625 524 510
[FOI and EIR complaints | ICO](#)

Also, if you think that there has been maladministration in dealing with your request, you have the option to make a complaint to the Public Services Ombudsman for Wales who can be contacted at:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
Bridgend
CF35 5LJ

Telephone: 0845 6010987 (local rate)
Email: ask@ombudsman-wales.org.uk

Yours sincerely

Albert Heaney CBE
Chief Social Care Officer for Wales