**Freedom of Information request to Public Health Wales**

<table>
<thead>
<tr>
<th>FOI Reference:</th>
<th>FOI 733</th>
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<tr>
<td>Date request received</td>
<td>23 April 2021</td>
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<tr>
<td>Date information is due to be sent</td>
<td>21 May 2021</td>
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**Information Requested:**

I am writing to request that a copy of the investigation report by Rhondda Cynon Taf into a case of infectious disease at DVLA be shared with DVLA. I am aware that DVLA have previously requested this report from HSE but it has not, to date, been provided.

You will be aware that as an employer, DVLA has health and safety duties and responsibilities, including those related to the risk of COVID-19 amongst its workforce. This includes a responsibility in relation to risk assessments, and appropriate review of those risk assessments. It is obviously important that DVLA has access to all pertinent information available so that it can fulfil those duties and responsibilities. There is a serious risk that DVLA will be unable, without sight of the report, to assess the information in it to enable it to consider how that information might impact on or engage those duties and responsibilities, particularly as to reviewing its risk assessments.

I would therefore be grateful if the report can be provided as a matter of urgency: if Public Health Wales is unwilling to provide it, please could you let me know, as soon as possible, the reasons for that.

**Information provided for the answer:**

For case investigations the originators of the data are Rhondda Cynon Taf County Council. For minutes of meetings the originators are Swansea Council.
The outbreak at the DVLA was declared over on 24 February 2021. Public Health Wales will issue a close out report within 3 months of the outbreak being declared over.

Under section 22 of the Freedom of Information Act 2000, I can refuse a request for information that is due to be published in the future. Before doing so however, I am required to consider the public interest in either releasing the information or engaging the exemption. Whilst there is a significant amount of interest in the information requested, there is also a significant public interest in delivering an effective Public Health service at this present time. Developing the information to make it suitable for publication at this time would incur diverting resources from the critical day to day resources of managing the pandemic thereby degrading the other services that Public Health Wales is expected to deliver as part of the response to the emergency. Whilst the report will be published within 3 months we aim to do this as soon as is reasonably practicable.

The outbreak report will not go into full details of that particular case but will provide an overall picture of the investigation, findings, evidence of meetings that took place and recommendations. It will not be helpful to provide correspondence prior to release that may be taken out of context and cause unnecessary harm or confusion. The report will be formulated by the members of the outbreak control team and present an independent view that is publically available.

It is my opinion that the public interest in releasing the information is outweighed by the public interest in maintaining the public health service. As a result I am engaging the exemption provided by section 22 and refusing the request.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Email: wales@ico.org.uk