

17 July 2026

Dear

ATISN 27092 - Child Death Review Programme

Thank you for your request to Welsh Government for information under the Freedom of Information Act (2000) received on 13 June 2026, relating to engagement between the Welsh Government and Public Health Wales Child Death Review Programme between 27 April 2022 and the date of this request.

You requested:

1. *The number of meetings held between Welsh Government officials, Ministers or special advisers and representatives of the Child Death Review Programme during this period, including:*
 - a. *the date of each meeting;*
 - b. *the purpose of the meeting; and*
 - c. *the organisations represented.*
2. *Copies of meeting agendas, minutes, action logs, briefing papers, presentations, reports, summaries or other documents shared with Welsh Government as part of these meetings.*
3. *Details of any routine reporting arrangements between the Child Death Review Programme and Welsh Government, including:*
 - a. *the frequency of reporting;*
 - b. *the Welsh Government department or officials receiving reports; and*
 - c. *any governance documents, terms of reference or protocols governing these arrangements.*
4. *A list of all reports, reviews, thematic reviews, rapid reviews, bulletins, annual reports, patterns and trends reports, or other publications produced by the Child Death Review Programme during this period, including:*
 - a. *title;*
 - b. *date completed;*
 - c. *date published (if applicable); and*
 - d. *whether the document was publicly published or shared only with Welsh Government.*
5. *Copies of all reports, reviews, bulletins or summaries provided to Welsh Government by the Child Death Review Programme during this period.*
6. *Details of any recommendations, concerns, emerging themes or areas for action formally raised by the Child Death Review Programme with Welsh Government during this period, together with any recorded Welsh Government response.*

7. *Copies of any documents held by Welsh Government describing how learning identified through the Child Death Review Programme is monitored, implemented or evaluated across Wales.*
8. *Provide copies of any action plans, implementation plans, progress reports, monitoring reports or evaluations produced by Welsh Government in response to findings or recommendations from the Child Death Review Programme during this period.*

Our Response

Welsh Government holds some information relating to this request.

We have concluded that some of the information requested is exempt from disclosure under the following section of the Freedom of Information Act:

- Section 40(2) – Personal Information of the Freedom of Information Act.

An explanation of our application of this exemption is set out at Annex 1 of this letter.

The Child Death Review Programme is led by Public Health Wales, you may wish to contact them for further information: phw.foi@wales.nhs.uk

A link to published reports can be found here: <https://phw.nhs.wales/topic/child-death-review/>.

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,

Annex 1

Section 40(2) – Personal Information of the Freedom of Information Act

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.

‘Personal data’ is defined in sections 3(2) and (3) of the Data Protection Act 1998 (‘the DPA 2018’) and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, the information requested contains third party personal data.

Under Section 40(2) of the FOIA, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

“Processed lawfully, fairly and in a transparent manner in relation to the data subject”

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f). This states:

“Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test: -

- **The Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information.
- **The Necessity test:** Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question.
- **The Balancing test:** Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

1. Legitimate interests

Your request relates to information about the Child Death Review Programme.

We have concluded that, in this instance, there is little to be gained from releasing the names of individuals and other personal data which are included within the attached documentation. We believe we have provided sufficient information to satisfy the legitimate

interest, and we do not believe disclosure of the identities of those consultants would allow any greater understanding

2. Is disclosure necessary?

Following the above analysis, we do not believe that disclosure of the personal data is necessary.

3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

As we do not believe disclosure of this personal data is necessary, there is no requirement on us to undertake a test to balance the legitimate interests against the right of individuals, as the fundamental rights and freedoms provided by the DPA are not being challenged.