

19 June 2023

Dear

## **ATISN 17529 - Senedd Costs**

### **Information requested**

Thank you for your request which I received on 23 May 2023. You asked for:

- Information we have received or hold on how much it will cost the Assembly/Senedd for more members.

### **Our response**

I have decided that the information is exempt from disclosure under sections 22 (Information intended for future publication) and 35 (Formulation of government policy) of the Freedom of Information Act and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex A to 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 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 A**

### **Application of exemptions/exceptions**

The Welsh Government believes that Section 22 and Section 35(1)(a) of the Freedom of Information Act are applied in relation to the requested information. Both Section 22 and 35(1)(a) are subject to the public interest test. This means that in order to withhold information under its provisions, any personal interest of the requester notwithstanding, it has to be shown that the public interest in withholding the information outweighs that in releasing it.

#### Engagement of section 22 (Information intended for future publication) of the Freedom of Information Act.

The Welsh Government is required to develop and publish detailed cost estimates as part of a Regulatory Impact Assessment (RIA) to accompany legislation which is then open to scrutiny by Members of the Senedd during the legislative process. The RIA is required to satisfy 26.6 (viii) and (ix) of the Standing Orders of the Senedd. Legislation in relation to Senedd Reform will be accompanied by a RIA.

#### Engagement of section 35(1)(a) (formulation of Government policy) of the Freedom of Information Act.

The Welsh Government committed to taking forward the recommendations of the [Reforming our Senedd: A stronger voice for the people of Wales](#) report provided by the Special Purpose Committee on Senedd Reform and the Co-operation Agreement with Plaid Cymru includes a commitment to bring forward Senedd Reform legislation within 12 to 18 months of the final report of the Special Purpose Committee.

In working through the details of the report, the development of this policy has required the input and open sharing of information from our stakeholders. Disclosure of information provided to the Welsh Government at this time could potentially curtail future dialogue between the government, its stakeholders and delivery partners, necessary for the development of Senedd Reform Policy.

### **Public Interest Test**

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

The general presumption of openness and transparency, which the Freedom of Information Act aspires to, supports the public interest argument in favour of disclosure.

Investing in our democracy has a cost attached to it and the Welsh Government recognises that there is a legitimate interest for the people of Wales to understand what this cost will be.

#### **Public interest arguments against disclosure**

##### Section 22

The Welsh Government is required by Standing Orders of the Senedd to publish detailed financial estimates of the impact of Senedd Reform to accompany the Bill and we are still in the process of collecting and processing information in relation to the cost of Senedd Reform

to inform the development of this RIA. The information is therefore incomplete. It is likely that disclosure would add ambiguity rather than clarity for the public and could potentially be greatly misleading on the financial costs associated with Senedd Reform and therefore disclosure at this time would not be in the public interest.

We believe the public interest would be better served in the information being published at the appropriate time.

#### Section 35(1)(a)

In relation to the formulation of Government policy, there is a clear argument in favour of the Welsh Government being able to ensure it has as much information as possible to consider all options on developing policy positions in a balanced and proportionate way. There is therefore public interest in ensuring a close and effective working relationship between the Welsh Government and our stakeholders in order to ensure transparency and joint working in the formulation of Welsh Government Policy.

Disclosure of information provided to the Welsh Government at this time could potentially curtail future dialogue between government, its stakeholders and delivery partners, necessary for the development of Senedd Reform Policy. We do not therefore believe that releasing information at this stage would be in the wider public interest.

#### **Balance of public interest test**

Whilst we acknowledge the legitimate interest in the cost of Senedd Reform to the public, this is out-weighed by the risk that releasing the requested information at this time will be misleading and restrain our ability to gather the required information to make robust policy choices. The Welsh Government will be required to publish this information alongside the Bill when introduced later this year.

Under the exemptions identified, we therefore believe therefore that the balance of public interest falls in favour of not disclosing the information.