

Our ref: IG/FOI/FOI.402.25

27 August 2025

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 11 July 2025, 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 but have applied an exemption to an element of this request. For ease of reference your request is set out below and my 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.

### Powys Response:

Q1, Q2, Q4 & Q5. Please see FOI.402.25 Attachment 1 for Powys Teaching Health Boards (PTHB) response to your above request.

Q1j. Regarding Security Infrastructure, 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. PTHB is withholding this information from disclosure under section 31(1)(a) of the Freedom of Information Act 2000. This section states,

“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 Trust. As part of the Critical National Infrastructure for the NHS, the Trust/Health Board has a duty to protect the integrity of our systems, and the Trust is of the opinion that disclosure of the withheld information would be likely to prejudice the prevention of these criminal acts in relation to the NHS Wales computer systems leading to the disruption of the operations of NHS Wales. It is our belief 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 31 is a prejudice-based exemption and therefore subject to a public interest test.

#### 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 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.

Q3. Under Section 21 of the Freedom of Information Act, an organisation does not have to respond to a request if the information being sought is reasonably accessible to the applicant by another means. Section 21 is absolute and therefore does not require a public interest test. PTHB has applied this exemption to your request as the information you are seeking is available in the public domain.

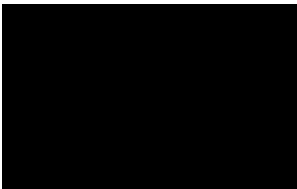
To comply with our obligation under Section 16 of the Act, the duty to provide help and assistance. For key decisions and priorities, please see the link below for PTHB's Integrated Medium Term Plan (IMTP):

<https://pthb.nhs.wales/about-us/key-documents/strategies-and-plans/integrated-medium-term-plan-2023-26/>

Under the terms of the Health Board's Freedom of Information procedure, individuals seeking access to recorded information held by the Health Board are entitled to request an internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request, please contact us directly at the address below or register your complaint via [Powys.FOI@wales.nhs.uk](mailto:Powys.FOI@wales.nhs.uk)

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 0330 414 6421.

Yours sincerely



**Vicki Cooper**  
**Chief Digital Data Officer**

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.