



**GIG**  
CYMRU  
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WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board

Cadeirydd Dros Dro/ Interim Chair: **Emma Woollett**  
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: 3<sup>rd</sup> December 2019  
Ein Cyf / Our Ref: 19-K-007

☎ 01639 648363  
✉ [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk)

[Redacted]  
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Corporate Services  
Headquarters  
1 Talbot Gateway  
Baglan  
Port Talbot, SA12 7BR

[Redacted]

I refer to your Freedom of Information Act Request acknowledged by ourselves on 13<sup>th</sup> November 2019. Your request sought information relating to a Protection of Vulnerable Adults Investigation (POVA) report.

**Please provide me with a copy of the POVA report in relation to myself carried out by your Safeguarding Co-ordinator in February 2017.**

The Health Board is unable to provide you with a copy of this report under FOIA.

We are withholding this detail under Section 40(2) of the Freedom of Information Act 2000. Section 40(2) of the FOIA provides that information is exempt from disclosure if it is the personal data of an individual.

The Data Protection Act 2018 defines personal data as "any information relating to an identified or identifiable living individual". Information will relate to a person if it is about them, linked to them, has biographical significance for them, is used to inform decisions affecting them or has them as its main focus and we have concluded the information asked for is personal data.

Disclosure under FOIA is made in effect to 'the world' and is published widely. The Health Board considers that such publication would be an intrusion on the rights and freedoms of the persons named and we are therefore satisfied that this comprises 'personal data'.

Section 40(2) is an absolute exemption and therefore there is no requirement to apply the public interest test.

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).



**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

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**

