



Llywodraeth Cymru
Welsh Government

Our ref: ATISN 12097 / 12098 / 12121 / 12126

Date: 19 March 2018

Dear ,

Requests for Information – ATISN references 12097 / 12098 / 12121 / 12126 and related requests ATISN 11706 / 11823 / 11826 / 11832 / 11837 / 11846 / 11849 / 11857 / 11859 / 11868 / 11972 / 12073

Thank you for your latest requests, which were received by the Welsh Government on 17 and 23 February 2018 and which are set out at Annex 1.

Section 12 of the Freedom of Information Act allows a public authority to refuse a request if it calculates that dealing with it would exceed the appropriate limit. 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 it.

In addition, The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 allow a public authority to aggregate requests for the purposes of calculating the appropriate limit where they are made:

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

Where they are, the Regulations state that the estimated cost of complying with any of the requests is to be taken to be the total costs of complying with all of them. This applies in circumstances in which –

(a) the two or more requests relate, to any extent, to the same or similar information, and

(b) those requests are received by the public authority within any period of sixty consecutive working days.

I can confirm that, along with your new e-mails, which appear to contain 12 requests for information, the Welsh Government has received 12 previous requests from you, asking for the same or similar information (in part). The full text of all these requests is set out at Annex 1. I have not included your separate requests under the Data Protection Act.

In terms of the initial criteria above, the requests you have submitted are the same or similar and have been received within a period of sixty consecutive working days. In addition, as the remainder

of the criteria in the Regulations are satisfied, I have aggregated your new requests for the purposes of calculating the appropriate limit and have assessed that the combined total time to locate the information requested would be over 40hrs.

In conclusion, I have determined that to provide the information requested in relation to these combined requests would cost more than the appropriate limit, which is £600 for central government, so I am refusing your requests on this basis.

However, we may be able to reconsider your requests if you were more specific about the information you require.

The exception to the above relates to ATISN 12098, where you have asked for information under the Data Protection Act. The Subject Access Request element is being considered separately and I expect to write to you again by 28 March 2018.

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: FreedomOfInformationOfficer@wales.gsi.gov.uk

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

ATISN 12097

Notes of all meetings held between the First Minister and the Permanent Secretary to discuss the question of the necessary legal capacity to support Ministers in the delivery of legislation from September 2014 until May 2016, and any associated correspondence.

Dates of all meetings held with the Gender-Based Violence/Violence against Women Bill team from 12 September 2014 until the Bill's final passage through the National Assembly in March 2015.

ATISN 12098

The official record of the meeting (s) on 4 November 2014 with officials to discuss the Gender-based Violence Bill. The relevant paperwork and submissions, including LFs. Emails supplying the documentation to the private office of the Minister for Public Services - complete with date and times of receipt.

Any notes taken by the Director of Governance in relation to any meetings held with the Minister for Public Services - subsequent to the 4 November meeting. Any other documentation relating to that meeting and any notes or correspondence between the Director of Governance and others, relating to that meeting.

Any correspondence with the Head of Cabinet Division in relation to request for information ATISN 11877.

Any correspondence relating to the briefing of the First Minister in relation to ATISN 11877..

A copy of the FM's diary from 30 October 2017 to 16 February 2018.

Please supply a log of all calls made by the First Minister or officials in his private office or special advisers from 30 October 2017 to 16 February 2018 to certain named individuals, any individuals working for Deryn, or any other communications with these individuals.

ATISN 12121

The minutes of the Legislation Committee or Forward legislation Committee in the 2011-16 Assembly.

ATISN 12126

Could I have the emails and enclosures sent to the Minister for Public Services by their SPS relating to the remit of the Cabinet Sub-Committee on Infrastructure and Delivery, sometime in February 2015?

Previous Requests

ATISN 11706

A copy of the Report, from late 2014/early 2015, by the First Minister's SPS into a complaint made about the behaviour of a Special Advisor towards Carl Sargeant AM.

ATISN 11823

All texts sent to the Minister for Public Services by the First Minister from his personal phone number during February 2015.

ATISN 11826

Copies of emails sent from the First Minister's Senior Private Secretary to the Private Office of the Minister for Public Services on 4 December 2014 and the reply from that office on 8 December 2014, and the email from a policy official to the offices of the First Minister, Minister for Public Service and Counsel-General on 2 December 2014, together with any submission contained therein. emails exchanged between the Minister for Public Services SPS and the FM's SPS on 15 December 2014 relating to London meetings, and the email from the Minister for Public Services to Director, Office of the First Minister and Cabinet Office dated 17 December 2014 on the same issues.

Copies of any meeting notes and emails taken and or circulated of meetings that the Minister for Public Services had with the First Minister on 25 September, 6 November, and 19 November.

ATISN 11832

The appointment diaries for the Minister for Public Services for the week beginning 17 November 2014 and week beginning 2 February 2015; and

The appointment diaries of the First Minister and the Minister for Natural Resources for the week beginning 13 October 2014.

ATISN 11837

Copies of any informal notes or report exists in relation to the behaviour of the First Minister's chief special adviser towards Carl Sargeant.

ATISN 11846

All emails, texts and other records, including telephone logs, made by special advisers or civil servants to facilitate interviews between the First Minister and named journalists on 5 December 2017.

ATISN 11849

*List changes in salary bands of individual special advisers between 2011 and 2017;
State on whose recommendation salary band changes were made;
What appraisal or performance review system was used to assess the merits of such pay awards.*

Who carried out such appraisal or review; and

All documentation of the case for any such salary band uplift.

ATISN 11857

Information regarding the complaint about the Minister for Public Services listed in the disclosure under ATISN 11496.

ATISN 11859

The Terms of Reference, Minutes and Papers of the Cabinet Sub-Committee on Infrastructure and Delivery which existed for part of the 2011-16 Assembly, including names of Ministerial members.

ATISN 11868

Copies of emails between the Minister for Public Services and their Private Secretary, of 16 October 2016, regarding the Code of Conduct for Special Advisors.

ATISN 11972

A copy of the report on the leaking of the reshuffle compiled by the Chief Security Officer for the Permanent Secretary, complete with the Chief Security Officer's notes on interviews conducted, reports on data traffic between Welsh Government servers and the political lobbying company, Deryn, questionnaires completed for the Chief Security Officer's inquiry by Special Advisors and other members of the First Minister's office and any results of forensic examinations of the private phones of Special Advisors and the FM carried out for the purpose of this inquiry.

ATISN 12073

Please supply all texts sent by the First Minister from his government-issued phone to the Minister for Public Services between 3 February and 7 February 2015.