

Further to my email of 10 June 2014, I am now in a position to respond to your request of 4 June 2014, for which we received clarification from you on 1 July 2014. Your clarified request was:

*The correspondence I require relates to any internal or external reports prepared/emails/briefings, letters, statements (in fact anything down in writing) etc on Rhondda Life prepared between July 2012 to May, 2014 and as you say in your email "between, on the one hand, the Auditor General, his staff, the new corporate Wales Audit Office and its staff, and, on the other hand, other individuals and organisations".*

Please find attached the following items:

1. Email from Leighton Andrews to Huw Thomas on 13 December 2012 at 15:21, email from Huw Thomas to Leighton Andrews on 13 December 2012 at 17:06;
2. Email from Chris Bryant to Huw Thomas on 13 December 2012 at 17:26, email from Huw Thomas to Chris Bryant on 13 December 2012 at 19:10 – this item has been redacted for the reason given at (iii) below;
3. Letter from Leighton Andrews to Huw Vaughan Thomas on 18 February 2013;
4. Email from Ian Phillips to Arwel Thomas on 25 February 2013 at 10:35;
5. Email from Ian Phillips to Leighton Andrews on 25 February 2013 at 14:30;
6. Email from Arwel Thomas to Ian Phillips on 26 February 2013 at 14:32 plus attachment - this item has been redacted for the reason given at (iii) below;
7. Email from Leighton Andrews to Ian Phillips on 27 February 2013 at 17:32 - this item has been redacted for the reason given at (iii) below;
8. Email from Ian Phillips to Leighton Andrews on 04 March 2013 at 10:00 - this item has been redacted for the reason given at (iii) below;
9. Email from Leighton Andrews to Ian Phillips on 04 March 2013 at 10:07 - this item has been redacted for the reason given at (iii) below;
10. Email from Leighton Andrews to Martin Peters on 07 March 2013 at 17:49, email from Martin Peters to Leighton Andrews on 5 March 2013 at 11:59;
11. Email from Martin Peters to Leighton Andrews on 19 April 2013 at 16:37 plus attached Welsh Government Internal Audit Report – the report has been redacted for the reasons given at (i), (ii), (iii) and (iv) below;
12. Email from Leighton Andrews to Martin Peters on 22 April 2013 at 12:06;
13. Email from Martin Peters to Leighton Andrews on 26 April 2013 at 17:13 plus attached Welsh Government Internal Audit "Annex A" document – the email has been redacted for the reason given at (iii) below and the "Annex A" document has been redacted for the reasons given at (i), (ii), (iii) and (iv) below;
14. Email from Clare Collett to David Burrige on 25 July 2012 at 15:48 – the attachment to this item has been withheld for the reasons given at (i), (ii), (iii) and (iv) below but please note a redacted copy of the final report has been disclosed at item 11;
15. Email from Clare Collett to David Burrige on 17 September 2012 at 15:29 – the letter attached to this email has been redacted for the reasons given at (i), (ii) and (iv) below and the other attachments have been withheld for the same reasons plus the reason given at (iii) below. However, please note that redacted copies of the final report and the "Annex A" document have been disclosed at items 11 and 13 respectively;
16. Email from Mike Usher to Arwel Thomas on 15 November 2012 at 22:51 - the letter attached to this email has been redacted for the reasons given at (i) and (ii) below but please note that the final version of this letter is available to you by other means (see (e) below);
17. Email from Mike Usher to Arwel Thomas on 6 December 2012 at 18:34 - the letter attached to this email has been redacted for the reasons given at (i) and (ii) below but please note that the final version of this letter is available to you by other means (see (e) below);

18. Email from Arwel Thomas to Mike Usher on 7 December 2012 at 16:33;
19. Email from Mike Usher to Arwel Thomas on 13 December 2012 at 17:12;
20. Letter from Travers Merrill to the Wales Audit Office dated 18 December 2012 – this item has been redacted for the reason given at (iii) below;
21. Letter from Fiona Bashford to Travers Merrill dated 28 December 2012 – this item has been redacted for the reason given at (iii) below;
22. Letter from Huw Vaughan Thomas to Travers Merrill dated 10 January 2013 – this item has been redacted for the reason given at (iii) below;
23. Email from Martin Peters to Arwel Thomas on 12 April 2013 at 16:38, email from Martin Peters to Arwel Thomas on 12 April 2013 at 16:40, email from Martin Peters to Arwel Thomas on 15 April at 17:40 – the email has been redacted for the reason given at (iv) below and the attachments to this item have been redacted for the reasons given at (i), (ii), (iii) and (iv) below but please note that redacted copies of these attachments have been disclosed at items 11, 13 and 16 respectively;
24. Email from Martin Peters to Arwel Thomas on 18 April 2013 at 19:40 – the attachment has been withheld for the reasons given at (i), (ii), (iii) and (iv) below but please note a redacted copy of the report has been disclosed at item 11;
25. Email from Arwel Thomas to Martin Peters on 19 April 2013 at 08:44 – this item has been redacted for the reasons given at (i) and (iv) below;
26. Email from Martin Peters to Arwel Thomas on 19 April 2013 at 16:37 – this item has been redacted for the reasons given at (i) and (iv) below;
27. Email from Martin Peters to Arwel Thomas on 22 April 2013 at 16:04 – this email has been redacted for the reasons given at (i) and (iv) below and the attachment to this email has been withheld for the reasons given at (i), (ii), (iii) and (iv) below but please note that a redacted copy of the “Annex A” document has been disclosed at item 13;
28. Email from Martin Peters to Arwel Thomas on 24 April 2013 at 18:58;
29. Email from Arwel Thomas to Martin Peters on 25 April 2013 at 09:06;
30. Email from Martin Peters to Arwel Thomas on 25 April 2013 at 09:42 – this item has been redacted for the reason given at (iii) below.

- (i) Disclosure of the information would prejudice the audit functions of the Auditor General for Wales. This is because disclosure would prejudice the effective working relationship that the Auditor General has with the Welsh Government’s Internal Audit Services. An effective working relationship is necessary for maintaining efficient and effective audit processes. The information therefore falls within the exemption provided by section 33 (audit functions) of the Freedom of Information Act 2000 (FOIA). There is public interest in wider public knowledge in the workings of public sector auditors. However, the public interest in maintaining efficient and effective public audit, and avoiding the potential harm to that relationship that would arise on disclosure, is greater than the public interest that lies in disclosure. I have therefore decided that the balance of the public interest is such that the exemption provided by section 33 should be maintained.
- (ii) Disclosure of the information would prejudice the effective conduct of public affairs. The draft Welsh Government internal audit report, and related communications, were provided to allow the free and frank exchange of views for the purposes of deliberation. Disclosure of such information would inhibit the free and frank exchange of views for the purposes of deliberation. The information therefore falls within the section 36(2)(b)(ii) exemption provided by the FOIA. There is public interest in disseminating knowledge of the workings of public sector auditors. However, the public interest in maintaining effective public audit and inspection, by avoiding the prejudice to such

processes that would arise on disclosure, is greater than the public interest that lies in disclosure. The Auditor General for Wales has therefore decided that the balance of the public interest is such that the exemption should be maintained.

A further sub-section of the section 36 exemption also applies. Disclosure of the information would otherwise prejudice the effective conduct of public affairs (section 36(2)(c)). Disclosure of information relating to Welsh Government internal investigations would be likely to damage our relationship with the Welsh Government and adversely affect similar liaison in future. There is a public interest in disclosure, in that disclosure would help people to understand how we work. However, there is a greater public interest in maintaining the exemption in order to avoid potential harm to our working relationship with the Welsh Government. The Auditor General for Wales has therefore decided that the balance of the public interest is such that the exemption should be maintained.

- (iii) The information falls within the personal information exemption provided by section 40(2) of the Freedom of Information Act (FOIA), which is an absolute exemption. The exemption applies because disclosure would breach the data protection principles of the Data Protection Act 1998.
- (iv) Disclosure would prejudice the commercial interests of Rhondda Life Ltd and/or third parties. The information falls within the section 43 exemption (commercial interests) exemption provided by the FOIA. The reasons why the exemption applies are themselves exempt and I have decided that the balance of the public interest is such that the exemption should be maintained.

We also hold the following items that meet the description of your request, but as they were correspondence between Leanne Wood AM and the Wales Audit Office, I assume that they are accessible to you via other means. As a result, the exemption provided by section 21 (information accessible to applicant by other means) of the FOIA is applicable to these items. However, if it is not possible for you to access any of the following items, please let me know and I shall send you copies of them.

- (a) Email from Leanne Wood to Huw Thomas on 2 July 2012 at 16:59;
- (b) Email from Helen Jones to Leanne Wood on 24 July 2012 at 11:34;
- (c) Letter from Huw Vaughan Thomas to Leanne Wood on 24 July 2012;
- (d) Letter from Huw Vaughan Thomas to Darren Millar on 17 August 2012;
- (e) Letter from Huw Vaughan Thomas to Darren Millar on 11 December 2012.

We also hold other information that meets the description of your request. This information falls within one or more of the exemptions set out above. A further item is withheld for the additional reason that the information falls within the section 41 exemption (information provided in confidence) provided by the FOIA, and the disclosure of it would be an actionable breach of confidence. The section 41 exemption is an absolute exemption.

If you wish to complain about my handling of your request, please email or write to me.

I must also refer you to section 50 of the Freedom of Information Act under which you may apply to the Information Commissioner for a decision on whether or not your request has been dealt with in accordance with the Act. The Information Commissioner's contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF  
email : [casework@ico.gsi.gov.uk](mailto:casework@ico.gsi.gov.uk)

Tel: 01625 545745  
Fax: 01625 524510

You should note, however, that the Information Commissioner would normally expect you to have exhausted our internal complaints procedures before dealing with such an application. Further guidance may be found on the Information Commissioner's website <http://www.informationcommissioner.gov.uk>.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

Ian Phillips