

23 August 2023

Dear ,

### **ATISN 18793 - Trydan Gwyrdd Cymru staff**

Thank you for your request which I received on 2 August 2023. You asked for information relating to the staffing of Trydan Gwyrdd Cymru:

- How many staff will be employed under the State-owned Renewable Energy developer?
- What are the salary bands for all staff?
- Is the Chief Executive role a full time, permanent position?
- What is the salary of the chief executive?

### **Our response**

A copy of the information I have decided to release is enclosed.

I have decided that **some of the information described in the enclosed list** is exempt from disclosure under section(s) **43** of the **Freedom of Information Act** and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex A to this letter.

### **Next steps**

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: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

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,

**How many staff will be employed under the State-owned Renewable Energy developer?**

The Renewable Energy Developer will employ up to 12 members of staff in its early years. To date, the following roles have been advertised:

- [Chief Executive](#)
- [Independent Chair](#)
- [Development Director](#)
- [Head of Public Involvement](#)
- [Project Managers x 3](#)

**What are the salary bands for all staff?**

Salary bands have not yet been established. They will be established during the recruitment process.

**Is the Chief Executive role a full time, permanent position?**

The Chief Executive role is full time and permanent.

**What is the salary of the chief executive?**

Information withheld under section 43 of the Freedom of Information Act.

## Annex A

### Application of exemptions/exceptions

The Freedom of information Act/Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

- What is the salary of the chief executive? EXEMPTION 43

This Annex sets out the reasons for the engagement of section(s) **43** of the **Freedom of Information Act** and our subsequent consideration of the Public Interest Test.

### Engagement of section 43 (Commercial Interest) of the Freedom of Information Act

The exemption states:

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 Welsh Government believes that the **Chief Executive's salary information** should be exempt from disclosure. The successful applicant for Chief Executive has not yet started in role and recruitment of other officers is underway. At this point in time we believe this information to be commercially sensitive.

### Public Interest Test

In order to satisfy the public interest test in relation to the exemption(s), it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

### Public interest arguments in favour of disclosure

The Welsh Government recognises the public interest in openness and transparency within government, particularly in terms of ensuring an accountable government by disclosing how the Welsh Government spends public money and that the money is invested wisely.

## **Public interest arguments in favour of withholding**

Disclosure of this information would provide other renewable energy developers and potential employees of Trydan Gwyrdd Cymru a level of information not otherwise available to them. This would be likely to enable them to obtain an advantage over Welsh Government. We do not believe facilitating this type of unfair competitive advantage would be in the wider public interest.

Whilst the withheld information would be of interest to other competitors and potential employees, we do not believe it would be of sufficient interest to the wider public to countervail the public interest in withholding the information. I do not believe there is a public interest in prejudicing the commercial interests of the Welsh Government or the company by the release of this information.

## **Balance of public interest test**

I am aware the sensitivity of information is likely to reduce over time. Therefore, the age of the information, or timing of the request, may be relevant in determining whether to apply an exemption, or where the public interest may lie. In this case the information captured is very much current information. I believe therefore that the balance of the public interest falls in favour of withholding the information.