



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: ATISN 14140

25 August 2020

Dear

Complaint in respect of ATISN 14140- Infected Blood

In your Freedom of Information request 12 July 2020, you asked for:

All correspondence received where the search term "infected blood" appears in the e-mail subject or body, during the period 1st Jan 2020 - 31st March 2020 by Department of Health & Social Services from the Department of Health & Social Care and/or Cabinet Office

On 16 July, your request was acknowledged confirming the information you wished Welsh Government to provide. A search was conducted of mailboxes and files for any documents that met your specific requirements.

When considering whether requested information should be released we have to consider the wider effects of placing that information into the public domain at the time the request is made. Officials looked at the information sought and concluded that all of the information we hold that was captured by your request engaged the following exemptions:

*Section 28 – Relations within the UK,
Section 35 – Formulation of Government Policy.*

Both of these exemptions are qualified exemptions and were subject to the Public Interest Tests. Having concluded the Public Interest Tests, we wrote to you on 7 August advising that, in this instance, information related to your request was held for the purpose of formulation and development of government policy and disclosure of the information in question would, or would be likely to prejudice relations with the UK Government and is therefore exempt under Section 28(1) and Section 35(1)(a) of the FOIA at this time.

You responded indicating that you did not believe all of the information we hold fell within the scope of these exemptions. You have suggested that information captured by your request would relate to the on-going infected blood inquiry and thus do not relate to the formulation of policies relating to support schemes. You also indicated



that where the information does engage the exemptions, that you were of the view that the wider public interest favoured disclosure irrespective any of harm that might arise.

I have conducted a review of your case and I am satisfied that all of the information captured by your request engages the two exemptions cited, for the reasons set out in the response letter of 7 August, and that consideration of the public interest tests were correctly applied and I believe the information should continue to be withheld.

Consequently, I am satisfied with the original decision that was reached and I do not uphold your complaint.

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: to 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,

Peter Jones
Dirprwy Gyfarwyddwr Gweithrediadau/Deputy Director of Operations