



Ref: ATISN 24683

23 May 2025

Dear ,

**ATISN 24683 – In-Work Support Service**

Thank you for your request to Welsh Government for information under the Freedom of Information Act (2000) received on 30 April 2025 relating to In-Work Support Service. You requested the following:

**1. Clinic Selection and Procurement Process**

- a. *What process did the Welsh Government or MNP MIND follow to identify and select MSK service providers under the scheme in Powys?*
- b. *Please supply copies of any procurement notices, public tenders, application criteria, or selection frameworks issued since 2020.*

**2. Budget and Funding**

- a. *What is the total annual budget allocated to MNP MIND for the delivery of the In-Work Support Service in Powys?*
- b. *How is this budget managed and monitored?*
- c. *Are there specific spending limits or thresholds that MNP MIND must adhere to as part of their funding agreement?*

**3. Oversight and Value for Public Money**

- a. *What assurances, checks, or contractual safeguards are in place to ensure taxpayer money is being spent fairly, transparently, and in the public interest?*
- b. *How does the Welsh Government oversee or audit the way MNP MIND manages and allocates funding within the scheme?*

**4. Market Impact and Fair Access**

- a. *What checks were undertaken to ensure that the introduction of this scheme and its chosen providers did not unfairly impact existing MSK service providers in the region?*
- b. *Are providers such as MNP MIND required to demonstrate efforts to collaborate or engage with other qualified providers in the area?*
- c. *What are the expectations or obligations on MNP MIND to be open to collaboration or expansion, particularly when other providers express interest in supporting delivery?*

**5. Duration and Future of Scheme**

- a. *What is the length of the current agreement with MNP MIND?*

- b. *When is the next opportunity for review, renewal, or re-tendering of this contract?*

## **Our Response**

### **1. Clinic Selection and Procurement Process**

- a. An open procurement exercise was undertaken for the delivery of the In Work Support Service. It was advertised on 13 December 2022 on the Find a Tender Service (FTS) of the Official Journal of the European Union (OJEU) at <https://op.europa.eu/en/home> and Sell2Wales (<https://www.sell2wales.gov.wales/>).
- b. A copy of the Specification and Invitation to Tender have previously been provided.

### **2. Budget and Funding**

- a. The details of the potential maximum values of contracts in each Lot area are included within the specification. For commercial sensitivity reasons we are unable to provide the value of the contract with Mid and North Powys Mind to deliver the service in Powys. Therefore, this information is exempt under section 43 Commercial Interests and for further information please see Annex 1 of this letter.
- b. Details on performance management are included in the Specification.
- c. Mid and North Powys Mind are contracted to deliver the In-Work Support Service based up their successful tender and the value of it for that contract.

### **3. Oversight and Value for Public Money**

- a. The delivery of the Contract is measured and managed in accordance with the Specification.
- b. I refer to the answer to 3a above.

### **4. Market Impact and Fair Access**

- a. An assessment of the economic impact was undertaken as part of the development of the scheme. The results felt the benefits of an open tender exercise providing organisations in the sector including private, public and/or third sectors with the opportunity to bid to deliver the service outweighed the disadvantages.
- b. It was an open tender exercise with collaborative bids welcomed.
- c. Providers are expected to deliver the In-Work Support Service in accordance with contracts awarded and their bids submitted in response to the tender exercise.

### **5. Duration and Future of Scheme**

- a. The contracts to deliver the In-Work Support Service end in March 2027.
- b. Decisions on In-Work Support Service provision beyond March 2027 will be taken by Ministers in due course.

## **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 1**

### **Engagement of Section 43(2)**

Section 43(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Officials have carefully considered all of the information captured by this request and consider that the information in question should be exempt under Section 43(2) of the Freedom of Information Act.

Section 43(2) is a public interest exemption. This means that in order to withhold information under its provisions, it has to be shown that the public interest in withholding the information outweighs that in releasing it. The information you have requested includes commercially sensitive information received from Mid and North Powys Mind.

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

Release of this information would give a complete picture of information held.

We recognise that there is a general public interest in the disclosure of information, as greater transparency makes Welsh Government and decision making more open and accountable. Against this there is a public interest in ensuring that the commercial interests of external companies are not damaged or undermined by disclosure of information which is not common knowledge and which could adversely impact on future business.

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

The information being withheld contains market sensitive information, which could have a detrimental effect on the commercial interests of the contractor partnership, its commercial standing with suppliers and its ongoing ability to fulfil contractual obligations to provide health services.

As Cariad Health may have an interest in bidding to deliver the In-Work Support Service in either Powys or in a different delivery area within Wales in any future procurement exercise, we would consider releasing details on the value of the contract with Mid and North Powys Mind to deliver the service in Powys to potentially be damaging to Mid and North Powys and give Cariad Health a competitive advantage.

It is important that companies are able to share commercially sensitive information with Welsh Government in the confidence that that information will not then enter the public domain and damage their wider commercial interests and opportunities. Disclosure of the requested information in this case would be likely to damage the commercial interests of Mid and North Powys Mind.

There is significant public interest in Welsh Government's Health department, receiving commercially sensitive information from companies which allows Welsh Government to fulfil its functions more effectively. Disclosure of such commercially sensitive information would

limit the amount of information of this nature that we receive in future, limiting the effectiveness of Welsh Government activity, which is not in the public interest.

## **Conclusion**

The commercial sensitivities mean that on this occasion we consider that the public interest would not be served by its release. Whilst recognising that there are public interest arguments for disclosure of the requested information, I consider that the public interest in withholding the information outweighs that in releasing it in this instance.

Whilst recognising that a public interest argument for disclosure on grounds of completeness could be made, we consider that the public interest argument of prevention of detriment on commercial interests in withholding the information, outweighs that in releasing it in this instance.