



Llywodraeth Cymru  
Welsh Government

**Email request**

**Louise Brown**

[request-465273-64f84c4c@whatdotheyknow.com](mailto:request-465273-64f84c4c@whatdotheyknow.com)

[request-465275-1d2e4f26@whatdotheyknow.com](mailto:request-465275-1d2e4f26@whatdotheyknow.com)

[request-465364-9b64281d@whatdotheyknow.com](mailto:request-465364-9b64281d@whatdotheyknow.com)

[request-465365-41eff960@whatdotheyknow.com](mailto:request-465365-41eff960@whatdotheyknow.com)

Our ref: ATISN 12093 / 12094 / 12095 / 12096

Date: 19 March 2018

Dear Ms Brown,

**Requests for Information – ATISN references 12093 / 12094 / 12095 / 12096 and related requests 11927 / 11928 / 11930 / 11931 / 11932 / 11938**

Thank you for your requests which were received by the Welsh Government on 16 and 17 February 2018 and which are set out at Annex 1.

Section 12 of the Freedom of Information Act allows a public authority to refuse a request if it calculates that dealing with it would exceed the appropriate limit. The appropriate limit specified for central government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract it.

In addition, The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 allow a public authority to aggregate requests for the purposes of calculating the appropriate limit where they are made:

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

Where they are, the Regulations state that the estimated cost of complying with any of the requests is to be taken to be the total costs of complying with all of them. This applies in circumstances in which –

(a) the two or more requests relate, to any extent, to the same or similar information, and

(b) those requests are received by the public authority within any period of sixty consecutive working days.



**BUDDSODDWYR | INVESTORS**  
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Gwefan • website: [www.cymru.gov.uk](http://www.cymru.gov.uk)

I can confirm that, along with your four new requests, the Welsh Government has received six previous requests from you, asking for the same or similar information (in part). These have been logged as ATISN 11927 / 11928 / 11930 / 11931 / 11932 / 11938. The full text of all these requests is set out at Annex 1.

In terms of the initial criteria above, the requests you have submitted are all the same or very similar and have been received within a period of sixty consecutive working days. In addition, as the remainder of the criteria in the Regulations are satisfied, I have aggregated all requests for the purposes of calculating the appropriate limit and have assessed that the combined total time to locate the information requested would be over 5,000hrs.

In conclusion, I have determined that to provide the information requested in relation to these combined requests would cost more than the appropriate limit, which is £600 for central government, so I am refusing your requests on this basis.

However, we may be able to reconsider your requests if you were more specific about the information you require.

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: [FreedomOfInformationOfficer@wales.gsi.gov.uk](mailto:FreedomOfInformationOfficer@wales.gsi.gov.uk)

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,  
Damian Roche

**New requests 12093, 12094, 12095 and 12096, aggregated with previous requests 11927 / 11928 / 11930 / 11931 / 11932 / 11938, which combined exceed the appropriate limit:**

**ATISN 12093**

*The call log showing dates of both sent and received calls made between the First Minister (using his Government-owned mobile phone) and a named individual between 1 October 2017 and 16 February 2018.*

**ATISN 12094**

*The call log showing dates of both sent and received calls made between the First Minister (using his Government-owned mobile phone) and a named individual between 1 October 2017 and 16 February 2018.*

**ATISN 12095**

*In light of the Information Commissioner's determination contained within his Decision Notice of 1 March 2012 that Government and Special Adviser communication using private / personal electronic accounts, is captured by the Freedom of Information Act and therefore deemed to be Government business, I wish to make the following request:*

*Please provide copies of all correspondence (both sent and received) exchanged between the First Minister and/or Special Advisers and a named individual since 1 September 2017, via the following methods of communication:*

- a) all private, personal and Welsh Government email accounts (these will include Hotmail, Gmail etc);*
- b) SMS texts via all personal and Welsh Government mobile phones and other devices (including laptops and tablets); and*
- c) Messages sent and received via all personal and Welsh Government mobile phones and other devices (including laptops and tablets) using encrypted messaging apps such as WhatsApp and Telegram.*

*Please provide all the requested information listed and clearly marked to the corresponding name of the First Minister and/or Special Adviser concerned*

**ATISN 12096**

*In light of the Information Commissioner's determination contained within his Decision Notice of 1 March 2012 that Government and Special Adviser communication using private / personal electronic accounts, is captured by the Freedom of Information Act and therefore deemed to be Government business, I wish to make the following request:*

*Please provide copies of all correspondence (both sent and received) exchanged between the First Minister and/or Special Advisers and a named individual since 1 September 2017, via the following methods of communication:*

- a) all private, personal and Welsh Government email accounts (these will include Hotmail, Gmail etc);*
- b) SMS texts via all personal and Welsh Government mobile phones and other devices (including laptops and tablets); and*
- c) Messages sent and received via all personal and Welsh Government mobile phones and other devices (including laptops and tablets) using encrypted messaging apps such as WhatsApp and Telegram.*

*Please provide all the requested information listed and clearly marked to the corresponding name of the First Minister and/or Special Adviser concerned.*

**Previous requests 11927 / 11928 / 11930 / 11931 / 11932 / 11938, which combined exceed the appropriate limit:**

**ATISN 11927**

*All briefing documents and 'lines to take' style material prepared since 30 October 2017 by Welsh Government Press Office and/or Special Advisers and distributed to the First Minister, Cabinet Secretaries and Ministers that refer to Carl Sargeant and/or the 3 November 2017 re-shuffle and/or the various independent inquiries that have been established since.*

**ATISN 11928**

*All emails, SMS text messages, WhatsApp messages and any other communication between Welsh Government Press Office and/or Special Advisers and/or the Private Office of the First Minister and/or the Private Office of the Cabinet Secretary for Finance, Mark Drakeford and producers and journalists of the BBC Wales Sunday Politics show between 3 November 2017 and 8 November 2017.*

**ATISN 11930**

*In light of the Information Commissioner's determination contained within his Decision Notice of 1 March 2012 that Government and Special Adviser communication using private / personal electronic accounts, is captured by the Freedom of Information Act and therefore deemed to be Government business, I wish to make the following request:*

*Please provide copies of all correspondence (both sent and received) exchanged between the First Minister and/or Special Advisers and a named individual since 1 January 2017, via the following methods of communication:*

- a) all private and personal email accounts;*
- b) SMS texts via all personal mobile phones and other devices (including laptops and tablets); and*
- c) Messages sent and received via all personal mobile phones and other devices (including laptops and tablets) using encrypted messaging apps such as WhatsApp and Telegram.*

*Please provide all the requested information listed and clearly marked to the corresponding name of the First Minister and/or Special Adviser concerned.*

**ATISN 11931**

*In light of the Information Commissioner's determination contained within his Decision Notice of 1 March 2012 that Government and Special Adviser communication using private / personal electronic accounts, is captured by the Freedom of Information Act and therefore deemed to be Government business, I wish to make the following request:*

*Please provide copies of all correspondence (both sent and received) exchanged between the First Minister and/or Special Advisers and a named individual since 1 June 2017, via the following methods of communication:*

- a) all private and personal email accounts;*

- b) SMS texts via all personal mobile phones and other devices (including laptops and tablets); and*
- c) Messages sent and received via all personal mobile phones and other devices (including laptops and tablets) using encrypted messaging apps such as WhatsApp and Telegram.*

*Please provide all the requested information listed and clearly marked to the corresponding name of the First Minister and/or Special Adviser concerned.*

#### **ATISN 11932**

*In light of the Information Commissioner's determination contained within his Decision Notice of 1 March 2012 that Government and Special Adviser communication using private / personal electronic accounts, is captured by the Freedom of Information Act and therefore deemed to be Government business, I wish to make the following request:*

*Please provide copies of all correspondence (both sent and received) exchanged between the First Minister and/or Special Advisers and a named individual since 1 June 2017, via the following methods of communication:*

- a) all private and personal email accounts;*
- b) SMS texts via all personal mobile phones and other devices (including laptops and tablets); and*
- c) Messages sent and received via all personal mobile phones and other devices (including laptops and tablets) using encrypted messaging apps such as WhatsApp and Telegram.*

*Please provide all the requested information listed and clearly marked to the corresponding name of the First Minister and/or Special Adviser concerned.*

#### **ATISN 11938**

*Please provide copies of all correspondence - emails and text messages (both sent and received) between 1 June 2017 to 31 December 2017, exchanged between the First Minister's Private Office and/or Special Advisers and/or Welsh Government Press Office and Llamau and/or individuals representing Llamau.*