

Dear

ATISN 27222 Teachers' Pay Advice

Information requested

Thank you for your request via a written question, which I received on 15 July. You asked for the advice the Cabinet Minister for Education and the Welsh Language relied upon in coming to her decision not to accept the Independent Welsh Pay Review Body's (IWPRB) recommendation.

Our response

I have decided that the advice requested is exempt from disclosure under section 35(1)(a) (policy formulation) of the Freedom of Information Act and is therefore withheld. The reasons for applying the exemption of policy formulation are set out in full at Annex 1 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 1

Application of exemptions/exceptions

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 advice.

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

Engagement of section 35(1)(a) (policy formulation) of the Freedom of Information Act

The Welsh Government believes that the advice should be exempt from disclosure as it provided advice to the Cabinet Minister for Education and the Welsh Language to inform the formulation of policy concerning a consultation on teachers' pay and the pay offer itself.

Public Interest Test

Public interest arguments in favour of disclosure

There might be some benefit in releasing the advice in that it would enhance transparency (although much has already been summarised publicly particularly in the Written Statement on 13 July 2026).

There is public interest in the level of teachers' pay to ensure that teaching is a valued profession which supports Welsh learners.

There is public interest in the advice at this time given the Written Statement announcing the Minister's intention to consult with key stakeholders on a proposed pay award after the summer holidays.

Public interest arguments in favour of withholding

There is strong public interest in government being able to consider a full range of options as it formulates its policies, particularly to arrive at a stage where it is able to consult with stakeholders to further inform the formulation of the policy. Release of the information relating to those options (and possibly resultant controversy) might discourage officials from presenting as wide a range of options in the future.

Welsh Ministers are planning to consult on an amended draft of the School Teachers Pay and Conditions (Wales) Document (STPC(W)D) with key stakeholders which gives a formal mechanism for stakeholders to shape this policy. However, this consultation has not yet taken place and the decision to consult formed part of the requested release.

If the advice is released, it would risk raising tensions with stakeholders ahead of the consultation and could risk the consultation not proceeding as planned or in an optimal way, which could lead to a significant delay in implementing a pay award to school teachers and headteachers across Wales.

Balance of public interest test

The Cabinet Minister for Education and the Welsh Language explained her reasoning for making the decision to announce a 3.5% pay award, subject to a statutory consultation, in a Written Statement on 13 July 2026. The potential harm caused by this disclosure is significant as set out in the preceding sections.

We have therefore decided to withhold this information as the public interest in withholding the information is greater than the public interest in disclosure.