



Llywodraeth Cymru
Welsh Government

E-mail request

Our ref: ATISN 15346

Date: 17 August 2021

Dear

Thank you for your request which I received on 22nd July 2021. You asked for information on the number of:

- apprenticeships
- construction apprenticeships
- apprenticeships in each construction sub-sector
- started by month, between March 2019 and March 2021.

A copy of the information I have decided to release is enclosed.

I have decided that the data from November 2020 to March 2021 is exempt from disclosure under section 22 of the Freedom of Information Act and is therefore withheld. The reasons for applying this exemption are set out in full at Annex 1 to this letter.

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:



BUDDSODDWYR | INVESTORS
MEWN POBL | IN PEOPLE

Parc Cathays • Cathays Park
Caerdydd • Cardiff
CF10 3NQ

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

Application of exemptions/exceptions

The Freedom of information Act/Environmental Information Regulations provide 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 the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

All data between data between November 2020 and March 2021 under the exemption in Section 22.

This Annex sets out the reasons for the engagement of section 22 of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

Engagement of section 22 of the Freedom of Information Act

Whilst I can confirm that the Welsh Government holds information of this description for data between November 2020 and March 2021, it is considered exempt under section 22 of the Freedom of Information Act. This states (inter alia):

1) *Information is exempt information if—*

(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a)

I can confirm that the conditions under (a) and (b) are satisfied. Data on apprenticeship starts, included in the construction sector between November 2020 and January 2021, will be published on 25th August 2021. Data for apprenticeship starts between February 2021 and April 2021 will be published at a later date in 2021, that will be announced ahead of time according to the Code of Practice for Statistics. Publication will be made on the gov.wales/statistics-and-research website and the Work-based learning StatsWales.gov.wales statistical tables will be updated.

For (c), the Welsh Government believes that it is reasonable in all the circumstances that the information should be withheld from disclosure until that time. Publishing the requested information now may not reflect the information that will be published on the website; it could be misleading and not present an accurate picture. For that reason, we believe it is reasonable for the publication schedule to remain so as to ensure the accuracy and integrity of the information, providing time for quality assurance and giving apprenticeship providers the opportunity to consolidate and reconcile their data.

Public Interest Test

Section 22 is also a public interest tested exemption. This means that in order to withhold information under it, it has to be shown that the public interest in withholding the information outweighs that in releasing it. Whilst Welsh Government acknowledges the general public interest in openness and transparency that release would engender, we believe the release of information at this stage would be confusing and may not present complete overall data compared to that which will be published.

The Welsh Government believes that this provisional data should be exempt from disclosure on the basis that more accurate and complete information will be published. Welsh Government statisticians are currently preparing final data for November 2021 to January 2021 for publication, including carrying out data quality and accuracy checks. The information is at present unverified and may present an inaccurate picture.

The data for February 2021 to March 2021 is currently the initial records of learning providers. Providers update and reconcile this information continually and are made aware at which point the data will be used in statistical releases. The data may not be fully accurate in its present state and may not fully match the data released at the appropriate time.

Public interest arguments in favour of disclosure

- The general presumption of openness that the FOIA aspires to;
- Interest from the public in trade apprenticeships

Public interest arguments in favour of withholding

- The intended publication date for some of the data is in the near future, and the remaining data will be published in the not too distant future;
- Information released through the Freedom of Information Act is released to the world and not just the requester. The statistics in question are incomplete and are still undergoing quality assurance. The final, published version of the data may be substantially different,
- making it possible that confusion could arise when comparing the two versions and potentially leading to incorrect conclusions being drawn;
- Disclosure of this information before the publication date may compromise trust in the accuracy of official information.

Balance of public interest test

On the basis of the above, we conclude that on balance the public interest arguments are in favour of withholding the data at this time. The public interest in this data will be met with the scheduled publications on 25th August 2021, and the following publication later on in the year.