

13 January 2026

Dear

Reference ATISN 26514

Thank you for your information request received on 17 December 2025. A response to your information request is provided below.

Your Request

Please could you disclose:

- 1. How many reports/complaints HIW has received about Seren Gobaith mental health unit in Rhyl since it opened earlier in 2025?*
- 2. The nature of these reports/complaints (i.e. what they were regarding?)*
- 3. What action, if any, HIW has taken in response to any of the reports/complaints?*

Our Response

HIW has reviewed your request and determined that the information is exempt from disclosure under **Section 30 - Investigations and proceedings** of the Freedom of Information Act. Section 30(2)(a)(iii) states that:

- information held by a public authority is exempt information if it was obtained or recorded by the authority for the purposes of its functions relating to investigations which are conducted by the authority for any of the purposes specified in section 31(2) and either by virtue of His Majesty's prerogative or by virtue of powers conferred by or under any enactment.

The relevant purpose in section 31(2) is:

- the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise.

HIW has determined that the information captured by the request was obtained and recorded for the purpose of ascertaining whether regulatory action is necessary as per the Independent Health Care (Wales) Regulations 2011.

Section 30 is a class based exemption. Information simply has to fit the description contained in section 30 to be exempt. There is no need for the information to prejudice, for example, the investigation or set of proceeding that it was obtained for. However, the exemption is subject to the public interest test.

When considering the public interest in maintaining the exemptions it is necessary to be clear what they are designed to protect. In broad terms, the section 30 exemptions exist to ensure the effective investigation and prosecution of offences and the

protection of confidential sources. They recognise the need to prevent disclosures that would prejudice either a particular investigation or set of proceedings, or the investigatory and prosecution processes generally, including any prejudice to future investigations and proceedings. A vital element of many investigations and proceedings is the intelligence supplied by confidential sources and it is important that section 30 serves to protect these sources so that they are not deterred from cooperating with public authorities. As a general rule there will always be a strong public interest in maintaining the section 30 exemption whilst an investigation is ongoing, which it is in this case. Additionally, HIW believes there is a significant public interest in protecting the supply of information from confidential sources. Informants will not provide information where they fear being identified as the source and suffering retribution as a consequence.

Next Steps

HIW operates within the Welsh Government's framework for handling Freedom of Information requests. 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: Freedomofinformation@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