



Llywodraeth Cymru
Welsh Government

E-mail request

Our ref: ATISN
Date: 3 June 2021

Dear

ATISN 15117: ELWA - WAG referral to European Dept. for BERR c.2007 or 2008

Information requested

Thank you for your request which I received on 6 May 2021. You asked for the following information

1. information on the Welsh Government's referral to the UK Government Department for Business, Enterprise and Regulatory Reform (BERR) and its outcome;
2. The nature and extent of any breaches to State aid law that were identified;
3. What recovery actions were undertaken;
4. What disciplinary actions were undertaken; and
5. The provision of any correspondence or reports that relate to this matter.

The information you requested against questions 1-4 accompanies this letter. In line with the Welsh Government's retention and disposal schedule no electronic information is held against question 5 and it was not possible to locate this information within archived paper records within the time limits set in section 12 of the Freedom of Information Act.

As this request contains multiple questions that are broad in their nature this required a trawl for information across Welsh Government.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 specifies an appropriate time limit of 24 hours working time, taking into account the time taken to establish if we hold the information, locate the information, retrieve the information and extract it. The limit is often further exceeded when there are multiple parts to a question or multiple questions in their own right and that expands the scope of the trawl. Attached below is a calculation of the time taken on this request:

- State aid Unit time taken
 - 1 hours reviewing electronic files/dealing with initial query
 - 1 hour arranging for files to be brought from archive
 - 2 hours for archivists to look up, order, locate and upload paper files
 - 2 hours reviewing paper files



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- Legal Services time taken
 - 2 hours arranging for files to be brought from archive/dealing with initial query
 - 2 hours for archivists to look up, order, locate and upload paper files
 - 14 hours reviewing paper files

Total – 24 hours working time

In light of the above, if you are able to reframe your questions with a clearer description of the information you are seeking (where possible including a timeframe) they can be reconsidered - any reformulated questions will be treated as a new request for information.

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

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