

21 November 2025

Dear

**ATISN 26300 – Request for information relating to STEM Learning Ltd.**

**Information requested**

Thank you for your request which was received on 27 October 2025. You asked for:

Request 1: Copies of all documentation relating to STEM Learning Ltd under the Curriculum for Wales Grant Support Programme for the project “STEM Learning: Teaching Digital with Confidence” (reference CFWGSP-82).

Request 2: Information about any meetings or communications between Welsh Government ministers, deputy ministers, or special advisers and representatives of STEM Learning Ltd related to the Curriculum for Wales Grant Support Programme or any other matters concerning education or digital learning between 1 January 2023 to 31 July 2025.

**Our response**

For request 1: A copy of the information for release is enclosed at Annex B, Annex C, Annex D and Annex E. I also attach a link to the published information on the [Curriculum for Wales grant support programme](#) for your information which, for example, sets out detail on appraisal criteria and requirements alongside information on grant awards.

There was only one exchange between Welsh Government and STEM Learning Ltd regarding this grant prior to the award, and a copy of this is enclosed at Annex B.

Some of the information within the requested documents is exempt from disclosure under sections 40 and 43 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.

For request 2: Following a search we could find no record of any meetings or communications with STEM Learning Ltd that would fall within your request above.

**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 Freedom of Information Act provides 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.

The following information is being withheld:

All names, email addresses and signatures of individuals employed by STEM Learning Ltd as this is personal data that is not publicly available.

This Annex sets out the reasons for the engagement of Sections 40 and 43 of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

### **Freedom of Information Act 2000: Section 40(2)**

Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

'Personal data' is defined in sections 3(2) and (3) of the Data Protection Act 1998 ('the DPA 2018') and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, the information requested contains third party personal data.

Under Section 40(2) of the FOIA, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

*“processed lawfully, fairly and in a transparent manner in relation to the data subject”*

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f). This states:

*“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such*

*interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.*

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test:-

- The Legitimate interest test: Whether a legitimate interest is being pursued in the request for information;
- The Necessity test: Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
- The Balancing test: Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

### **1. Legitimate interests**

There is not a recognised legitimate interest in releasing personal information of employees of STEM Learning Ltd.

### **2. Is disclosure necessary?**

Disclosure is not considered necessary in this case.

### **3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms**

When balancing the interests:

- The organisation would not reasonably expect their personal information to be disclosed.
- Disclosure is likely to cause unjustified harm or infringe privacy rights.
- The rights and freedoms of individuals override the general interest in disclosure in this instance.

As release of the information would not be legitimate under Article 6(1)(f), and as no other condition of Article 6 is deemed to apply, release of the information would not be lawful within the meaning of the first data protection principle. It has therefore been withheld under section 40 of the Freedom of Information Act. Section 40 is an absolute exemption and not subject to the public interest test.

### **Engagement of Section 43 (2) (commercial interests) of the Freedom of Information Act.**

We believe the detailed financial breakdown in the grant application should be withheld from disclosure under Section 43(2) of the Freedom of Information Act, as releasing this information would be likely to prejudice the legitimate commercial interests of STEM Learning Ltd by revealing it's confidential

pricing and financial details. This would be likely to result in a significant disadvantage to the organisation in any future competitive tendering exercises, as their competitors would be better able to target price their bids using this information. STEM Learning Ltd would be at a distinct disadvantage as they would not have access to similar data relating to their competitors.

### **Public Interest Test**

In order to satisfy the public interest test in relation to the exemptions, it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

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

There is a general public interest in promoting transparency and accountability in the use of public funds. Disclosure of financial information can help demonstrate that grants and payments are administered appropriately and that value for money is achieved. It can also enhance public confidence in decision-making processes.

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

We believe that it is not in the public interest to release information that would be likely to put an organisation at a competitive disadvantage. It is in the public interest that all organisations seeking to win government contracts and grants feel free to submit as much financial details as required in order for their bids to be properly considered without fear that such details will be exposed to the World should their bid be successful.

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

While there is a public interest in transparency for the use of public funds, this must be weighed against the potential harm caused by releasing sensitive details such as bank account information, and confidential pricing structures. Disclosure of this information could undermine and damage the organisation's ability to operate effectively. It could also harm their reputation and commercial standing and subsequently impact their ability to continue delivering valuable support to schools. The information being released in the requested documents, while redacted in certain instances, nevertheless provides a range of information regarding the application, appraisal and awarding process including overarching financial information that should be sufficient to demonstrate the impartiality of the process.