

Dear

**ATISN 16766**

Thank you for your request which I received on 19.10.2022. You asked for:

All minutes relating to the Diversity and Anti-Racist Professional Learning (DARPL) initiative and in particular meetings with a focus on creating the anti-racist training programme for teachers across Wales. In addition, a list of all members and the organisations they represent, and any grant awards given as part of the DARPL initiative.

**Our response**

The information you requested is enclosed at Annex [B-D].

I have decided that some of the information is exempt from disclosure under Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) of the Freedom of Information Act and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex [A] of this letter.

**Next steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

## **Annex A**

### **Application of exemptions**

The Freedom of information Act provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

- Names and job titles of attendees at meetings in relation to the Diversity and Anti-Racist Professional Learning (DARPL) Project.
- Names and job titles of individuals currently involved in the Diversity and Anti-Racist Professional Learning (DARPL) Project.

Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

This Annex sets out the reasons for the engagement of Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) of the Freedom of Information Act and our subsequent consideration of the Public Interest Test.

The Welsh Government believes that the personal information of third parties should be exempt from disclosure in view of the fundamental rights and freedoms of those individuals provided by the GDPR.

### **Public Interest Test**

#### **Public interest arguments in favour of disclosure**

The original FOI requested reassurance that all relevant voices were included within the discussions on the development of anti-racism training for teachers. Whilst the release of the names of the organisations would demonstrate that a wide and comprehensive range of views were sought, the release of the names of individuals could provide further assurance particularly as some individuals are contributing to the DARPL project on a voluntary basis in view of their own professional and lived experiences of racism.

#### **Public interest arguments in favour of withholding**

The information being released identifies the organisations involved in the development and ongoing roll-out of DARPL. This, we believe, is sufficient to demonstrate that a wide range of views were heard and considered without the need to release the names of those individuals who are contributing. In addition, the individual representing a particular organisation may have changed during the lifecycle of the project.

#### **Balance of public interest test**

Whilst we recognise the legitimate interest in obtaining the identities of individuals attending the DARPL meetings and involved in ongoing roll-out of DARPL. However, in acknowledgement that disclosure is not just to the requester but to the wider world, we do not believe this interest is sufficient to override the fundamental rights and freedoms of

those individuals provided by the GDPR, as the release the organisation names is sufficient to show the breadth of views obtained. As such we believe disclosure would breach the DPA 2018.