



Llywodraeth Cymru
Welsh Government

ATISN 14344

19 October 2020

Dear

ATISN 14344 – COVID-19 personal data capture and processing

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) received on 22 September. You requested the following -

- 1. Copy of the guidance received by Welsh Government from I C O, specifically with regard to the role of the private sector as "data controller" under the T T P programme, and*
- 2. Copy of any guidance provided by Welsh Government to the private sector [hotels, public houses and leisure facilities] setting out their legal obligations as "data controllers" under the Data Protection Act 2018.*

Welsh Government does not hold information of this description.

Any business that processes personal data of its staff or customers will already be a data controller under the General Data Protection Regulation. Under the Data Protection (Charges and Information) Regulations 2018, they are required to register as such with the Information Commissioner and also pay a fee unless they are exempt. Compliance with the data protection legislation – including The Data Protection Act 2018 - is a matter for each data controller; data protection is not a devolved matter and Welsh Government does not have remit to advise data controllers on their compliance with the law.

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.ofinformation@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,