

Dear

### **ATISN 26459 – In-work Support Services**

Thank you for your request to Welsh Government for information under the Freedom of Information Act (2000) received on 05 December 2025 regarding in-work support services contract (C151/2022/2023).

You requested the following:

1. *The total value of Welsh Government funding paid to Case-UK C.I.C. since the start of the IWS contract.*
2. *Of that funding, how much Case-UK C.I.C. has paid, transferred or allocated to:*
  - a. *Health 2 Employment Ltd, and*
  - b. *Any other entity within the BUSY Group corporate structure.*
3. *The total amount Case-UK C.I.C. has paid to independent MSK / physiotherapy providers (i.e., providers not owned by or affiliated with BUSY Group).*
4. *A list of all independent MSK providers who have received payments or referrals under the IWS contract via Case-UK, and the total amount paid to each.*
5. *Copies of all financial monitoring information, subcontractor payment summaries, spending returns, audit statements or related-party transaction disclosures submitted by Case-UK to Welsh Government as part of its contractual obligations.*
6. *If Welsh Government does not hold some or all of the information above, please confirm explicitly:*
  - a. *which items are not held;*
  - b. *whether Case-UK is contractually required to provide this information; and*
  - c. *how Welsh Government monitors the flow of public funds to ensure transparency, value for money and avoidance of conflicts of interest.*

### **Our Response**

1. This information in relation to the contract with Case-UK is considered as being commercial sensitive and is being withheld under Section 43 Commercial Interests. Details on the engagement of Section 43(2) have previously been provided on 23 May 2025 in respect of your previous Freedom of Information request (ATISN 24683), and a copy has been attached in Annex for reference.
2. Details of the value of payments to individual sub-contractors are not required as part of this contract (C151/2022/2023), therefore this is not held.
3. Welsh Government can confirm that £731,345 has been paid to Case-UK for the delivery of contracted physiotherapy costs in Gwent, Morgannwg Cwm Taf and Cardiff and Vale between April 2023 (when the service commenced) and September 2025 to deliver the In-Work Support Service. Details on amounts paid to individual sub-contractors are not held.

4. Details of individual providers commissioned to sub-contract services is not required as part of this contract (C151/2022/2023) and therefore is not held.
5. As our response to Q1, this information is not being provided for reasons of commercial sensitivity and is exempt under Section 43 Commercial Interests.
6.
  - a. Indicated above.
  - b. Indicated above. The information required for payment is set out in the Specification for the service and a copy of the Specification has previously been provided to you in our response letter of 23 May 2025 (ATISN 24677, *Doc 1 - Specification*).
  - c. Details on the contract and performance management requirements for the In-Work Support Service were set out in the Specification previously referred to. Value for Money was tested at Tender Stage (ATISN 24677, *Doc 2 – ITT – C151/2022/2023*). Conflicts of Interest are dealt with from the outset of the procurement exercise and continue where applicable during contract delivery to the end of contract.

## 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 1**

### **Engagement of Section 43(2)**

Section 43(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Officials have carefully considered all of the information captured by this request and consider that the information in question should be exempt under Section 43(2) of the Freedom of Information Act.

Section 43(2) is a public interest exemption. This means that in order to withhold information under its provisions, it has to be shown that the public interest in withholding the information outweighs that in releasing it. The information you have requested includes commercially sensitive information received from Mid and North Powys Mind.

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

Release of this information would give a complete picture of information held.

We recognise that there is a general public interest in the disclosure of information, as greater transparency makes Welsh Government and decision making more open and accountable. Against this there is a public interest in ensuring that the commercial interests of external companies are not damaged or undermined by disclosure of information which is not common knowledge and which could adversely impact on future business.

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

The information being withheld contains market sensitive information, which could have a detrimental effect on the commercial interests of the contractor partnership, its commercial standing with suppliers and its ongoing ability to fulfil contractual obligations to provide health services.

As Cariad Health may have an interest in bidding to deliver the In-Work Support Service in either Powys or in a different delivery area within Wales in any future procurement exercise, we would consider releasing details on the value of the contract with Mid and North Powys Mind to deliver the service in Powys to potentially be damaging to Mid and North Powys and give Cariad Health a competitive advantage.

It is important that companies are able to share commercially sensitive information with Welsh Government in the confidence that that information will not then enter the public domain and damage their wider commercial interests and opportunities. Disclosure of the requested information in this case would be likely to damage the commercial interests of Mid and North Powys Mind.

There is significant public interest in Welsh Government's Health department, receiving commercially sensitive information from companies which allows Welsh Government to fulfil its functions more effectively. Disclosure of such commercially sensitive information would limit the amount of information of this nature that we receive in future, limiting the effectiveness of Welsh Government activity, which is not in the public interest.

#### **Conclusion**

The commercial sensitivities mean that on this occasion we consider that the public interest would not be served by its release. Whilst recognising that there are public interest arguments for disclosure of the requested information, I consider that the public interest in withholding the information outweighs that in releasing it in this instance.

Whilst recognising that a public interest argument for disclosure on grounds of completeness could be made, we consider that the public interest argument of prevention of detriment on commercial interests in withholding the information, outweighs that in releasing it in this instance.