



Llywodraeth Cymru
Welsh Government

Our ref: ATISN 12324

Date: 18 June 2018

Dear ,

Request for Information – ATISN reference 12324

Thank you for your request which was received by the Welsh Government on 14 May 2018. You asked for the following information in relation to the Welsh Government's energy management system. My responses are contained at Annex 1 to this letter.

1. The supplier who provides the software to the organisation?
2. The cost associated with the software. Please provide me with the annual spend.
3. What is the brand of the software?
4. What is the duration of the contract?
5. When does this contract expires?
6. When does the organisation plan to review this contract?
7. The contract description of the services provided under the agreement with the supplier?
This also includes potential extensions and support and maintenance services.
8. What is the organisation's annual energy spend for the following:
 - a. Electricity
 - b. Gas
 - c. Water
9. What is the total number of meter points for Electricity for:
 - a. Non Half Hourly (NHH) meter points
 - b. Half Hourly (HH) meter points
10. What is the total number of Gas meter points?
11. What is the total number of Water meter points?
12. What is the total number of meter points for specialist gases and liquids?
13. Contact details of the key person responsible for this contract or around energy management.
14. A copy of the organisations' energy management strategy/plan that covers 2018?

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

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

Information for Welsh Government administrative estate

- Q1-7 A comprehensive facilities management services contract is in place, which includes estate-wide maintenance and servicing including all mechanical, electrical systems, specialist elements such as energy management systems and building fabric maintenance. This contract is held by Mitie Technical Facilities Management and commenced on 1 April 2018 for a fixed term of 5 years, ending 31 March 2023, with possible extensions to 2025. Energy monitoring is undertaken using licenced eSightenergy.com software, reviewed/renewed annually.
- Q8 What is the organisation's annual energy spend for the following:
- a. Electricity Admin estate spends approx. £1.5M p.a.
 - b. Gas Admin estate spends approx. £200k p.a.
 - c. Water Admin estate spends approx. £120k p.a.
- Q9 What is the total number of meter points for Electricity for:
- a. Non Half Hourly (NHH) meter points Admin estate - 8
 - b. Half Hourly (HH) meter points Admin estate - 17
- Q10 What is the total number of Gas meter points? Admin estate - 21
- Q11 What is the total number of Water meter points? Admin estate – 22
- Q12 What is the total number of meter points for specialist gases and liquids? Admin estate has none.
- Q13 Can you please provide me with the contact details of the key person responsible for this contract or around energy management.
Information withheld section 40 – see Annex 2
- Q14 Can you please send me the organisations' energy management strategy/plan that covers 2018?

Welsh Government publishes an annual State of the Estate report, which includes data on energy/carbon emissions performance; waste production, water consumption and other environmental action and achievements.

Information for Cadw

For questions 1-7, these are not applicable as Cadw does not have this form of system. As with the Administrative Estate, Cadw has a Facilities Management Contract, but with Kier. The contract commenced on the 1 February 2017 and expires 31 January 2020 with an option to extend until 2022. This includes for delivery of estate-wide maintenance and servicing including all mechanical, electrical systems, specialist elements such as energy management systems and building fabric maintenance.

Q8. What is the organisation's annual energy spend for the following:
For Cadw these are:-

- a. Electricity 17/18 spend - £79,295
- b. Gas 17/18 spend - £10,088
- c. Water 17/18 spend - £28,441

Q9. What is the total number of meter points for Electricity for:

- a. Non Half Hourly (NHH) meter points - 69
- b. Half Hourly (HH) meter points - 0

Q10. What is the total number of Gas meter points? - 11

Q11. What is the total number of Water meter points? - 46

Q12. What is the total number of meter points for specialist gases and liquids? - 4

Q13. Can you please provide me with the contact details of the key person responsible for this contract or around energy management?
Information withheld section 40 – see Annex 2

Q14. Can you please send me the organisations' energy management strategy/plan that covers 2018?

No specific document for Cadw. Cadw is included in the Welsh Government wide Carbon Reduction Strategy. Individual sites are managed under the Kier total facility management contract referred to above.

Property Infrastructure & Transport Network division

- Q1-7 A comprehensive contract is in place providing a range of total facilities management services across Welsh Government's Economy and Infrastructure estate. The contract includes for delivery of estate-wide maintenance and servicing including all mechanical, electrical systems, specialist elements such as energy management and building fabric maintenance. The contract is held by Kier Managed Services. The contract commenced on 1 October 2013 for a fixed term of 5 years, ending 30 September 2018. A new total facility management contract has been awarded to Vinci Facilities for 5 years plus options for 2 annual extensions from 1 October 2018.
- Q8. What is the organisation's annual energy spend for the following:
- a. Electricity - £1,741,994.30
 - b. Gas - £121,204.39
 - c. Water - £97,107.34
- Q9. What is the total number of meter points for Electricity for:
- a. Non Half Hourly (NHH) meter points - 110
 - b. Half Hourly (HH) meter points - 8
- Q10. What is the total number of Gas meter points? - 75
- Q11. What is the total number of Water meter points? - 81
- Q12. What is the total number of meter points for specialist gases and liquids? - 0
- Q13. Can you please provide me with the contact details of the key person responsible for this contract or around energy management. Information withheld section 40 – see Annex 2
- Q14. Can you please send me the organisations' energy management strategy/plan that covers 2018?

There is no comprehensive energy management strategy/plan for the Economy and Infrastructure Portfolio but there are overall Welsh Government carbon reduction targets. However Sites are managed individually under the Kier total facility management contract referred to above.

Transport – Network Management Division

Q1-7 There is no dedicated software system used to compile energy management data for the Transportation Department. A number of different sources are used to gather this information. This is provided by our energy suppliers direct, or data supplied from our Managing Agents who administer elements of the energy procurement/management on our behalf. Asset Management Systems are used by our Managing Agents – North and Mid Wales Trunk Road Agent / South Wales Trunk Road Agent which provides energy consumption data across the Welsh Government's Trunk Road Network Transportation for electrical assets.

Q8. What is the organisation's annual energy spend for the following:

- a. Electricity - £3,338,356.21
- b. Gas – £338.00
- c. Water – £17,476.71

Transportation Network Management Division CRC contribution costs across all energy requirements: £210,000

Q9. What is the total number of meter points for Electricity for: 144

- a. Non Half Hourly (NHH) meter points - 118
- b. Half Hourly (HH) meter points - 26

Q10 What is the total number of Gas meter points? – 1

Q11 What is the total number of Water meter points? – Not recorded

Q12 What is the total number of meter points for specialist gases and liquids? Nil

Q13 Can you please provide me with the contact details of the key person responsible for this contract or around energy management. Information withheld section 40 – see Annex 2

Q14 Can you please send me the organisations' energy management strategy/plan that covers 2018?

There is no comprehensive energy management strategy/plan for the Economy and Infrastructure Portfolio but there are overall Welsh Government carbon reduction targets. However Sites are managed individually under the Kier total facility management contract referred to above.

Annex 2

Section 40 (2) – personal information

Section 40(2) FoIA sets out an exemption from the right to know if the information requested is personal information of someone other than the requester and is protected by the Data Protection Act 2018 (“DPA”) or the General Data Protection Regulation (“GDPR”).

Personal data is defined in Section 3(2) of the DPA as:

“Personal data” means any information relating to an identified or identifiable living individual

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 General Data Protection Regulation (GDPR) and section 34(1) DPA. We consider the principle being most relevant in this instance as being the first.

The first GPDR principle.

This states:

.....that personal data shall be:

a) processed lawfully, fairly and in a transparent manner in relation to the data subject;

Guidance from the Information Commissioner’s Office (Personal information (section 40 and regulation 13) v 1.4) states:

If disclosure would not be fair, then the information is exempt from disclosure.

This approach was endorsed by the Court of Appeal in the case of Deborah Clark v the Information Commissioner and East Hertfordshire District Council where it was held:

“The first data protection principle entails a consideration of whether it would be fair to disclose the personal data in all the circumstances. The Commissioner determined that it would not be fair to disclose the requested information and thus the first data protection principle would be breached. (paragraph 63).

Members of staff who are not outward facing would not have the expectation that information from which they could be identified would be placed in the public domain. Because of this, it is my view that the release of such information would be unfair and so breach the first data protection principle.

For that reason, the information is being withheld under section 40(2) of the Freedom of Information Act. This is an absolute exemption and not subject to the public interest tests.