

13 January 2025

Dear

ATISN 23187: Request for Information regarding cancelled registrations.

Thank you for your request for information received on 13/12/2024. You asked for the following information:

- All registrations cancelled by Care Inspectorate Wales under enforcement process between 1st January 2010 and 31st December 2020, where the registered service provider is a company. Information to include company name, date of enforcement action and a brief description of the regulatory breach.

Our Response

We have considered your request under the Freedom of Information (Fol) Act 2000.

The requested data we hold on registrations cancelled under enforcement process between 1st January 2015 to 31st December 2020 is enclosed.

Data on registrations cancelled under enforcement process prior to January 2015 is withheld under **Section 12** of the Fol Act “**Cost of compliance exceeds the appropriate limit**”, due to our records for this time being held on our former archived data base which does not hold sufficient detail for us to be able to identify those services cancelled via enforcement process. We can only identify this by manually reviewing documents for each cancelled service, which we estimate would exceed the ‘appropriate limit’ to do so. Our full reasons for applying this exemption are set out at **Annex 1** to this response.

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: 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 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

The Freedom of information Act 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.

We have decided to withhold the following information:

Information being withheld	Section number and exemption name
Data on registrations cancelled by Care Inspectorate Wales under enforcement process between 1 st January 2010 and 31 st December 2014, where the registered service provider is a company. Including company name, date of enforcement action and a brief description of the regulatory breach.	Section 12 of the Freedom of Information Act - ' Cost of compliance exceeds the appropriate limit '

Section 12: Cost of compliance exceeds the appropriate limit

Section 12(1) of the Freedom of Information Act (FoIA) states:

12. — (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

From our preliminary assessment, we estimate it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to comply fully with your request. 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

Prior to 2015, our service data was held within our former database, which is now archived. Limited data now held from that database means we cannot identify from that data whether services were cancelled via enforcement process or via voluntary application by the provider. Nor can we identify whether the provider organisation was a company. To identify this, we would have to manually go through documents held against each service on our previous electronic, and in some cases hardcopy, files, locate the relevant cancellation documents and read through them to determine the type of cancellation, whether the provider organisation was a company and the reasons for cancellation.

Estimated cost:

There are over 4,700 cancelled services on our archived database system from pre-2015 records for service types which could have company providers. We would first need to identify which of those were cancelled during the date range specified (2010-2014), which

we estimate may be around 40% or approximately 1,880 services. Of those, we would then need to locate and manually read through electronic and/or hardcopy documents held against the records for each of those services to determine whether the provider organisation was a company, and then if it is, find the cancellation details.

We estimate this would take an average of 3 minutes per service record, which would amount to a minimum total of approximately 94 hours to complete this task. This would therefore exceed the appropriate limit of 24 hours, or £600, set out within the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

Conclusion

As the cost of identifying and collating the data for 2010-2014 would exceed the appropriate limit, this data is therefore withheld. We have however provided the data for the rest of the date range requested, 2015-2020, and previously provided this data to you for 2021-2024 in response to your previous Fol requests, as this information is held on our current systems so could be more easily identified and collated.