

22 June 2023

Dear

ATISN 17522 – Covid Testing

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) received on 19 May 2023. You requested the following:

- *All Ministerial Advice (and any other supporting documents) that informed the Welsh Government's policies on Covid-19 testing for care home staff and residents in Wales (including residents being transferred from hospitals to care homes) from 30 January 2020 to 16 May 2020.*
- *All scientific advice issued to Welsh Ministers on Covid-19 testing for care home staff and residents in Wales (including residents being transferred from hospitals to care homes).*

Our Response

Ministerial Advice

Welsh Government holds information relevant to your request. However, this is considered to be exempt from disclosure as the information is intended for future publication (section 22 of the Freedom of Information Act (FOIA)).

The responses of governments around the World to the COVID-19 pandemic are of great public interest.

The Covid-19 Public Inquiry that is underway is looking at both the UK and devolved governments responses to the pandemic. This inquiry will be provided with all the information it requires in order for both the inquiry, and the general public, to understand what was known, when, and how decisions were arrived at and for lessons to be learnt.

The information captured by your request is included in the material being prepared for the Public Inquiry and will be made available for publication at a future date.

In line with the terms of this exemption, we have also considered whether it would be in the public interest for us to provide you this information and have concluded that it would not be. In reaching this decision, we have identified the following public interest arguments in favour of disclosure:

- The general interest in transparency which can further understanding of how government policy is formulated.
- It could widen the base of stakeholder and public engagement which may in turn assist in the development and scrutiny of policy. From the start of the pandemic there has been a strong public interest in knowing what the

government knew, when, and how it reached the decisions it took as these impacted on every person.

We also identified the following public interest argument not in favour of disclosure:

- The information relates to the formulation of our policies to deal with the COVID-19 pandemic. As noted above the Covid-19 Public Inquiry underway is looking at both the UK and devolved governments responses to the pandemic. It will be provided with all the information it requires in order for both the inquiry, and the general public, to understand what was known, when, and how decisions were arrived at. This information is included in the material being prepared for the inquiry and will be made available under this process.
- The wider public interest is best served for the information to be available consistently alongside other relevant material under the methodology adopted by the inquiry so that the bereaved and those impacted are provided with answers through the processes in place. Disclosure of such information in a piece-meal fashion, we believe, could lead to confusion and lack of clarity without the wider context and sharing of other related policy and decisions.
- We believe that the wider public interest is best served by the methodical approach being adopted by the inquiry. We recognise that this may be seen as a delaying release, but we are of the view that the approach employed by the inquiry will allow for a more accurate understanding of the advice that informed policy and decisions made.

Scientific Advice

All scientific advice issued to Welsh Ministers on Covid-19 testing, which includes care home staff and residents in Wales has been published online by the Technically Advisory Cell [What we do: Technical Advisory Cell | GOV.WALES](#). Advice was first published from the 19th May 2020 and has continues to be updated every two weeks - [Technical Advisory Cell: summary of coronavirus advice | GOV.WALES](#). In addition, there is scientific advice in the following document: [Risk factors for outbreaks of COVID-19 in care homes following hospital discharge: A national cohort analysis - Emmerson - 2021 - Influenza and Other Respiratory Viruses - Wiley Online Library](#)

If you require any further information on both parts of your request, the following Freedom of Interests have been published online:

- [FOI release: Covid-19 testing | GOV.WALES](#)
- [FOI release: Covid-19 testing | GOV.WALES](#)
- [FOI release: Covid-19 | GOV.WALES](#)
- [FOI release: Covid-19 testing in care homes | GOV.WALES](#)
- [FOI release 16047: COVID treatment protocol | GOV.WALES](#)

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

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,