

Freedom of Information Act 2000 - Request Reference FoI/23/127
Subject Access Requests

Information Requested:

1. How do you process Subject Access Requests?

SARs are processed in accordance with section 15 of UK GDPR.

2. What tools do you use to ensure that what needs to be redacted from patient records is redacted when responding to SARs?

e-redact, by footprint solutions.

3. How do you share/send personal/patient information with insurance companies or solicitors when you receive such a request?

Information is shared securely in electronic format. Cardiff and Vale University Health Board (the UHB) is withholding this information, relying on Section 31 (1) (a) of the Freedom of Information Act 2000 (prevention and detection of crime). Specifically, the UHB believes that disclosing details regarding its ICT infrastructure, or support of that infrastructure, would be likely to prejudice the prevention of crime, particularly cyber-crime. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

Public Interest Test:

In favour of disclosure: The UHB recognises there is a public interest in transparency and in public authorities demonstrating that their systems effectively protect personal data.

Against disclosure: There is a very strong public interest in protecting the extremely sensitive data held by the UHB. Cyber Security and the associated Cyber-Risk / Cyber-Attacks represent a rapidly evolving arena that becomes more complex and dangerous with time. Releasing details of the UHB's ICT infrastructure into the public domain significantly reduces its capacity to manage this threat to the stated public interest by exposing potential vulnerabilities.

Decision: The UHB considers that the public interest in withholding the information is significantly greater than any interest there may be in disclosing it and potentially exposing sensitive personal data to an increased level of risk. The UHB strongly believes that posing additional unnecessary risk to the UHB, and consequently patient care and safety, would be viewed as an unacceptable risk by the public. Whilst the UHB acknowledges a public interest in providing assurances of effective protection of personal data, it believes the most effective means of increasing public confidence in data protection is to successfully protect the data itself. The UHB considers its responsibility to protect the personal data of patients and staff to be of the highest importance. It was therefore decided that it was not in the public's interest to disclose this information.