

11 September 2026

Dear

Outcome of an Internal Review - ATISN 27177 - The Books Council of Wales

Thank you for your request for an Internal Review of the Welsh Government's response dated 6 August 2026. I have now completed the review in accordance with the Freedom of Information Act 2000 (FOIA).

Your request

1. Recipient information and award methodology

You asked the reviewer to reconsider whether adequate and proportionate searches were conducted across all relevant Welsh Government records, including:

- Creative Wales records;
- grant-management systems;
- finance and payment records;
- grant approval and variation records;
- correspondence with the Books Council concerning distribution;
- monitoring and assurance records;
- relevant officials' email accounts; and
- documents supplied by the Books Council after the award was made.

You asked the reviewer to confirm the teams, systems and record locations searched, together with the date range covered.

Where further searches identify recipient-level information, award calculations, distribution schedules or related correspondence, you asked for this to be disclosed.

Where no such information is held after fresh searches, you asked us to confirm explicitly that the Welsh Government did not obtain or retain:

- a final recipient list;
- the amount paid to each recipient;
- the methodology used to calculate individual payments; or
- a recipient-level reconciliation after the funding was distributed.

2. Completeness of the distribution records disclosed

You asked us to conduct fresh searches for all reports, returns and correspondence received from the Books Council concerning the actual distribution of the funding, including attachments, spreadsheets and financial schedules.

3. Grant conditions and monitoring requirements

You refer to Doc 1 released previously, where substantial sections of the document had not been disclosed and asked us to review whether the redacted sections included information on the complete terms applying to:

- eligible and ineligible expenditure;
- movement of funding between categories;
- reporting and monitoring;
- evidence of delivery;
- measurable outputs or outcomes;
- treatment of unspent balances;
- repayment or clawback;
- grant variations; or
- non-compliance.

You also asked us to confirm whether any omitted sections contain conditions, monitoring provisions, variation controls or financial reconciliation requirements relevant to the £349,990 allocation.

4. Apparent movement between the book and magazine funding categories

You noted that the actual distribution of funding between books, magazines and BookTok appears to differ from the Welsh Government's schedule and asked us to identify and disclose any recorded information held within the scope of your original request concerning:

- approval for movement or reallocation between the two funding categories;
- any request from the Books Council to vary the scheduled amounts;
- Welsh Government's consideration or approval of such a variation;
- revised budgets or grant schedules;
- the final reconciliation of expenditure;
- the treatment of the remaining £1,650;
- whether that sum was retained, unspent, repaid or reallocated;
- whether the £15,000 Welsh-language BookTok element was administered and accounted for separately from the publisher and magazine allocations; and
- whether Welsh Government identified or reviewed the difference between its funding schedule and the actual distribution.

Where no approval, variation record or reconciliation is held, you asked us to confirm that explicitly.

5. Application of section 43(2)

You asked us to reconsider the information withheld under section 43(2) of the Freedom of Information Act 2000 noting that, while the response provides general reasoning concerning commercial sensitivity it does not explain, passage by passage:

- whose commercial interests would be prejudiced;
- the nature of the claimed prejudice;
- how disclosure would cause, or would be likely to cause, that prejudice;
- whether the affected third parties were consulted;

- whether factual or financial information could be separated from genuinely sensitive material; or
- whether the public-interest balance was assessed separately for materially different redactions.

You asked us to reconsider each section 43(2) redaction individually and disclose any material that can properly be separated, including:

- factual information;
- grant amounts;
- descriptions of intended expenditure;
- explanations of financial pressures;
- delivery information; and
- information whose sensitivity has diminished with time.

You asked us to also provide a redaction schedule identifying, for each withheld passage:

- the exemption relied upon;
- the commercial interest said to be affected;
- the nature of the anticipated prejudice;
- whether the affected organisation was consulted; and
- the outcome of the public-interest balance.

You asked us to specifically confirm whether any grant conditions, financial controls, distribution information or monitoring requirements were withheld under section 43(2).

6.Final points

You asked the reviewer to:

- Reconsider the adequacy and scope of the searches undertaken;
- Conduct fresh searches across all relevant records;
- Disclose any recipient schedules, award calculations, distribution records or reconciliations identified;
- Establish whether the movement between the book and magazine funding categories was approved and recorded;
- Explain the treatment of the remaining £1,650;
- Confirm whether the £15,000 Welsh-language BookTok element was administered and accounted for separately from the publisher and magazine allocations;
- Provide the complete relevant grant conditions and monitoring requirements;
- Reconsider each section 43(2) redaction individually;
- Confirm explicitly where relevant information is genuinely not held.

7.Email of 30 August

You asked the reviewer to consider your further points related to records disclosed by the Welsh Government on 28 August 2026 under ATISN 277293.

Our response

1. Recipient information and award methodology

I have reviewed the searches conducted in response to your original request and am content these were adequate and proportionate.

Regarding your request for detail of the searches undertaken, outlook email and ishare records were searched from October 2025 to June 2026 by the following individuals:

- WG official 1 – Policy and Strategy Team, Creative Wales
- WG official 2 - Policy and Strategy Team, Creative Wales
- WG official 3 - Programmes and Operations Team, Creative Wales
- WG official 4 - Programmes and Operations Team, Creative Wales

Names of these individuals have been redacted under Section 40(2) of the Freedom of Information Act 2000, as it constitutes personal data and its disclosure would breach data protection legislation (exemption arguments are detailed in Annex 1).

Fresh searches undertaken as part of this review did not identify recipient-level information, award calculations, distribution schedules or related correspondence and we can explicitly confirm that the Welsh Government does not hold:

- a final recipient list;
- the amount paid to each recipient;
- a recipient-level reconciliation after the funding was distributed.

On the matter of any methodology used to calculate individual payments, I am releasing Doc 1 'Request for Funding' table, which summarises the Books Council of Wales' planned approach to distributing the grant to recipients.

2. Completeness of the distribution records disclosed

We have conducted new searches for 'all reports, returns and correspondence received from the Books Council concerning the actual distribution of the funding, including attachments, spreadsheets and financial schedules' as requested.

The only new information found as a result of this search is Doc 1 'Request for Funding' table, which we are releasing with this response, as noted above. As Doc 1 does not provide information on the specific distribution of this allocation or a breakdown of the awards made, it was not considered to fall within the scope of the original request. However, as the scope of the question has now been broadened, it is being provided for completeness.

3. Grant conditions and monitoring requirements

I have reviewed Doc 1 as released previously and can confirm that, while the document contains some information relevant to your request, it does not include the detailed information to which you now refer. As that level of detail was not considered

to fall within the scope of the original request, the full document was not disclosed at that time. However, as the scope of your review request is wider, the additional information is now provided at Doc 2.

Some information in Doc 2 has been redacted under Section 40(2) of the Freedom of Information Act 2000, as it constitutes personal data and its disclosure would breach data protection legislation (exemption arguments are detailed in Annex 1)

4. Apparent movement between the book and magazine funding categories

No approval, variation record or reconciliation information is held.

5. Application of section 43(2)

I have reviewed the response and the information to which the s43(2) exemption was applied.

I apologise that the response did not fully set out the application of the exemption, however, upon review I believe that the application of the exemption is correct. I have provided a more substantive explanation of our application of the exemption to this information.

Application of Section 43(2) – Commercial interests

This exemption states that:

s43 Commercial interests.

- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The request captures information on the financial circumstances of the businesses named in Doc 2 as previously released. After due consideration we are of the view that the disclosure of this information to the world, at this point in time, would be likely to prejudice the commercial interests of the businesses concerned, as it explains why the support was welcomed in the current trading climate.

As a consequence we believe that the s43(2) exemption is engaged.

Section 43 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 in favour of disclosure

We recognise that there is a public interest in openness and transparency regarding the expenditure of public funds and the Welsh Government's funding to the Books

Council of Wales to support the publishing sector in Wales. To support this, our funding for the sector is highlighted as a priority area on the Creative Wales website and is regularly promoted through our social media channels.

Detail of how funding is delivered is actively and regularly disclosed and promoted by the Books Council of Wales. There is also particular interest where public funding is used to assist businesses and organisations operating within a significant cultural and economic sector in Wales. For these reasons, the Books Council of Wales, as the organisation responsible for administering the funding, regularly publishes information on grant recipients. This enhances public understanding of the rationale for providing financial assistance, the objectives of their activities, and the way in which funding has been targeted to support businesses and sustain activity within the publishing sector. Such disclosure also helps demonstrate how public funds are being used to achieve the intended cultural and economic outcomes and supports accountability for the use of public money.

The Books Council of Wales is not a public authority and FOI legislation do not apply. However, as a charity supporting the book sector in Wales, where time and resource allow, the Books Council of Wales provides interested third parties with answers to reasonable and proportionate requests for information.

Public interest in maintaining the exemption

There is a strong public interest in ensuring that businesses are able to provide information to organisations such as the Books Council of Wales, openly and candidly when seeking support. Maintaining the exemption helps preserve trust between stakeholders and supports the effective administration of grant schemes. Disclosure in these circumstances could undermine that confidence and make businesses less willing to share information necessary for the effective assessment and administration of grant funding.

The information withheld relates to the wider commercial circumstances of the businesses concerned rather than the expenditure of public funds. There is a public interest in protecting such information from disclosure where releasing it could impact the position of those businesses, particularly within a challenging trading environment. Maintaining the exemption supports the ongoing viability of businesses operating within the Welsh publishing sector and helps ensure that organisations are not discouraged from engaging fully with future support programmes.

Given the size and nature of many businesses operating within the Welsh publishing sector, disclosure could adversely affect their ability to compete in the marketplace, damage commercial relationships, or place them at a disadvantage in negotiations with customers, suppliers or other commercial partners.

On the matter of consultation, we requested that the Books Council of Wales consult the affected third parties, as the organisation holding the relationship with these businesses. Upon further consideration, some of those businesses are content for previously withheld information to be released, and I am therefore releasing a revised Doc 3 (Doc 2 as previously released).

Regarding the provision of a redaction schedule identifying, for each withheld passage, the exemption relied upon; the commercial interest said to be affected; the nature of the anticipated prejudice; whether the affected organisation was consulted; and the outcome of the public-interest balance, while my view is that this has already been provided in Doc 1 and Doc 2 of the original response and in the response letter, for completeness, this is set out below.

Redaction Schedule:

No redaction was used in Doc 1. All information captured by the request was released.

Redaction used in Doc 2:

WG official 1 / Swyddog LIC 1

WG official 2 / Swyddog LIC 2

Section 43(2) – Commercial interests / Adran 43(2) - Gwybodaeth masnachol

Section 40(2) – personal information / Adran 40(2) - Gwybodaeth personol

WG official 3 / Swyddog LIC 3

WG official 4 / Swyddog LIC 4

No grant conditions, financial controls, distribution information or monitoring requirements were withheld under section 43(2).

6.Final points

My response to your points are as follows:

Point	Response
Reconsider the adequacy and scope of the searches undertaken	Searches have been reconsidered. Please see my responses above
Conduct fresh searches across all relevant records.	Fresh searches have been reconsidered. Please see my responses above.
Disclose any recipient schedules, award calculations, distribution records or reconciliations identified.	Any relevant information held has been disclosed.
Establish whether the movement between the book and magazine funding categories was approved and recorded.	Please see my response to Q4.
Explain the treatment of the remaining £1,650.	Please see my response to Q4.
Confirm whether the £15,000 Welsh-language BookTok element was administered and accounted for separately from the publisher and magazine allocations.	Please see my response to Q4.
Provide the complete relevant grant conditions and monitoring requirements.	Please see Doc 2

Reconsider each section 43(2) redaction individually.	Please see my response to Q5
Confirm explicitly where relevant information is genuinely not held.	All relevant information held has been released or exempted.

7. Email of 30 August

We have considered your further points related to records disclosed by the Welsh Government on 28 August 2026 under ATISN 27293.

Please see responses to Q4 above in relation to variances.

The claim form for Q4 is included at Doc 4. The Quarter 3 and Quarter 4 papers constitute the report and monitoring information as provided in ATISN 27293. The BCW's Annual Report and Financial Statements 2025-26 are currently in draft form and will be submitted to the Welsh Government in due course, prior to being published on the BCW's website.

Expenditure relating to BookTok was included in the Q4 claim form at Doc 4 and paid in January 2026. I can confirm no material relevant to the BookTok grant was excluded from the Quarter 3 and Quarter 4 papers as provided in ATISN 27293.

Next steps

I have considered your complaint in accordance with the procedure outlined in the Welsh Government's Practical Guide for Making Requests for Information which is available by post on request or via the internet at: [Requesting information from the Welsh Government \[HTML\] | GOV.WALES](#)

If you remain dissatisfied with this response you 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.

Yours sincerely

Deputy Director, Marketing Tourism and Business
Welsh Government

Enclosures:

Annex 1
Docs 1–4

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 two of the documents caught by your request contains third party personal data. Specifically, this relates to Doc 1 and Doc 3, containing the signature of a Welsh Government official and officers within publishing organisations.

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 emails are those of the Welsh Government and of external organisations. 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 emails and to identify the views expressed by each individual. 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 information caught by this exemption relates to the commercial information held within emails.

Decisions relating to non-disclosure of this information have been taken with due consideration of the exemptions identified under Section 43(2) of the Freedom of Information Act 2000 (FOIA). This exemption states that:

- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Section 43 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 Against Release

To disclose the commercial information held within the emails would enable the world to identify commercially sensitive details regarding the companies named. These companies do not expect us to disclose their commercial information, as they rely on this in order to undertake their business activities in a competitive market. This information is commercially sensitive to these companies and, as such, there is a risk of its disclosure causing the companies commercial disadvantage.

I believe the public interest is satisfied by the amount of information being disclosed in response to this request for information.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time, so that the age of 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 remains sensitive.

In conclusion, I believe that the balance of the public interest therefore falls in favour of withholding the commercial information relating to the emails.