

22 September 2025

Dear

ATISN 25100

Thank you for your request which I received on 27 August. You asked for the following information:

Please list all data protection breaches over the last four years, since 1 August 2021.

For each, I'd like you to include

a/ description of the subject

b/ was the breach referred to the Information Commissioner's Office?

c/ Were any action taken against the individual(s) responsible?

Our response

I have concluded that that it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to answer your request. The appropriate limit specified for central government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract it. Please see Annex 1 for an explanation.

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 e-mail: 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

Website: www.ico.org.uk

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 1

My interpretation of your request and the calculation of the time it will take is set out below. I have also suggested some ways to refine your request for you to consider.

You have asked for a 'list all data protection breaches over the last four years, since 1 August 2021'. I have interpreted the first question as all personal data breaches which fall into the following categories. An initial search of our records from August 2021 – March 2025 has identified approximately 550 data breaches.

Type Nature of incident

- I Loss of inadequately protected electronic equipment, devices or paper documents from secured Government premises
- II Loss of inadequately protected electronic equipment, devices or paper documents from outside secured Government premises
- III Insecure disposal of inadequately protected electronic equipment, devices or paper documents
- IV Unauthorised disclosure
- V Other

Your second question asks for a 'description of the subject'. I propose to use the relevant category above as a description of each breach.

In your last question you ask for 'any action taken against the individual(s) responsible?' I have interpreted 'any action' as both official (disciplinary action taken by the HR Department) and unofficial (action taken by the Division or line manager e.g. a meeting to discuss the breach with the line manager or deputy director, the requirement to undertake further training, an unofficial warning issued to the individual who committed the breach etc).

Records of official disciplinary action records are held by the Welsh Government's HR department and unofficial records are held locally by the Division and/or line manager.

I estimate that for each data breach it will take 5 minutes to identify and extract the information for this question. This includes:

Identifying the data breach, the individual responsible and their line manager. Contacting the line manager of the individual who caused the breach and / or contacting the HR case advisory team;
The line manager/ HR advisory team to conduct a search against their records and return the information requested.

Please note that in relation to unofficial action it is unlikely that our records are comprehensive.

For official disciplinary action the HR case advisory team will need to access each disciplinary case to determine if a data breach was cited in the referral. Since August 2021 – March 2025 there have been 74 disciplinary cases. Please note, a data breach may not be the main reason for disciplinary action as there are often other issues in play regarding an individual. This could mean that disciplinary action has been taken in relation to a relatively minor data breach in conjunction with other issues.

Taking into account my interpretation of your questions I estimate it will take approximately 46 hours to complete the request.

Formula - (Total Time = Number of Tasks × Task Duration)

Total Time = 550 data breaches × 5 minutes = 2,750 minutes. Total Time = 2,750 minutes ÷ 60 = 46 hours

To bring your request within the appropriate limit I suggest that you narrow the scope of your request, in particular the information you want in relation to 'action taken against the individual'. Other ways of reducing the time include reducing the time period.