

13 March 2026

Dear

ATISN 26609 – Tree Planting & Forestry Projects in Uganda

Thank you for your request for information, which we received on 22 January. In your email you asked for the following:

1. *The name, ministerial title, and office of the individual who gave the final authorisation for Welsh Government funding to be awarded for any tree-planting or forestry project in Uganda.*
2. *The exact document (e.g. Ministerial Decision Record, written ministerial approval, grant approval form, or equivalent) in which that final authorisation is recorded, including the document reference number and date.*
3. *If no single individual is recorded as having given final authorisation, please confirm:*
 - a. *The governance process used to approve the expenditure, and*
 - b. *The most senior official or minister who signed off or accepted responsibility for the decision.*
4. *The statutory power(s) cited in the authorising document(s) to permit this expenditure.*

I have decided that the information described above is exempt from disclosure under section 36(2)(b)(i) of the Freedom of Information Act and is therefore withheld. The reasons for applying this exemption are set out in full at Annex A to this letter.

The information you have requested is being withheld under s36(2)(b)(ii), 'free and frank provision of advice' of the FoI Act. This section states:

Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—
(b) would, or would be likely to, inhibit—
(ii) the free and frank provision of advice, for the purposes of deliberation

The reasons behind withholding this information are provided at Annex A

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 e-mail: 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

Telephone: 0303 123 1113

Website: www.ico.org.uk

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 Exemption

The Freedom of Information Act (FoIA) 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.

This Annex sets out the reasons for the engagement of Section 36 of the FoIA.

Application of s.36

In considering the release of information relating to the documents authorising the spend for the Mbale Tree Planting project in Uganda, s36(2)(b)(ii) has been deemed to apply to the information by the Counsel General in her capacity as qualified person.

Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—

(b) would, or would be likely to, inhibit—

(ii) the free and frank exchange of views for the purposes of deliberation,

It is considered that the disclosure of this information would be likely to prejudice the free and frank exchange of views for the reasons set out below.

Arguments for Releasing the Information

The Welsh Government acknowledges the general public interest in openness and transparency and that this weighs in favour of the release of this information. The Welsh Government also recognises that there is a general public interest in an open and transparent Government to help the public to understand how decisions are made. Releasing information which sets out the powers that the Welsh Government relies on to enable it to fund this project would provide transparency about the workings of government.

Arguments for Withholding the Information

The release of the information would prejudice the effective conduct of public affairs for the following reasons.

If the views / recommendations of officials were to become public knowledge, then it would be likely that this would impact on the ability of officials and Ministers to have a free and frank exchange of views for the purposes of deliberation.

Good governance and decision making relies on the ability of officials to provide frank and candid assessment of options to Ministers. During this deliberative process, it is important that those involved are able to express themselves openly so there can be a full consideration of different points of view before any final decision is reached. There is a real possibility that the disclosure of such advice would be likely to result in a demise in the candour of future assessments. There are numerous examples of officials being criticised, pilloried or even threatened, on social media simply for doing their job, and providing assessments of options that some individuals disagree with.

It is also not in the public interest to inadvertently cause harm to an organisation, such as Size of Wales, by releasing information.

Conclusion

In this case, the Counsel General has decided that the above prejudicial effects are sufficient to trigger the application of the exemptions contained in section 36 of the FoIA.

For the reasons given above, the public interest in applying s.36 exemption outweighs the public interest in disclosing the information. The information will, therefore, be withheld.