Dear

23 October 2026

Request for information - ATISN 27531

Thank you for your request for information which I received on 17 September**.** Please accept our apologies for the slight delay in providing this response.

Your Request

You asked for the following information regarding the appointment of the Vice Chair of the Expert Advisory Panel for the new national development agency for Wales, announced on 17 September 2026, for the period 1 June 2026 to 17 September 2026:

1. The criteria, requirements or other documented considerations used in selecting and appointing members of the Expert Advisory Panel, including any criteria specifically applicable to the Chair or Vice Chair roles.

2. Any declaration of interests, register-of-interests entry, conflicts declaration or equivalent document submitted by the Vice Chair in connection with her appointment to the Panel.

3. Any documented assessment undertaken by Welsh Government officials of actual, potential or perceived conflicts of interest arising from the Vice Chair's appointment.

4. Any documented consideration of the Vice Chair's current or recent positions with FinTech Wales in connection with her appointment or any conflicts-of-interest assessment.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

5. Any documented assessment or due-diligence record concerning business, financial, investment, directorship or advisory interests of the Vice Chair where those interests were considered relevant to her appointment or potential conflicts of interest.

6. Any guidance, policy, procedure or other documented arrangements in place for identifying and managing actual, potential or perceived conflicts of interest involving members of the Expert Advisory Panel.

7. Any documented arrangements concerning recusal, withdrawal from discussions, exclusion from recommendations, or other management measures where a Panel member has an actual, potential or perceived conflict of interest.

8. Any correspondence between Welsh Government officials and the Vice Chair during the above period concerning declarations of interest, conflicts of interest, due diligence or management of potential conflicts in connection with her appointment.

9. Any correspondence between Welsh Government officials and FinTech Wales during the above period concerning the Vice Chair's appointment where the correspondence relates to governance, conflicts of interest or due diligence.

10. Any records showing whether information was sought from, or provided by, Cardiff Capital Region, Audit Wales or another public body concerning the Vice Chair or FinTech Wales as part of the appointment or due-diligence process, where that information related to governance, conflicts of interest or due diligence.

Our response

The appointment of the Chair was made by the First Minister and the remainder of the appointments were made by the Cabinet Minister for Enterprise, Connectivity and Energy. No formal selection criteria were established but the First Minister and Cabinet Minister considered the relevant experience candidates would bring to the role. The Vice Chair's role at FinTech Wales was considered as relevant experience as part of this process.

A proportionate due diligence approach was applied given the advisory nature of the appointments. This included open-source checks of publicly available information and financial probity checks against the Disqualified Directors Register, Insolvency Register and Removed Trustees Register. No third parties were approached for views or information about candidates as part of this due diligence process, including FinTech Wales, Cardiff Capital Region or Audit Wales.

An extract from the appointment letters sent to panel members detailing the expectations of them in relation to conflicts of interest is also enclosed. Terms were based on standard terms for public appointments and "the Code" referred to therein is the Code of Conduct for Board Members of Public Bodies available online: Code of Conduct for Board Members of Public Bodies June 2019 - GOV.UK

Please note that personal information has been withheld under Section 40 of the Freedom of Information Act 2000. Full reasoning for applying this exemption is appended at Annex A at the end of this letter.

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
CF10 3NQ

or Email: Freedomofinformation@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 A

ATISN 27531 - Application of exemptions

The Freedom of Information Act provides a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just to the requester, public authorities need to consider the effects of making the information freely available to everyone. Any personal interest the requester has in accessing the information cannot override those wider considerations.

We have decided to withhold the following information:

- The personal data contained in the information you have requested under Section 40 of the Freedom of Information Act 2000 (FoIA), personal data.

This Annex sets out the reasons for the engagement of Section 40 of the FoIA.

Engagement of S40(2) – Personal Data

The Welsh Government believes the personal data contained in the information being released with this response should be exempt from disclosure.

Section 40(2) of the Freedom of Information Act 2000 (FOIA), together with the conditions in section 40(3)(a)(i) or 40(3)(b), provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

'Personal data' is defined in sections 3(2) and (3) of the Data Protection Act 2018 ('the DPA 2018') and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, some of the information contained within the information caught by your request contains third party personal data. Specifically, this relates to information about the experience and backgrounds of panel members and information about interests of panel members.

Under Section 40(2) of the FOIA, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the UK GDPR. We consider the most relevant principle in this instance to be the first. This states that personal data must be:

"processed lawfully, fairly and in a transparent manner in relation to the data subject"

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f) of the UK GDPR. This states:

“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test:

1. The Legitimate interest test: Whether a legitimate interest is being pursued in the request for information;
2. The Necessity test: Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
3. The Balancing test: Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

1. Legitimate Interest Test

The Welsh Government recognises that there is a legitimate interest in being able to understand the experience and interests of advisory panel members.

2. Is disclosure necessary?

The Welsh Government is of the view that it is not necessary to disclose the personal information caught by your request. The identities of panel members have been publicly disclosed and information about their backgrounds is publicly available.

The disclosure of panel members’ private interests is important to allow effective governance of the panel, and the publishing of these details could reduce the willingness of potential candidates either to disclose information or to apply for public appointments in future.

The requirements about management of interests set out in appointment letters have been disclosed, and the panel will not exercise executive functions or make decision on behalf of the Welsh Government. Any decisions following the submission of advice by the panel will be a matter for the Welsh Government.

3. The Balancing Test

As it has been concluded that there is no necessity to disclose the personal data of another individual, the fundamental rights and freedoms of the affected third party prevail in this instance and releasing the information cannot be justified under Article 6(1)(f).

Conclusion

To conclude, as release of the information would not be legitimate under Article 6(1)(f), and as no other condition of Article 6 is deemed to apply, release of the

information would not be lawful within the meaning of the first data protection principle. It has therefore been withheld under section 40 of the Freedom of Information Act. Section 40 is an absolute exemption and not subject to the public interest test.

9. CONFLICTS OF INTEREST

a) You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties and your private interests – financial or otherwise.

b) You must comply with the Code and any internal policies on handling conflicts of interest. As a minimum, these will require you to declare publicly any private interests which may, or may be perceived to, conflict with your public duties. In general, all financial interests should be declared.

c) You must remove yourself from the discussion or determination of any matters (this includes formal discussions of the Advisory Panel and informal discussions) in which you have a financial interest or any other matter where your interest might suggest a danger of bias.

d) All declared interests will be included in the Advisory Panel register of members' interests maintained by the Welsh Government and you must ensure that your entry is accurate and up to date.

e) Information on potential or actual conflicts of interest may be disclosable by Welsh Government under the Freedom of Information Act 2000 or other applicable legislation. Any request for disclosure will be considered on a case-by-case basis having regard to the relevant statutory exemptions. Where there are concerns that disclosure may not be appropriate, this will be discussed with you. By accepting this appointment, you acknowledge that information you provide in relation to conflicts of interest may be processed and disclosed in accordance with applicable legal requirements.

f) When an interest is recorded in the register you must ensure advice and determination is sought from the Welsh Government that no conflict has arisen and it is appropriate for you to remain as part of the Advisory Panel. You should not undertake any work on behalf of the Advisory Panel until you have received this confirmation. If you are in doubt as to whether a conflict has arisen, then it will be for the Welsh Government to determine whether a conflict exists.