

Freedom of Information Act 2000 – Request Reference FoI/24/095

Complaints

Information Requested:

- How many complaints, together with nature of complaints issued against [named individual].
- Also, how many complaints have been made against Noah's arc and children's ward of university hospital of wales, heath, Cardiff

Following Cardiff and Vale University Health Board's request for a time period in respect of the above requests for information, the requestor also asked for the following.

- I'd like to request information on [named individual] from June 2011 to February 2024 regarding any complaints against [them].
- Also, all complaints issued against UHW - Noah's Arc department whilst [named individual] was [the individual's job titles] between 2019 to 2024.
- Finally, all complaints against Noah's arc from June 2011 to 2024 including complaints against all staff that worked on all wards of Noah's arc between June 2011 to February 2024

Response Details:

After considering your requests for complaints against a named individual, Cardiff and Vale University Health Board (the UHB) believes that the data requested would be classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018. For this reason, the UHB has replaced identifiable information with square brackets to avoid the risk of reidentification, in line with the data protection principles set out in Article 5 of the GDPR. Please be assured that this has not adversely affected your above requests for information in any way.

In accordance with section 40(5B)(a)(i) and (ii) of the Freedom of Information Act 2000 (FOIA 2000), the UHB can neither confirm nor deny whether it holds information on complaints made against the named individual. To confirm or deny that the information is held would contravene the data protection principle of lawful, fair and transparent processing as outlined in Article 5(1)(a) of the GDPR.

For the purposes of disclosure under the FOIA 2000, employees of a public authority might have a reasonable expectation that their employers would not inform the public on whether such information about them existed. It might be apparent that confirmation or denial in this context would cause an employee damage and distress.

Since section 40(5B)(a)(i) and (ii) of the FOIA 2000 entails an absolute exemption, there is no requirement to apply the public interest test.

Additionally, in respect of complaints made in relation to Noah's Ark Children's Hospital for Wales (CHFW), please see the below table. The UHB is only able to provide information from 2015; prior to this, CHFW was not identified as a separate University Hospital of Wales site.

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	Total
Complaints	22	27	47	80	115	77	86	95	140	25	714