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Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board

Cadeirydd/Chairman: **Andrew Davies**  
Prif Weithredwr/Chief Executive: **Tracy Myhill**

**gofalu am ein gilydd, cydweithio, gwella bob amser**  
**caring for each other, working together, always improving**

Rydym yn croesawu gohebiaeth yn y Gymraeg ac yn y Saesneg. We welcome correspondence in Welsh or English.

Dyddiad/Date: 26<sup>th</sup> June 2019  
Ein Cyf / Our Ref: 19-E-042

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🖱 FOIA.Requests@wales.nhs.uk

Corporate Administration  
Headquarters  
1 Talbot Gateway  
Baglan  
Port Talbot, SA12 7BR

[REDACTED]

[REDACTED]

I refer to your Freedom of Information Act Request acknowledged by ourselves on 28<sup>th</sup> May 2019. Your request sought information relating to GDPR.

Please note that since 1<sup>st</sup> April 2019 responsibility for providing healthcare services for people in the Bridgend County Borough Council area transferred from Abertawe Bro Morgannwg University Health Board to Cwm Taf Morgannwg University Health Board. In light of this change to ABMU's responsibilities, the organisation's name has changed to Swansea Bay University Health Board. Therefore this response takes into account these changes and any information relating to the Bridgend area, will now be held by Cwm Taf Morgannwg University Health Board.

### **1. Did you suffer any data breaches which broke GDPR rules between 25th May 2018 and 24th May 2019?**

Yes, the Health Board has recorded a number of breaches which broke GDPR rules during this time period. The Health Board reports all incidents involving information governance elements: Some of these incidents will have involved both non-compliance as well as near misses in compliance with GDPR and other information governance related standards and/or legislation, including internal policies and procedures.



**Pencadlys BIP Bae Abertawe, Un Porthfa Talbot, Port Talbot, SA12 7BR / Swansea Bay UHB Headquarters, One Talbot Gateway, Port Talbot, SA12 7BR**

Bwrdd Iechyd Prifysgol Bae Abertawe yw enw gweithredu Bwrdd Iechyd Lleol Prifysgol Bae Abertawe  
Swansea Bay University Health Board is the operational name of Swansea Bay University Local Health Board

**2. If so how many separate incidents of data breaches were there during the above period?**

Swansea Bay University Health Board recorded 231\* data breaches during this period (\*figures are subject to change as incidents are reviewed, categorised and updated). The Health Board records all information governance incidents and near misses, which includes a far wider remit than GDPR breaches alone; including breaches and near misses in areas such as Caldicott, confidentiality, internal policies and procedures. Our systems have been manually analysed to identify GDPR breaches as defined by Article 4 of GDPR during the period in question.

**3. How many individuals/persons were affected by any data breaches recorded by you as a local authority?**

The Health Board does not hold the data in a format that would enable us to fully respond to your request to the level of detail required. To obtain the number of individuals affected would involve reviewing every information governance incident reported on our systems during the time period requested. We have estimated this would significantly exceed the 18 hours limit set down by the FOI Act as the reasonable limit. Section 12 of the FOI Act provides that we are not obliged to spend in excess of 18 hours in any sixty day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

**4. If there were breaches how many of these were referred by you to the Information Commissioner's office?**

All of the breaches noted in section 2 are formally reviewed and scored to ascertain whether or not they meet the agreed threshold score for reporting to the ICO. During the time period in question, 19 breaches relating to data security have been self-reported to the ICO. All information governance incidents are investigated internally, whether ICO reportable or not. Support and co-operation has been provided to the ICO to inform their investigations if a breach met the reporting threshold and the ICO were informed.

**5. Have you been fined for any of these data breaches under GDPR rules (if there were any)?**

No fines have been received to date, and no further action from the ICO has been considered necessary on all breaches they have considered to date.

**6. If so, what was the total amount paid out - and for how many data breaches?**

No fines have been received to date.

**7. Do you have a specific budget for any GDPR breaches and if so how much money have you put aside?**

There is no specific budget for GDPR breaches.



I hope this information is helpful. If you require anything further please contact us at [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk).

Under the terms of the Health Board's Freedom of Information policy, individuals seeking access to recorded information held by the Health Board are entitled to request internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request please contact me directly at the address below or register your complaint via [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk).

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 029 2067 8400.

Yours sincerely



Pam Wenger  
**Director of Corporate Governance**

