

 GIG CYMRU NHS WALES Iechyd Cyhoeddus Cymru Public Health Wales	Name of Meeting Audit and Corporate Governance Committee Date of Meeting 3 September 2026 Agenda item: 8.2
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Integrated Governance Division: Information Governance Performance Report Q1 2026/2027	
Executive lead:	Claire Birchall, Executive Director of Nursing, Quality and Integrated Governance.
Author(s):	John Lawson, Head of the Information Governance Service

Approval/Scrutiny route:	Stuart Silcox, Assistant Director, Integrated Governance Received out of meeting by Leadership Team on 21 August 2026.
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Purpose To provide assurance and updates from the Integrated Governance Division for Q4 2025-2026, specifically the following: - Information Governance Performance Report for Q1 2026-2027

Recommendation:				
APPROVE ☐	CONSIDER ☒	RECOMMEND ☐	ADOPT ☐	ASSURANCE ☒
The Committee is asked to: • Consider and take assurance from the Information Governance Performance Report and note the data breaches were considered in the private meeting of the Committee.				

Link to Public Health Wales [Strategic Plan](#)

Public Health Wales has an agreed strategic plan, which has identified seven strategic priorities and well-being objectives.

This report contributes to the following:

Strategic Priority/Well-being Objective	All Strategic Priorities/Well-being Objectives
Strategic Priority/Well-being Objective	Choose an item.
Strategic Priority/Well-being Objective	Choose an item.
Summary impact analysis	
Equality and Health Impact Assessment	No Equality and Health Impact Assessment is required.
Risk and Assurance	This report will provide assurance that: The Information Governance Management System is operating effectively. Risks around Information Governance are known and highlighted in Directorate and Corporate (where necessary) Risk Registers, with clear mitigation actions recorded.
Health and Social Care (Quality and Engagement) (Wales) Act	This report supports and/or takes into account the <u>Health and Care Quality Standards for Wales</u> .
Financial implications	The Information Governance Performance report outlines the performance of the Information Governance Management System to further reduce the risk of breaches of data protection legislation with the associated risk of significant fines and sanctions from the Information Commissioner.
People implications	None

1. Purpose / situation

To provide assurance and progress on Integrated Governance for the period Q1 2026-2027.

- **Information Governance Update**

Background

The Information Governance Performance Report provides assurance that Public Health Wales maintains an Information Governance System in order to:

- discharge its responsibilities to ensure the security and appropriate use of personal information; and
- demonstrate compliance with data protection legislation.

Executive Director accountability and greater assurance that information risks are addressed is provided by Public Health Wales's designated Senior Information Risk Owner (SIRO), the Director of Research, Data and Digital.

Freedom Of Information Act (FOI)

Under the Freedom of Information Act 2000, the organisation is required to comply with the appropriate release of information within the legislative timeframe. This is generally 20 working days from receipt of the request. However, this deadline is sometimes extended legitimately, e.g. when there is a requirement to seek clarification from the requestor or where we are considering an exemption requiring a public interest test.

There were 69 requests received in Q1, with 6 requests falling outside of compliance, therefore the compliance for Q1 is 91.3%.

There has been an increase of 9.5% (5 total request increase) in amount of FOI requests received in comparison to the last quarter (Q4). The amount of non-compliant requests has increased from Q4 to Q1; with only one non-compliant request being recorded in Q4 compared to six non-compliant requests being recorded in Q1 of 2026. The reason for the increase in non-compliance is a combination of:

- A notable increase in complex and lengthy information requests that require consultation with wider teams
- Delayed responses and returns from Directorates and Teams
- Third party consultations

The Information Governance Service has seen a sizable increase in requests received over the months. An increasing number of requests appear to have been generated or supported by artificial intelligence tools such as ChatGPT and Microsoft Copilot. Consequently, requests are often more detailed and complex, presenting challenges not previously encountered in this area and continue to be kept under close review.

The below table shows an overview of all non-compliant FOI requests from Quarter 1.

FOI	Days out	Dept.	Comments on Response Delay
FOI 2026 075 Neonatal herpes surveillance and notification Wales	10	NHSWP&I, Health Protection, CARIS, CRDP	The request was initially received into the AWARE inbox on 7 April 2026. After consideration by AWARE and Information Governance colleagues, a decision was taken to manage the request through the formal information request process, coordinated centrally by the Information Governance Team. Due to the wide-ranging nature of the request, contributions were required from several internal teams, and consultation was undertaken with the Welsh Government.
FOI 2026 078 Net Zero Staff and Consultant Spend	6	Finance, POD, HPSS, Policy & International Health, Facilities	Delay in response from HPSS. Due date is recorded as 22 nd May with HPSS confirming no information held to contribute on 27 th May.
FOI 2026 094 Hafan y Waun Care Home	10	HPSS, NHSWP&I	Due date recorded as 11 th June. Returns provided by HPSS on 21 st May. These included multiple E-Mails and Tarian record extractions that referenced third parties and required evaluation and redaction. There was an error in sending documentation for consultation to the wrong Health Board, which caused a delay. This was recorded on Datix.

EIR 2026 127 River Tawe Possible Pollution Incident	2	HPSS, NHSWP&I	Complex Environmental Information Request involving a large volume of detailed information and significant contributions from Health Protection colleagues. The request also necessitated consultation with three external organisations to ensure appropriate consideration of information prior to release.
EIR 2026 120 Public Health Risks form BESS Installations	2	HPSS, NHSWP&I	Complex Environmental Information Regulations (EIR) request seeking a broad range of information, including correspondence with five external third-party organisations. The response required extensive review and the application of Section 40 (personal information) redactions, which were subject to quality assurance checks prior to disclosure.
FOI 2026 128 Telephony and contact centre information	18	IT	The request was received on 24 June. IT provided responses on 21 and 22 July; however, as the information had been collated from multiple sources, inconsistencies and conflicting statements were identified. This resulted in additional liaison and review work to reconcile the responses and confirm an accurate and consistent position. The response is pending review as of 18 th August.

Failure to deliver timely response time for FOI is a key deliverable for PHW. Whilst the complexity of requests provides obstacles to delivering within timeframes, the handling of requests when they are shared within the organisation requires further understanding. Further work has been undertaken to provide understanding across leadership surrounding best practice and how it should be applied. The weekly SIRO meetings keep the timeliness of request handling under constant review and identify areas for further improvement ensuring a consistent approach across all areas of PHW.

Subject Access Requests (SAR)

The organisation has a responsibility to provide personal information if it is requested by an individual in the form of a SAR. The number of requests has increased since the previous quarter, with an average of 16 days taken to respond. There were 12 requests received and 11 were responded to within the timeframe. The single SAR that was out of compliance was due to a delay in getting the information from the relevant department and internal sign off.

There is a noticeable trend towards dissatisfied staff members seeking to use the provisions of data protection legislation to potentially build employment cases against the organisation. PHW has received a number of such cases in the previous 12 months which are highly complex and detailed requests. Each one takes a significant amount of time and resource to handle, not just within the Information Governance Service but also the wider organisation.

It is now clear that many if not all such requests are supported by AI platforms such as ChatGPT and MS CoPilot. This means that the complexities of the requests are on a level not previously seen. The developments are being kept under close scrutiny.

Personal data breaches

There is a requirement under the UK General Data Protection Regulation (UK GDPR), in which PHW is required to risk assess all personal data breaches and under certain circumstances to report them to the Information Commissioner's Office (ICO), and the data subjects involved.

All personal data breaches are reported on Datix and are automatically flagged to the Information Governance Service. A risk assessment is then carried out through a Standard Operating Procedure and if the risk assessment suggests that the breach is either ICO or data subject reportable, the breach is referred to the SIRO for a decision.

The data breaches were considered at the Private meeting of the Committee.

Mandatory Information Governance Training

Organisational wide compliance as of the end of the reporting period was 87.65% which is above the NHS target of 85%.

Directorates are regularly reminded to ensure that staff maintain complete and up to date Mandatory Information Governance Training as there is a risk that reportable data breaches may occur where staff are not compliant with their mandatory training.

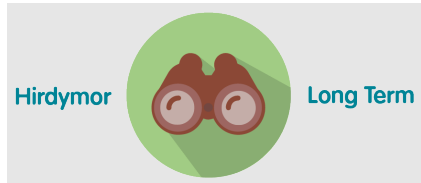
Information Governance - Development and Improvement

PHW has established strong Information Governance assurance processes through the direction of the SIRO and the Executive Director of Nursing, Quality and Integrated Governance and the implementation of the Information Asset Owner (IAO) network across the organisation. Weekly meetings are chaired by the SIRO with the Executive Director of Quality Nursing and Integrated Governance, the Assistant Director of Integrated Governance (Deputy SIRO), the Head of Informatics, the Head of Information Governance and the Lead Cyber Security Manager to review IG performance across the organisation and to discuss current and emerging issues.

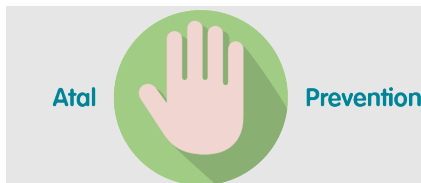
There is now also a monthly Information Security Board meeting (previously the Cyber Programme Board) under the chairmanship of the SIRO and comprising members of both Digital Services and Information Governance, and also representatives from across the organisation.

The Information Governance Service will transfer to the Board Business Unit in October 2026 as part of the recently announced organisational change. The move, which is seen as a positive one, presents numerous opportunities to improve Information Governance in line with the other governance disciplines. The three year improvement plan developed by the Head of the Information Governance Service is still under consideration.

2. Well-being of Future Generations (Wales) Act 2015



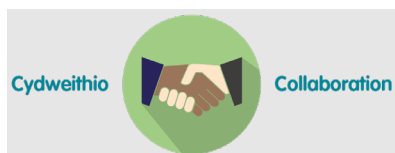
Analysis of trends the Information Governance team deal with and a proactive approach to FOI administration alongside a streamlined Records Management is essential to ensure the long-term viability and effectiveness of the organisation.



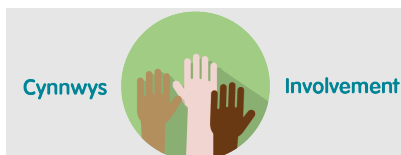
Training and guidance on best practice plus adherence to Records Management policies will proactively prevent the organisation from failing to comply with legislation including the requirements of the Freedom of Information Act 2000 and the Public Records Act 1958.



Integrated Governance's work is designed to integrate efficient processes and procedures for the benefit of all areas across the organisation.



Integrated Governance works regularly in collaboration with all PHW Directorates, and the Office for National Statistics have shared organisational learning from the recent implementation of a Records Management system.



All parts of the business will be involved in developing the Records Management system to ensure its proper integration across all business areas and all staff are encouraged to provide feedback on the Integrated Governance products they would like to see or any assistance needed.

3. Assurance

Assurance can be taken that:

- The IG work of PHW continues to progress in line with the revised focus of the SIRO, and evidenced by key deliverables around FOI, SAR and data breach metrics.
- Continual improvement to PHW's IG procedures support the revised focus of the SIRO.



4. Recommendation

The Committee is asked to:

- **Consider** and take **assurance** from the Information Governance Performance Report and **note** the data breaches were considered in the private meeting of the Committee.