



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd  
Addysgu Powys  
Powys Teaching  
Health Board

Information Governance Team  
Monnow Ward  
Bronllys Hospital  
Bronllys  
Brecon  
Powys LD3 0LY  
Email: Powys.FOI@wales.nhs.uk  
Tel: 01686 252159/01874 442071

Our ref: IG/FOI/23.R.354

2 November 2023

Sent via email to: [REDACTED]

Dear [REDACTED]

## Request under the Freedom of Information Act 2000

I write further to your request for information which was received on 13 October 2023, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) does hold the information that you require.

For ease of reference your request is set out below and our response follows:

### Your Freedom of Information (FOI) Request:

Under the Freedom of Information Act, I would request you to respond to questions included in the attachment.

For any reason if you are unable to open the attachment do let me know. I can then send the questions within the email itself.

Please note: If you do not have records relating to the questions in the attachment, please pass on this request to your IT department to provide us with the required information.

### Powys Response:

Please see FOI 23.R.354 Attachment 1 for Powys Teaching Health Boards response to your request.

Please see FOI 23.R.354 Attachment 2 for Powys Teaching Health Board Digital Strategic priorities.

With regards to question 1, I confirm that PTHB holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply:

Pencadlys  
Tŷ Glasbury, Ysbyty Bronllys,  
Aberhonddu, Powys LD3 0LU  
Ffôn: 01874 711661



Headquarters  
Glasbury House, Bronllys Hospital  
Brecon, Powys LD3 0LU  
Tel: 01874 711661

Rydym yn croesawu gohebiaeth Gymraeg  
Bwrdd Iechyd Addysgu Powys yw enw gweithred Bwrdd Iechyd Lleol  
Addysgu Powys



We welcome correspondence in Welsh  
Powys Teaching Health Board is the operational name of  
Powys Teaching Local Health Board

Section 31(1a) - The prevention or detection of crime:

*"Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—*

*(a) the prevention or detection of crime"*

Section 30 of the Freedom of Information Act 2000 does not apply to this request.

This information is exempt from disclosure under Section 31(1a) of the Freedom of Information Act 2000 (FoIA). We consider that if the data you have requested were to be combined with other information which may be available in the public domain, there would likely to be an increased risk of a cyber-security attack upon the Health Board. As part of the Critical National Infrastructure for the NHS, the Trust/Health Board has a duty to protect the integrity of our systems. The disclosure of the information requested could expose weaknesses in our systems and lead to breaches, making the UK or its citizens, in this case our patients, more vulnerable to security threat.

Section 43 Commercial Interests of the Freedom of Information Act. This section of the Act sets out an exemption from the right to know if releasing the information is likely to prejudice the commercial interests of any person (a person maybe an individual, company, the public authority itself or any other legal entity). Were our systems to be compromise, the cost of a system recovery would be detrimental to the Health Board's commercial interests.

### **Public Interest Test**

To use these exceptions, we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

#### **Factors in favour of disclosure:**

- Disclosure of the data supports the public interest in the transparency, accountability and general understanding of the delivery of public services.

#### **Factors in favour of withholding:**

- Breaches in Trust/Health board security and is therefore a reasonable threat to the confidential patient data held on our systems.
- Temporary or long-term lack of availability of IT systems
- Corruption/loss of patient data which would prevent or interrupt provision of patient care.
- Public interest in keeping PTHB's computer systems secure which would be served by non-disclosure.
- System recovery would be detrimental to PTHB's day to day business running.

There is a strong public interest in protecting the confidentiality of patient data and of ensuring that health care services can be provided to the public without increasing the possibility of attack by hackers or malware, or of putting

personal or other information held on these systems at risk of corruption or subject to illegal access. There is also an overwhelming public interest in keeping the Health Board's computer systems secure which would be served by non-disclosure. For these reasons PTHB has decided that it is in the public interest to withhold this information at this time. This response therefore acts as a refusal notice under section 17 of the FOIA.

Should you need any further assistance, please do not hesitate to contact me at the address below.

If you are dissatisfied, with the way your request has been dealt with by PTHB, you have the right to request a review in which case you should write to:

Chief Executive  
Powys Teaching Health Board Headquarters  
Glasbury House  
Bronllys Hospital  
Bronllys  
Brecon  
Powys LD3 0LY

If you are still dissatisfied at the end of the review, you may complain to the Information Commissioner, who can be contacted at the following address:

Information Commissioner's Office - Wales  
2<sup>nd</sup> Floor,  
Churchill House,  
Churchill Way,  
Cardiff, CF10 2HH  
Tel: 029 2067 8400 Fax 029 2067 8399  
[www.ico.org.uk](http://www.ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)

Rydym yn croesawu derbyn gohebiaeth yng Nghymraeg. Byddwn yn ateb y fath ohebiaeth yng Nghymraeg ac ni fydd hyn yn arwain at oedi. We welcome receiving correspondence in Welsh. We will reply to such correspondence in Welsh and this will not lead to a delay.

Yours sincerely



**Pete Hopgood**  
**Director of Finance, Information & IT Services**  
**Deputy Chief Executive**