

9 January 2026

Dear

ATISN 26489 – Socially Responsible Procurement

Information requested

Thank you for your request which I received on 9 December 2025. You asked for:

The information requested can be found at Annex A.

Our response

Please see attached our response at Annex B.

I have decided that some of the information described in Annex A is exempt from disclosure under section 22 of the Freedom of Information Act and is therefore withheld. The reason for applying this exemption is set out in full at Annex C 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

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

Please treat this as a new request for recorded information under the Freedom of Information Act 2000. This request refines my earlier request (ATISN 26364) to fall within the appropriate cost limit.

For the period 1 January 2024 to present only, please provide:

1. Copies of any Ministerial advice notes, submissions, briefings, or updates relating to:

the commencement status of the Socially Responsible Procurement Strategy under the Social Partnership and Public Procurement (Wales) Act 2023; and

any planned timetable, delays, or readiness issues relating to bringing sections 29 and 38 into force.

2. Copies of any internal programme or implementation updates prepared for senior officials or Ministers during this period that refer to:

- readiness for commencement;
- risks, dependencies, or capacity issues; or
- anticipated impacts on contracting authorities.

3. Any draft or interim versions of the Socially Responsible Procurement Strategy, or internal scoping or preparatory documents, produced during this period.

This request is deliberately limited by date, subject matter, and document type to ensure it can be handled within the cost limits set out in section 12 of the Act.

If any information is withheld, please specify the exemption relied upon and confirm that the public-interest test has been applied where relevant.

Please provide the information electronically.

Annex B

For the period 1 January 2024 to present only, please provide:

| | |
|---|--|
| <p>1. Copies of any Ministerial advice notes, submissions, briefings, or updates relating to:</p> | |
| The commencement status of the Socially Responsible Procurement Strategy under the Social Partnership and Public Procurement (Wales) Act 2023; | There has been no advice to ministers regarding the drafting of Welsh Government's Socially Responsible Procurement Strategy under the Social Partnership and Public Procurement (Wales) Act 2023. |
| And any planned timetable, delays, or readiness issues relating to bringing sections 29 and 38 into force. | <p>The current timetable relating to sections 29 and 38 can be found below.</p> <ul style="list-style-type: none">• 24 November 2025 - 19 January 2026 - consultation on Draft Social Public Works Clauses• 16th December 2025 - 10 February 2026 - Consultation on draft statutory guidance to be published under the Social Partnership and Public Procurement (Wales) Act 2023• 25th March – Sections 29 and 38 are due to Come into Force <p>The Coming into Force date is that listed within commencement order 4, however is subject to the result of an upcoming Senedd debate.</p> |
| <p>2. Copies of any internal programme or implementation updates prepared for senior officials or Ministers during this period that refer to:</p> <ul style="list-style-type: none">• readiness for commencement;• risks, dependencies, or capacity issues; or• anticipated impacts on contracting authorities. | <p>The integrated impact assessment and the Explanatory Memorandum incorporating the Regulatory Impact Assessment and Explanatory Notes for the Social Partnership and Public Procurement (Wales) Bill are available at the following links Integrated Impact Assessment Template - English and pri-ld15698-e.pdf.</p> <p>The Explanatory Memorandum (EM), Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA) relating to the laying of the regulations will be made publicly available during January 2026.</p> |

| | |
|---|---|
| | Please see Annex C. |
| 3. Any draft or interim versions of the Socially Responsible Procurement Strategy, or internal scoping or preparatory documents, produced during this period. | The drafting of Welsh Government's Socially Responsible Procurement Strategy has not yet commenced. Guidance prepared on Socially Responsible Procurement and producing Procurement Strategies is currently being consulted on as part of the Consultation on draft statutory guidance. This can be found at the following link <u>Consultation on draft statutory guidance to be published under the Social Partnership and Public Procurement (Wales) Act 2023 [HTML]</u> GOV.WALES |

Annex C

Section 22 – Information intended for future publication

Engagement of section 22(1) (Information intended for future publication)

Whilst I can confirm that the Welsh Government holds information of this description, 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. Welsh Government does hold the information being requested. The Explanatory Memorandum (EM), Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA) relating to the laying of the regulations will be made publicly available during January 2026. Publication will be made on the Welsh Government's website [Social Partnership and Public Procurement \(Wales\) Act | GOV.WALES](#)

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 to withhold the Explanatory Memorandum (EM), Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA) to ensure the accuracy and integrity of the information.

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 picture compared to that which will be published.

The Welsh Government believes that the Explanatory Memorandum (EM), Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA) relating to the laying of the regulations should be exempt from disclosure on the basis that more accurate and complete information will be published.

Public interest arguments in favour of disclosure

- The general presumption of openness that the FOIA aspires to.

Public interest arguments in favour of withholding

- The intended publication date is in the not too distant future;
- Information released through the Freedom of Information Act is released to the world and not just the requester.
- 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 will be met with the publication of the Explanatory Memorandum (EM), Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA) in January 2026.