

24 April 2026

Dear

ATISN 26824 - Public Interest Journalism Fund.

Information requested

Thank you for your request which I received on 24 March 2026. You asked for:

1. Eligibility Requirements and Interpretation

- Was it a mandatory requirement that all applicant organisations (including charities) had at least one PAYE employee at the point of application?
- Were any exceptions to this requirement permitted in practice? If so, under what circumstances and by whom were such decisions authorised?
- How did Creative Wales define and assess the requirement that applicants must have been “trading for a minimum of 12 months”?
- Did Creative Wales consider grant income or director funding to constitute “trading income” for the purposes of eligibility?

2. Verification and Due Diligence

- What specific checks were undertaken to verify PAYE employment status for applicants?
- What evidence were applicants required to submit to demonstrate compliance (e.g. HMRC records, payroll data)?
- At what stage in the process were these checks conducted (e.g. initial screening, due diligence, post-award)?
- What due diligence checks were undertaken on applicant organisations and their directors (including financial, governance, and fraud checks)?
- Were any applications rejected on the basis of failing employment, trading, or due diligence criteria?

3. Assessment Process and Decision-Making

- Please provide copies of scoring sheets, assessment notes, and evaluation criteria applied to applications.
- Please provide any assessor comments, moderation notes, or panel summaries relating to decision-making.
- Please provide any briefing documents or submissions provided to Ministers in relation to funding decisions.
- Were all applications assessed consistently against the published eligibility criteria?
- Were any applications approved that did not fully meet the stated criteria? If so, please provide details of how this was justified.

4. Application Materials and Supporting Evidence

- Please provide copies of successful application forms (redacted as necessary).

- Please provide any financial or supporting documentation submitted by successful applicants to demonstrate:
 - turnover or income
 - trading activity
 - staffing and employment status
- Please provide any internal analysis or commentary on the financial viability or operational capacity of applicants.

5. Fair Work and Economic Contract Assessment

- How were Fair Work and Economic Contract commitments assessed as part of the application process?
- What evidence were applicants required to provide to demonstrate fair reward, secure working conditions, and appropriate governance structures?
- Were any checks undertaken during or after the award to verify that these commitments were being met in practice?

6. Monitoring, Compliance, and Post-Award Oversight

- What monitoring processes were in place following the award of funding?
- What reporting requirements were imposed on funded organisations?
- Were any concerns raised during the delivery of funded projects relating to:
 - financial management
 - delivery against agreed outputs
 - governance or compliance issues
- Were any investigations, reviews, or clawback considerations initiated in relation to funded projects?

7. Exceptions, Discretion, and Internal Guidance

- Please provide any internal guidance, policy documents, or briefing notes used by officials when interpreting eligibility criteria (including PAYE, trading, and organisational capacity).
- Please provide any internal correspondence relating to the interpretation or application of these criteria.
- Please confirm whether discretion was applied in assessing any applications, and how this was documented.

8. Contextual Data (if available)

- The number of applications rejected due to:
 - lack of PAYE employees None
 - insufficient trading history
 - failure to meet due diligence requirements
- The number of applications approved despite partial non-compliance with eligibility criteria (if applicable)

Our Response

I can confirm that the Welsh Government holds the information you have requested, however, some of the information is exempt under Section 43, commercial interests, and Section 40, personal information, of the Freedom of Information Act. Full reasoning for applying these exemptions is included at the bottom of this letter. Please see our answers below:

1. Eligibility Requirements and Interpretation

- Was it a mandatory requirement that all applicant organisations (including charities) had at least one PAYE employee at the point of application?
- Were any exceptions to this requirement permitted in practice? If so, under what circumstances and by whom were such decisions authorised?
- How did Creative Wales define and assess the requirement that applicants must have been “trading for a minimum of 12 months”?
- Did Creative Wales consider grant income or director funding to constitute “trading income” for the purposes of eligibility?

Answer –

- As outlined in guidance for applicants, published on the Creative Wales website, Limited Company applicants were required to have at least one PAYE employee at the point of application. Applications from sole traders, partnerships and other organisations that did not employ any other staff, could make an application if they met all other criteria.
- See response above.
- As outlined in guidance for applicants, published on the Creative Wales website, due diligence is undertaken on applications and includes company incorporation, a review of financial projections, a fraud check, and checks on Directors of the applicant company.
- See response above.

2. Verification and Due Diligence

- What specific checks were undertaken to verify PAYE employment status for applicants?
- What evidence were applicants required to submit to demonstrate compliance (e.g. HMRC records, payroll data)?
- At what stage in the process were these checks conducted (e.g. initial screening, due diligence, post-award)?
- What due diligence checks were undertaken on applicant organisations and their directors (including financial, governance, and fraud checks)?
- Were any applications rejected on the basis of failing employment, trading, or due diligence criteria?

Answer –

- Checks were undertaken by virtue of confirmation on the application form.
- At application, there were no requirements required to submit evidence of compliance.
- Financial due diligence was undertaken at application stage.

- High level due diligence checks were undertaken for all applications meeting the initial eligible criteria. Detailed due diligence checks were undertaken by the Welsh Government central Due Diligence Team for those applications progressing to award following appraisal.
- No applications were rejected on the basis of failing employment, trading, or due diligence criteria.

3. Assessment Process and Decision-Making

- Please provide copies of scoring sheets, assessment notes, and evaluation criteria applied to applications.
- Please provide any assessor comments, moderation notes, or panel summaries relating to decision-making.
- Please provide any briefing documents or submissions provided to Ministers in relation to funding decisions.
- Were all applications assessed consistently against the published eligibility criteria?
- Were any applications approved that did not fully meet the stated criteria? If so, please provide details of how this was justified.

Answer –

- Information on the scoring criteria and assessment process is available in the published guidance. Please see [link](#). In terms of the detailed scoring assessment undertaken for all applications, I have decided that this information is exempt from disclosure under section(s) section 40 – personal data, and section 43(2) commercial interests, 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.
- Please see Ministerial Advice submitted and approved in relation to this fund (Doc 1, as attached in response e-mail).
- Yes.
- No.

4. Application Materials and Supporting Evidence

- Please provide copies of successful application forms (redacted as necessary).
- Please provide any financial or supporting documentation submitted by successful applicants to demonstrate:
 - turnover or income
 - trading activity
 - staffing and employment status
- Please provide any internal analysis or commentary on the financial viability or operational capacity of applicants.

Answer –

- This information is withheld under section(s) section 40 – personal data, and section 43(2) commercial interests, of the Freedom of Information Act. The

reasons for applying these exemptions are set out in full at Annex A to this letter.

- Analysis of financial viability was conducted via financial due diligence checks at application stage. Any information submitted which is not publicly available via, i.e., Companies House, is withheld under Section 40 personal data, and section 43(2) commercial interests, of the Freedom of Information Act.
- As above.

5. Fair Work and Economic Contract Assessment

- How were Fair Work and Economic Contract commitments assessed as part of the application process?
- What evidence were applicants required to provide to demonstrate fair reward, secure working conditions, and appropriate governance structures?
- Were any checks undertaken during or after the award to verify that these commitments were being met in practice?

Answer –

- Assessment was carried out through application content.
- Assessment was carried out through application content.
- Any progress relating to Fair Work and the Economic Contract is captured as part of the final post monitoring and completion report.

6. Monitoring, Compliance, and Post-Award Oversight

- What monitoring processes were in place following the award of funding?
- What reporting requirements were imposed on funded organisations?
- Were any concerns raised during the delivery of funded projects relating to:
 - financial management
 - delivery against agreed outputs
 - governance or compliance issues
- Were any investigations, reviews, or clawback considerations initiated in relation to funded projects?

Answer –

- All successful applications are subject to regular project monitoring and progress reviews in addition to assessment undertaken as part of the claims process. Project update status is provided by applicants during the claims process. Telephone conversations are also held with project leads for project updates.
- Applicants are required to provide project progress reports as part of their claims as well as an end of project report.
- Progress reviews and financial claim assessments are still ongoing. To date officials have not identified any concerns with information received as part of the claim process.
- As above.

7. Exceptions, Discretion, and Internal Guidance

- Please provide any internal guidance, policy documents, or briefing notes used by officials when interpreting eligibility criteria (including PAYE, trading, and organisational capacity).
- Please provide any internal correspondence relating to the interpretation or application of these criteria.
- Please confirm whether discretion was applied in assessing any applications, and how this was documented.

Answer –

- This information is contained in the guidance which is publicly available. Please see [link](#).
- As above.
- Personal discretion was not applied as set out in the guidance. please see funding guidance in this [link](#)

8. Contextual Data (if available)

- The number of applications rejected due to:
 - lack of PAYE employees
 - insufficient trading history
 - failure to meet due diligence requirements

The number of applications approved despite partial non-compliance with eligibility criteria (if applicable)

Answer –

- None.

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

Annex A

This Annex sets out the reasons for the engagement of section(s) 40 and 43(2) of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

Engagement of Section 40(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 one of the documents caught by your request contains third party personal data. Specifically, this relates to the minutes of the St Davids Day 2026 Pilot Support Fund Appraisal Panel meeting, containing names of Welsh Government officials.

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:

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 Interest Test

The Welsh Government recognises there is a legitimate interest in being able to identify the officials involved in any communication in order to follow the flow of that communication and to understand the views and positions expressed by each person. 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 minutes are those of the Welsh Government. 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 minutes of the meeting and to identify the views expressed by each Welsh Government official. 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.

Engagement of Section 43(2) – Commercial interests

The Welsh Government believes that that releasing the names of unsuccessful applicants would be likely to prejudice the commercial interests of the organisations that applied to the scheme

Public interest arguments in favour of disclosure

In terms of the public interest, it is recognised that there is public interest in there being openness and transparency within Government. Knowing which projects were unsuccessful can help the public understand priorities, funding criteria, and whether the scheme is delivering value.

Public interest arguments in favour of withholding

Releasing the names of unsuccessful applicants could discourage organisations from applying to potential future rounds if they believe their involvement could later become public or if they fear reputational harm. The grant scheme depends on a strong applicant pool; harming participation could damage the scheme's effectiveness and therefore indirectly harm the public.

Public identification of unsuccessful applicants could impact businesses or organisations' commercial standing, particularly if rejection from a high-profile scheme could be interpreted negatively. Additionally, many unsuccessful projects may involve early-stage innovation where public disclosure could reveal concepts still under development, harming applicants' competitive advantage. Some applicants operate in competitive sectors where information about their unsuccessful bids could be used by competitors to infer business strategy or vulnerabilities.

Balance of public interest test

On balance, I believe the public interest favours maintaining the Section 43(2) exemption. We recognise the significant public interest in transparency around the administration of public funds. However, there is also a strong public interest in ensuring that businesses and organisations can apply for funding without risk of commercial harm or commercially sensitive or developmental information is not exposed to competitors. The Welsh Government would like future schemes to remain attractive to applicants, supporting a healthy level of innovation and participation.

In conclusion, I am satisfied therefore that the balance of the public interest falls in favour of withholding the information.