

To:

15 January 2020

Dear ,

Complaint in respect of ATISN 13544 – Internal Review of the Equality Impact Assessment for the Transgender Action Plan

Thank you for your correspondence of 14 December in which you made a request for an internal review relating to your earlier request ATISN 13544.

Further to Rae Cornish's acknowledgement letter to you of 16 December 2019, I was requested by Tracey Burke, Director of Education and Public Services, to conduct the internal review of 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.

You asked for an internal review of Welsh Government's handling of your FOI request 'Documents relating to the Children's Rights and Equality Impact Assessments for the Transgender Action Plan'.

This letter is to inform you of the outcome of my review.

We acknowledge that you asked for 'all external emails and documents relating to this post -2015 consultation'. Officials have already confirmed that there was no consultation post 2015 and therefore we do not hold this information.

In our response dated 27 November, we should have made it clear that we searched for electronic files including typed and scanned versions of any physical documents. The Welsh Government does not hold printed copies of documents on any physical filing system.

On the matter of the CRIA, we did not limit our searches by date and therefore the search captured the dates that you suggest: from December 2015 - to mid-2016. It remains the case that the EIA documents relating to this request cannot be found.

It is essential to retain the supporting documents for the Transgender Action Plan. We concede that the record keeping of the two Impact Assessments relating to the Transgender Action Plan fall short of the standards to which you, and we, should expect.

This is an unsatisfactory result, and we fully understand your frustration. However, the fact remains that we are unable to find the missing Impact Assessments associated with the Transgender Action Plan.

I have reviewed the action taken to try to locate the documents relating to the Children's Rights and Equality Impact Assessments for the Transgender Action Plan and any drafts of this document and am satisfied that reasonable steps were taken to ascertain whether the information is held by the Welsh Government. No version of this document could be located. Therefore I uphold the original response in the letter reference ATISN 13544 that was emailed to you on 27 November 2019.

However, we have continued to explore further routes for searching our electronic file vaults. Our technology team has advised that this further search of all personal and shared electronic files of those people who were involved in the work of the EIA and Transgender Action Plan will take a full two weeks. We will respond to you again when this work has been completed.

If you wish to discuss any of the issues in this letter with officials, please email the equality mailbox: EqualityBranch@gov.wales and we will arrange a time to meet at your convenience.

If you remain dissatisfied with this response you also have the right to complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745

Fax: 01625 524 510

Email: casework@ico.gsi.gov.uk

Also, if you think that there has been maladministration in dealing with your request, you have the option to make a complaint to the Public Services Ombudsman for Wales who can be contacted at:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
Bridgend
CF35 5LJ

Telephone: 0845 6010987 (local rate)

Email: ask@ombudsman-wales.org.uk

Yours Sincerely,

Carla Lyne

Director,

Education and Public Services Operations Team