

Reference: IR872

Date issued: 7 June 2023

Tripartite NHS intervention correspondence

I am writing in response to your request for information dated 24 April 2023, which was for:

Copies of any correspondence seeking the views of Audit Wales to feed into Ministerial Advice on the representation of the tripartite decision-making process by Welsh Government Ministers.

I have determined that the information that we hold that meets this description falls within the exemption provided by section 33 of the Act, as disclosure is likely to prejudice the exercise of audit functions. Disclosure would discourage co-operation of public authorities with auditors, particularly in terms of the free flow of information that may be relevant to audit functions, and this would make it more difficult to conduct audit work effectively. The section 33 FOIA exemption is subject to a public interest test, so I have weighed this harm against the public interest in wider public knowledge in the workings of public sector auditors, such as to facilitate accountability in the use of public money. I have concluded that the public interest lies in maintaining the section 33 exemption, and I am therefore withholding the information.

Also, within the information that meets this description are email addresses for less senior officials and further contact details that fall within the exemption provided by section 40(2) of the Act, as this is personal data and disclosure may breach the data protection principles of the UK GDPR.

If you are dissatisfied with the handling of your request, you may request an internal review by emailing law.ethics@audit.wales.

I must also refer you to section 50 of the Act under which you may apply to the Information Commissioner for a decision on whether or not your request has been dealt with in accordance with the Act. The Information Commissioner's contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF
email : casework@ico.gsi.gov.uk
Tel: 0303 123 1113
Fax: 01625 524510

You should note, however, that the Information Commissioner will not ordinarily investigate a complaint until the internal review process has been exhausted. Further guidance may be found on the Information Commissioner's website:
<https://ico.org.uk/>

Information about how we process personal data is set out in our Privacy and Cookie Policy which is available on the Audit Wales website at:
<https://www.audit.wales/privacy-and-cookie-policy>. This includes information about your rights and how to contact the Information Commissioners Office.

If you have any queries, please do not hesitate to contact me.

Yours sincerely,

Information Officer