

Dear ,

ATISN 27206 – Information request in relation to Plan 2 Repayment Threshold

Thank you for your request which I received on 10 July.

You asked for all policy information and associated legislation as follows including planning documents, draft regulations, equality impact assessments, communications and minutes of meetings between Welsh Government and UK Government and also with the Student Loans Company in relation to any decisions taken by the Welsh Government following the UK Government's decision to apply a three year freeze to income threshold for Plan 2 borrowers from financial year 2027-28.

Our response

In response to your first question which asks whether the Welsh Government will continue to index the repayment threshold from April 2027, this is not a valid Freedom of Information request as it does not ask for recorded information. The Welsh Government has not made any decision on changing the current policy and therefore there is no implementation plan, draft regulations or completed equality impact assessment to consider under this request.

In response to the subsequent request for information, I have decided that the information described in the enclosed list is exempt from disclosure under section 35 (1) (a) of the **Freedom of Information Act**. The reasons for applying these exemptions are set out in full in the Annex to this letter.

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

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.

I have decided to withhold the following information:

- internal memoranda or planning documents in relation to the budgetary and broader policy impact of this decision (exempt under Section 35 (1) (a) of the Freedom of Information Act);
- any communications to or from HM Government (exempt under Section 35 (1) (a) of the Freedom of Information Act);
- minutes of any meetings held with HM Government (exempt under Section 35 (1) (a) of the Freedom of Information Act);
- any communications to or from the Student Loans Company (exempt under Section 35 (1) (a) of the Freedom of Information Act); and
- minutes of any meetings held with the Student Loans Company (exempt under Section 35 (1) (a) of the Freedom of Information Act).

This Annex sets out the reasons for the engagement of section 35 (1) (a) of the **Freedom of Information Act** and our subsequent consideration of the Public Interest Test.

Engagement of section 35 (1) (a) (Formulation or development of government policy) of the Freedom of Information Act

The Welsh Government believes that policy development information such as internal memoranda/planning documents, communications between the Welsh Government and UK Government and meeting minutes should be exempt from disclosure.

Disclosure would be likely to undermine the effective formulation and development of government policy by reducing the private thinking space necessary for officials and Ministers to explore options, test assumptions, challenge proposals and consider potential risks before a settled position has been reached.

Public Interest Test

Public interest arguments in favour of disclosure

- Disclosure would help inform public debate on a matter of significant public interest, enable greater scrutiny of Government decision-making, and promote accountability in relation to the potential impact of future changes on student loan borrowers in Wales.

Public interest arguments in favour of withholding

- Premature disclosure could inhibit the policy-making process and undermine the provision of advice to Ministers.
- Releasing incomplete or provisional material before policy development has concluded could undermine the effective conduct of government and prejudice the Government's ability to reach a fully informed decision.

Balance of public interest test

On balance, we consider that the public interest currently favours maintaining the exemption.

The information relates to the ongoing development of policy on which no ministerial decision has yet been made. At this stage there is a greater public interest in ensuring that Ministers and officials are able to consider options, test assumptions, receive legal and policy advice, and develop proposals before reaching a final decision.