

22 January 2026

Dear

ATISN 26526 – Great British Railways brand design

Thank you for your request which we received on 22 December 2025. You asked for:

1. All correspondence between the DfT and Welsh Government concerning the design brief for the GBR brand;
2. All correspondence between the DfT and Welsh Government concerning the draft and final designs of the GBR brand.

Our response

Following a search of our records, I have established that we do hold some information related to your request. I have retrieved the captured information from two emails and a document attachment, included below.

Please note that all personal information has been withheld under Section 40 of the Freedom of Information Act, personal information. Full reasoning for applying this exemption is appended at Annex A at the end of this letter.

One passage has been redacted from the e-mail sent at 17 November 2025 16:47, under Section 35 of the Freedom of Information Act; policy development. Full reasoning for applying this exemption is appended at Annex B at the end of this letter.

From: *(DfT official name and email address redacted under Section 40)*

Sent: 17 November 2025 16:47

To: *Welsh Government and DfT officials*

Subject: GBR Brand in Wales

Hope you don't mind me reaching out - I've been given your contact by (redacted), and I wondered if you had any time tomorrow/Wednesday to speak about the GBR Brand?

I work in the policy team that's working on branding, and we're looking at an unveiling in the next few weeks of the final branding. (Redacted) – so I wondered if you had some time to discuss some ideas we've had, any ideas you'd had, what you think might work best, and then to discuss how to formalise that into a plan with seniors/ministers.

I'm free before 11 tomorrow, after 3pm or before noon on Wednesday or after 2:30pm if a slot in those times suited.

From: *(DfT official name and email address redacted under Section 40)*

Sent: 4 December 2025 11:56

To: *Welsh Government and DfT officials*

Subject: RE: GBR Brand in Wales

Thanks for speaking a few weeks ago – so sorry for the delay in getting you the note I promised, we had a few other bits going on at this end but I've drafted a note now reflecting our conversation, combining that with a similar chat I had with Scotland, and then I've run this past ministers who have signed this off.

Things have progressed at this side on brand and we've now had the green light at this end to unveil it on Tuesday next week (9 Dec). With that in mind, we've put in a slot tomorrow for our Rail Minister Peter Hendy to take Ken Skates through the branding on a screen share and talk about the co-branding proposal. Hopefully that invite has come across this morning. Worth saying we're not expecting the co-branding element to feature as part of announcement itself – that focuses on the train livery design and logo.



GBR Brand - Draft
Branding Approach in

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 that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

ATISN 26526 - Application of exemptions

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.

We have decided to withhold the following information:

- The personal data contained in the information you have requested under Section 40 of the Freedom of Information Act 2000 (FOIA), personal data.

This Annex sets out the reasons for the engagement of Section 40 of the FOIA.

Engagement of S40(2) – Personal Data

The Welsh Government believes the personal data contained in the information being released with this request should be exempt from disclosure

Section 40(2) of the Freedom of Information Act 2000 (FOIA), 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 2018 (‘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, some of the information contained within the information caught by your request contains third party personal data. Specifically, this relates to correspondence containing names of Welsh Government officials and their e-mail addresses.

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 UK 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) of the UK GDPR. 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:

1. The Legitimate interest test: Whether a legitimate interest is being pursued in the request for information;
2. The Necessity test: Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
3. 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 Interest Test

The Welsh Government recognises there is a legitimate interest in being able to identify the parties involved in any communication in order to follow the flow of that communication and to understand the views and positions expressed by each party. We do not believe, however, there is any legitimate reason why the personal data would need to be released in order to follow and understand those communications. The views expressed in the communications are those of the respective organisations rather than those of the individuals concerned. As such it is irrelevant as to who made those comments. The Welsh Government cannot identify any other legitimate interest in you or the public receiving the personal data captured by your request.

2. Is disclosure necessary?

The Welsh Government is of the view that it is not necessary to disclose the personal information caught by your request. It is straight forward, even when withholding the personal data, to follow the discussions and to identify the views expressed by the organisation. As such we do not believe it is necessary to disclose the personal data to allow the conversations to be followed.

3. The Balancing Test

As it has been concluded that there is no necessity to disclose the personal data of another individual, the fundamental rights and freedoms of the affected third party prevail in this instance and releasing the information cannot be justified under Article 6(1)(f).

Conclusion

To conclude, 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.

Section 35 (1)(a) – Formulation of Government Policy

The information caught by this exemption relates to some text included in an email between the Welsh Government and the Department for Transport. Decisions relating to non-disclosure of this information have been taken with due consideration of the exemptions identified under sections 35(1)(a) of the Freedom of information Act 2000. This exemption states that:

*(1) information held by a government department is exempt information if it relates to
(a) the formulation or development of government policy.*

Section 35 is a qualified (public interest tested) exemption. This means that in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it. I have therefore given consideration to the effects of disclosure of the information to the world at large as the information is made available to anybody and everybody, not just the requestor.

Public Interest For Release

The Welsh Government recognises the public has an interest in understanding the Government's considerations in the development of policy for railways in Wales. Policy and priorities in this area continue to be developed to ensure the effective delivery of the Welsh Government's transport strategy. I recognise that to release information now regarding Great British Railways would promote awareness of the issues that Government is currently considering, as well as enhancing transparency in policy making decisions.

Public Interest Against Disclosure

Officials in the Department for Transport and the Welsh Government continuously discuss current and future policy developments regarding the delivery and management of rail infrastructure and services across Britain. These discussions include policy related strategic discussions around the role of Great British Railways and other partners. We believe that harm would be caused if this was released into the public domain, as it would reduce the candour of exchanges between officials at the UK & Welsh Government regarding policy matters.

Good government depends on being able to produce the best advice available and to discuss all the options without fear of premature disclosure. Officials working for central Government and the devolved Governments of the UK are often exploring a variety of options in a free and frank exchange of ideas and experiences. Premature revelation would lead to a less strenuous and in depth exploration of options and potentially less robust and effective policies.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time so that the age of the information or timing of the request may be relevant in determining whether to apply the exemption, or where the public interest may lie. In this case, however, the information captured is very much current information and relates to policy which is still in development.

The e-mails and document revealed in this FOI response go some way to satisfying the public interest in this area.

I believe therefore that the balance of the public interest falls in favour of withholding information redacted as this information relates to a policy that is still in development.