

Date: 18 December 2024

Dear

Complaint in respect of ATISN 22066

Further to your email of November 22, I have undertaken an internal review into our handling of your freedom of information request ATISN 22066. This letter sets out the outcome of my investigation.

Your full original request, received on November 1, was for:

1) For all subject access requests (SAR), namely requests made by or on behalf of an individual for the information which they are entitled to ask for under Article 15 of the UK GDPR, how many were received in total in 2023?

2) For subject access requests (SAR) received, please provide:

a) The date a data subject (or someone acting on their behalf) asserted their right of access to the Welsh Government

b) The method of asserting the right of access, eg verbally, by email, via a letter mailed or hand delivered to the Welsh Government, by social media etc.

c) The party making the request, ie an individual themselves, a relative, friend, solicitor, child advocacy service, charity, attorney etc. Please note I am not asking you to identify any individual or third party, just the relationship of the requestor to the data subject

d) The scope of the SAR, ie if limited to particular functional area(s) or set(s) of records within the Welsh Government, or whether the request encompassed all the processing of personal information performed by Welsh Government

e) The date on which the Welsh Government fully complied with the SAR. By "fully" I mean that where a data subject had to lodge a complaint with the ICO or another

supervisory authority, the final date that the Welsh Government came into compliance

f) If the Welsh Government has extended the time to respond (beyond the Controller's duty to comply with a SAR without undue delay and at the latest within one month of receipt of the request or within one month of receipt of any information legitimately requested to confirm the requester's identity) then please identify the reason to seek such an extension

g) the date the data subject was informed of any extension (for each applicable, per f above)

Please ensure that all data provided is in a reusable format at 3 Level (or above), per the Welsh Government's Open Data Plan (2016), and that all dates are consistently entered in a machine recognised format for ease of further analysis (ISO 8601 [YYYY-MM-DD] preferred).*

Your complaint was specifically regarding our response to (d). You have said:

The CSV entry for the SCOPE shows either "ALL PERSONAL DATA" or "FUNCTIONAL AREA". For requests limited in scope to FUNCTIONAL AREA, it does not say what the FUNCTIONAL AREA(s) was(were). This limits analysis of the Welsh Government's performance and compliance with the UK GDPR. You have not supplied "The scope of the SAR" as I requested.

Reading your request as a whole, I note that the categories you stated in (d) were preceded with i.e. on a plain reading of your request, it is clear you were asking if the requests were limited to personal data being processed within a particular functional area, or whether the request was for all personal data being processed by Welsh Government as an organisation (none of the requests were limited to sets of records).

There is nothing in the wording that suggests you were looking for 'functional area' to be further sub-divided or broken down in any way. To that end, I am satisfied that the original response provided you with the information you requested, and so I do not uphold your complaint.

Welsh Government would be happy to consider your further request to provide a further breakdown of 'functional area'. However, we would need more detail to clarify exactly what information you are looking for.

For example, the Health, Social Care and Early Years is a functional department within Welsh Government, but this is broken down internally into various directorships, which are further broken down into various divisions and branches. To ensure we provide you with the information you are seeking, we would be grateful if you could provide confirmation of the level of information you are seeking. Without this information, we will be unable to process your request.

I have considered your complaint in accordance with the procedure outlined in the Welsh Government's Practical Guide for Making Requests for Information which is

available by post on request or via the internet at: <https://www.gov.wales/requesting-information-welsh-government-html>

If you remain dissatisfied with this response you 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

Telephone: 0303 123 1113

Website: www.ico.org.uk

Yours sincerely,

Chief Digital Officer