



16th May 2019

Dear _____,

ATISN - 13117 – Membership of Institute of Chartered Foresters

Thank you for your request which I received on Monday 15th April 2019, asking for a list of employees who have their membership of the Institute of Chartered Foresters (ICF) paid by Welsh Government.

As outlined in previous correspondence with the Minister for Environment, Energy and Rural Affairs of 26th March 2019, the Welsh Government encourages the continual professional development of staff's expertise and where appropriate pays corresponding professional fees. Welsh Government has paid for one member of staff to be a member of the ICF in the last Financial Year. We have decided that the name of that official is exempt from disclosure under Section 40(2) of the Freedom of Information Act (FOIA) and so is being withheld.

Section 40(2) of the FOIA sets out an exemption from the right to know if the information requested is personal information of someone other than the requester and is protected by the Data Protection Act 2018 (DPA).

Personal data is defined in Section 3(2) of the DPA as:

“Personal data” means any information relating to an identified or identifiable living individual

Under Section 40(2) of the FOIA, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the General Data Protection Regulations (GDPR). We consider the principle being most relevant in this instance as being the first GDPR principle which states that personal data shall be processed fairly.

In this instance, we believe the data subject has no expectation that their personal information would be made public. The payment is made to them as a matter of personal

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

professional development in line with Welsh Government policy, and such personal professional development of staff is personal information which staff do not expect to be placed in the public domain.

We believe release of this information would be unfair and so breach the first data protection principle. For this reason the information is being withheld under section 40(2) of the Freedom of Information Act. This is an absolute exemption and not subject to the public interest tests .

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.of.information@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