

Freedom of Information Act 2000 - Request Reference FoI/23/123
FoI Exemption Criteria

I want to analyse why some FOI requests were rejected, and why the data processing of some requests would exceed the 'cost limit'(under s.12 of the Freedom of Information Act (2000)).

Firstly, I want to ask some questions about your information storage system.

1. What is the electronic systems do you use to store operational data such as excel, email and SQL?

Cardiff and Vale University Health Board is one of the largest NHS organisations in Europe, providing health and wellbeing services to a population of around 472,400 people living in Cardiff and the Vale of Glamorgan. We also serve a wider population across South and Mid Wales for a range of specialties. To deliver and manage these services, it is necessary for C&V to utilise hundreds of different software solutions – some local, some national.

2. Whether the query can be completed by searching keywords in the interactive interface, or need to use the database for the query. If there are restrictions on this, please provide them.

The UHB does not hold this information. The Freedom of Information Act creates a right of access to recorded information. A public authority does not have to create new information or provide opinions or judgments that are not already held in recorded form.

3. What is the educational background (qualifications) of the staff members handling FOI requests – including those who make estimates under s.12 - and can they search the database using a programming language (e.g. SQL)? We are not interested in the names of the staff members, merely their qualifications.

After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In accordance with the UHB's Section 16 duty to provide advice and assistance, the UHB can confirm that its information is not stored on a single database that could be queried to answer all FOI requests.

I also want to know the common reasons that you may reject requests under s.12.

1. In the past 5 years, how many requests have been denied under s.12.

2023 – 14
2022 – 91
2021 – 66

2020 – 58

2019 – 32

2. For those requests in (1), can you provide a list of any recorded reasons that you rejected the request? (i.e. the detail of the 'estimate' you relied upon under s.12)

The UHB applies s12 wherever it is estimated that it would take in excess of 18 hours to retrieve the information sought. This will often be applicable where information is not centrally collated and exists only in individual patient records.

3. For those requests in (1), could you please provide us with your search process (or proposed search process) for documents required for these rejected request cases?

The UHB does not hold this information. The Freedom of Information Act creates a right of access to recorded information. A public authority does not have to create new information or provide opinions or judgments that are not already held in recorded form.

In accordance with the UHB's s16 duty to provide advice and assistance, the UHB can confirm that it would not be possible to establish a single search process that would be suitable for retrieving all information held by the UHB. Information is held across hundreds of different software solutions. Instead, what constitutes an appropriate search is considered on a case-by-case basis in collaboration with the relevant UHB department(s).