

Y Grŵp Addysg a Gwasanaethau Cyhoeddus
Education and Public Services Group



Llywodraeth Cymru
Welsh Government

Eich Cyf/Your Ref:
Ein Cyf/Our Ref: ATISN 13448

Mr Daniel Morris

Email: request-607884-168a73e9@whatdotheyknow.com

25 October 2019

Dear Mr Morris

ATISN 131448: One Voice Wales financial support and reporting 2012-2019

Thank you for your request which I received on 27 September 2019. The information you requested is enclosed in a series of emails attached.

As set out in my letter of 18 October, the Welsh Government has no direct authority/oversight over One Voice Wales. The core grant that the Welsh Government provides to One Voice Wales is non-specific funding to ensure the organisation remains financially sustainable as a representative body of community and town councils. The scrutiny applied to the core grant funding provided by us is through quarterly monitoring meetings and reporting against general indicators which demonstrate the provision of its overall support to its members.

The information provided is as follows:

- A summary of payments made by the Welsh Government to One Voice Wales is provided in a table in email 1 to follow this letter.
- Annual reports produced by One Voice Wales for 2016-17 and 2017-18; and their Final Accounts for 2018-19 are provided in email 2
- 25 out of the 29 monitoring reports for the period 2012 – 2019 have been located and attached in a series of emails numbered 3 – 10.
- Where we have located the financial information provided by One Voice Wales as part of monitoring information, the excel spreadsheets have been converted to CSV (comma delimited) format and included in the series of emails, located with the relevant monitoring report.

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.



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Under s40(2) of the Freedom of Information Act 2000, some names of individuals have been redacted in the One Voice Wales monitoring reports. In line with the Welsh Government's policy for handling electronic documents containing redactions, the reports have been converted to PDF documents.

Freedom of Information Act 2000: Section 40(2)

Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

'Personal data' is defined in sections 3(2) and (3) of the Data Protection Act 1998 ('the DPA 2018') and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, the information requested contains third party personal data.

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 GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

"processed lawfully, fairly and in a transparent manner in relation to the data subject"

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f). This states:

"processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child".

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test:-

- **The Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information;
- **The Necessity test:** Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
- **The Balancing test:** Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

1. Legitimate interests

Reviewing the personal data caught by this request we cannot identify any legitimate interests in disclosure of the personal data. The identities of the individuals would add nothing to the understanding of the information as these were simply representing the relevant organisations and it is the identity of those organisations which is of interest.

2. Is disclosure necessary?

The meaning of the information in the reports is not deemed to be altered by the removal of named individuals. In most instances of where individual names are redacted, the organisation which the individual is representing is named.

3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

As we have been unable to identify a legitimate interest in disclosure of the personal data nor do we believe disclosure is necessary, there is, we believe, no arguments to challenge the fundamental rights and freedoms, to protect individual's personal data, of the data subjects.

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



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