

Dear

**Complaint in respect of ATISN 26267 – In-Work Support Services**

I am responding to your email which was received on 19 November 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 Freedom of Information request dated 21 October, for dates between *March 2023 to 20 October 2025*, you requested the following:

- 1. Ministerial and senior-official correspondence (emails, letters, or meeting notes) between March 2023 and the present relating to the partnership, merger, or common-ownership structure involving these entities;*
- 2. Any briefings or submissions to Ministers or Directors-General concerning the compliance or risk implications of that structure;*
- 3. Any internal communications between Welsh Government Procurement and Health & Social Services officials referring to the approval or management of this arrangement; and*
- 4. Any minutes of meetings where the arrangement or its implications for delivery of the contract were discussed.*

Additionally, you requested:

- 5. Any internal or external correspondence, emails, meeting notes or briefings (including those with Case-UK, Health 2 Employment Ltd, or BUSY Group) discussing or approving this change of ownership or “partnership”;*
- 6. Any assessments, reports or memoranda produced under Regulations 24 and 72 of the Public Contracts Regulations 2015 relating to conflicts of interest or material modifications to the contract;*
- 7. Any conflict-management plans, mitigation measures, or declarations of interest recorded by Welsh Government officials;*
- 8. Any legal or procurement advice sought or received concerning the compliance of this restructuring with the Public Contracts Regulations 2015 or Welsh Government procurement policy; and*
- 9. Any audit or monitoring reports that reference Health 2 Employment Ltd, OH Physio, or other delivery entities connected with this arrangement.*

Welsh Government was able to provide a response on 18 November, in which it was stated that the Welsh Government did not hold any information that fell into scope of your request in relation to Q1, Q3 and Q9 and regarding Q2, Q6, Q7 and Q8, it was stated that it was not applicable in this case.

For Q4 and Q5, it was confirmed that minutes of meetings, e-mails, details where the changes in the arrangements were discussed and these were provided to you following the

redaction of any personal data (Section 40(2) of the Freedom of Information Act. The engagement of section 40(2) was explained in the annex of the response letter.

For ease of reference, I will address each issue as raised in your complaint.

Absence of conflict of interest documentation.

I note that in the response, we had mentioned that Case-UK had informed officials of their intention to enter into partnership with Health 2 Employment and of their joining of that new partnership with the BUSY Group in advance of the formalising of their partnership from September 2024 in conversations with officials. In document 2b that was shared with you, the Director of Case-UK had stated that Case-UK C.I.C. continues to retain separate legal identity and status and that the ownership, management structure, and controlling interests since the acquisition took place remain unchanged; and would continue to operate as a separate legal entity to deliver the specification for each of the lots for the In-Work and Out of Work Support Services Contracts. Therefore, there was no conflict of interest to be considered.

All documents held which are considered in scope of your request has been shared.

I understand that colleagues in Welsh Government Commercial Delivery have also advised you that in accordance with the Public Contract Regulations 2015 no further action was required by Welsh Government.

No record of any Regulation 72 Assessment.

You referred to the disclosed documents relating to meetings between representatives of the BUSY Group with Welsh Government officials.

Colleagues in the Welsh Government's Commercial Delivery have provided comment separately to you confirming no further action was required by Welsh Government on this issue.

Record retention and deletion of earlier correspondence

Correspondence shared has been in response to your request for documentation discussing the 'change of ownership or partnership'. The Welsh Government retains a high volume of documents on both its electronic filing system and in email boxes (Outlook) relating to contract management or delivery of both the Out of Work Service and In-Work Support Service. However, following a search of our files, as they did not include reference to the 'change of ownership or partnership', they were not shared as they did not fall in scope of your request.

Inconsistencies with prior Welsh Government statements

You refer to previous correspondence stating that *ownership, management structure and controlling interests remained unchanged* but disclosed document indicated otherwise.

An introductory meeting was held with senior management within the BUSY Group including the Director of Case-UK to discuss the partnership, the contracts with Case-UK and personnel matters within the organisation, which was referenced in Doc 2b. During that meeting, I understand it was agreed an additional meeting would be arranged to include the soon to be appointed new Chief Executive and team members from both Case-UK and the Welsh Government. This was to be an introductory meeting and was held on 02 September as referenced in Docs 3 and 4b that was shared with you.

During the conduct of this review, no additional documents were located.

Absence of documentation normally expected

You asked about the adequacy of searches and identify whether expected records are held elsewhere. I can confirm that searches were widely undertaken of our electronic filing system and team mailboxes and diaries for any documents or meetings that may fall into scope of your request as indicated previously. No further documents were located.

With regards to Part B of your complaint relating to Welsh Government retention policies, this is being dealt with separately and has not formed part of this internal review.

In summary, I am satisfied that the information previously provided in response to your FOI is accurate.

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](mailto:ask@ombudsman-wales.org.uk)

Yours sincerely,

**Director of Primary Care, Mental Health & Early Years**