

13/10/2026

Dear

Internal Review - FOI Response to ATISN 27367

Thank you for your correspondence regarding the above Freedom of Information (FOI) request and your request for an investigation into the Welsh Government's handling of this matter. This has been conducted in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests](#).

We can confirm that Mark Tambini undertook the internal review.

Scope of the Internal Review

Before addressing the matters raised in your request for an internal review, it is important to clarify the scope of the review.

We have completed an internal review of ATISN 27367, this involved a fresh decision based on all the available evidence that is relevant to the date of the request, not just a review of the first decision;

In this case, the review has determined whether the original response was correct in:

1. the application of section 21 of the Freedom of Information Act 2000;
2. the assertion that the requested information had already been provided to you or was otherwise reasonably accessible by other means; and
3. the conclusion that the remaining requested information, including information relating to compliance with section 4.12, is not held by the Welsh Government.

Further information of the internal review process can be found here:

<https://ico.org.uk/for-organisations/foi/guide-to-managing-an-foi-request/complaints-internal-reviews/>

Background

Your FOI request, received on the 14 August 2026 sought the following information:

- All recorded information concerning all of your correspondence including the OSR screening, outcome of 'no breaches', the decision not to proceed with the OSR investigation on 5 February 2026, and the internal review of the same.

- You asked this include the reasons for the change from an OSR investigation (confirmed by Julia Ashford on 5 February 2026) to an initial screening and the outcomes of 'no breaches found', who made or authorised that decision, the evidence and criteria considered, and all relevant internal correspondence, assessments, decision records, and communications relating to it including any recorded information relating to the creation dates, modification dates, metadata, version history, or audit trail of Building Control documents submitted by the Council.
- Documentation to confirm what steps the Welsh Government has taken to secure compliance on your property from the Council, Contractor (Castle Groundworks and Construction) and the Designer/surveyor (Iwan Griffiths of Grade Consulting Ltd) (4.12 of the Investigation procedure statement: regulation of the building control profession (local authorities)).

That this should be all relevant recorded information generated, received, or held by the Welsh Government between 18 December 2025 and 28 April 2026 inclusive.

The response to your FOI request was issued to you on the 14 September 2026.

Review of handling

We have undertaken a review of how your request was managed. This included:

- Review of the application of any exemptions
- The scope of your original request
- Assessment of the searches undertaken to identify relevant information

We wish to clarify that with regards to your request surrounding the OSR investigation process. The process was followed in-line with the: [Investigation procedure statement: regulation of the building control profession \(local authorities\)](#).

No change was made from an investigation to a screening. Screening forms part of the initial step of the process.

This was addressed in the email sent by Julia Ashford on the 5 February 2026.

We have reviewed the email issued to you by Julia Ashford on the 5 February 2026. Julia Ashford advised the following within her email:

“Ordinarily, the Welsh Government would only consider an OSR investigation once the relevant local authority complaints procedure has been fully concluded or exhausted. However, given the clear stalemate in this area we have decided to proceed outside the usual process in order to move matters forward. In light of this, we will now conduct an initial screening to determine whether there is any basis for a systems focused review.”

Under OSR 4.6:

- When information about a suspected breach of the OSR is received, we will log it for investigation.

Under OSR 4.10 contained within the decision whether to investigate section:

The process may include:

- clarifying whether the case relates to a potential contravention of the OSRs
- arranging initial enquiries where necessary
- redirecting cases that are not within scope of this procedure to the relevant authority
- explaining the reasoning for any decisions not to investigate

A response outlining the findings from the OSR was provided to you on the 9 March 2026.

Application of Section 21 and whether the information has already been provided or is accessible

We have considered the application of Section 21 of the Freedom of Information Act 2000 and have conducted a search of our records and have determined that we have provided you with the recorded information that we hold. This includes information that has been shared with you under ATISN 26784 and ATISN 27044.

Having considered the original response, the information identified, and the requirements of section 21, we conclude that the application of section 21 was appropriately applied and the information has been provided to you.

With regards to whether the 'Information has already been provided or Is accessible,' we have considered this and conducted a search of our records.

This included consideration of:

- the information supplied with the original response;
- any information previously provided in correspondence; and
- any information made available through publicly accessible sources or other means.

Following review of the above we are satisfied that the information in question has already been provided or is otherwise reasonably accessible.

Section 4.12 Compliance Information

With regard to section 4.12 of the Investigation Procedure Statement, the reference to *"secure compliance and ensure any ongoing concerns are adequately addressed"* should not be interpreted as relating to compliance issues concerning an individual property. The Operational Standards Rules govern the processes and procedures that local authorities must follow when exercising their building control functions. In this context, *"secure compliance"* relates to compliance with those operational requirements, rather than assessing or securing compliance of a particular property with the Building Regulations.

Information not held,

We have considered the conclusion that no further information is held within the scope of the request

This included consideration of:

- the searches undertaken in response to the original request;
- the records and systems reasonably searched; and
- any further enquiries considered necessary during the review.

Following review of the above and based on the evidence available we are satisfied that we do not hold any further information within the scope of the request, including any further information relating to compliance with section 4.12.

Outcome of the Review

Having completed the internal review we can confirm that the original FOI response is upheld.

We can conclude that section 21 was correctly applied, the information has already been provided or accessible and that no further information is held.

Next steps

If you remain dissatisfied with the outcome of this internal review, you have the right to complain to the Information Commissioner's Office (ICO).

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire
SK9 5AF

Website: www.ico.org.uk

Closing

We hope this response clarifies the Welsh Government's position. If you have any further queries, please do not hesitate to contact us.

Yn gywir,

Chief Planner, Planning Directorate