From: Roberts, Nia (EPS - SED) (REDACTED - \$40)

Sent: 05 August 2021 09:36

To: OFFICIAL 1 (HSS - Government & Corporate Business Team) **(REDACTED – S40)** OFFICIAL 2 (HSS - Government & Corporate Business Team**(REDACTED – S40)**

Jones, Robin (PSG - Recovery and Restart) (REDACTED - S40) OFFICIAL 3 (HSS) (REDACTED

- S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Thanks Official 1 (REDACTED - S40)

Official 2- Official 3 will be the link in my team (copied into this email)

Thanks

Nia

Nia Roberts

Profi Olrhain Diogelu | Test, Trace, Protect (TTP)

From: Official 1 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 05 August 2021 09:32

To: Official 2 (HSS - Government and Corporate Business Team) (REDACTED – S40) Roberts, Nia (EPS - SED) (REDACTED – S40) Jones, Robin (PSG - Recovery and Restart) (REDACTED – S40)

Subject: FW: FOI/REQ/HSSG/Covid testing agencies (15377)

Official 2

Thank you for taking this request forward. The deadline to release a response to the requester is Friday 27 August 2021.

Nia

This request is asking us to provide proof that WG are working with the UK Government to seek assurance that only those companies who reach specified key performance indicators will be allowed to provide tests.

Official 2 will provide an acknowledgment letter for your consideration and clearance and will work with your team in developing a response.

Robin

Grateful if you could advise on a sensitivity rating for this request please. Seems that there is a bit of interest at the moment around this.

Any problems, grateful if you could get in touch with me as soon as possible.

Kind regards

Official 1

From: Roberts, Nia (EPS - SED) (REDACTED - S40)

Sent: 05 August 2021 11:43

To: Official 2 (HSS - Government & Corporate Business Team) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Happy to clear, thanks Official 2

Nia Roberts

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 05 August 2021 11:41

To: Roberts, Nia (EPS - SED) **(REDACTED – S40) Subject:** RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Nia,

Please see the attached acknowledgment letter for your clearance.

Kind regards, Official 2

From: Roberts, Nia (EPS - SED) (REDACTED - S40)

Sent: 05 August 2021 09:36

To: Official 1 (HSS - Government and Corporate Business Team) **(REDACTED – S40)** Official 2 (HSS - Government and Corporate Business Team) **(REDACTED – S40)** Jones, Robin (PSG - Recovery and Restart) **(REDACTED – S40)** Official 3(HSS) **(REDACTED – S40)**

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Thanks Official 1
Official 2 – Official 3 will be the link in my team (copied into this email)
Thanks
Nia

Nia Roberts

Profi Olrhain Diogelu | Test, Trace, Protect (TTP)

From: Official 4 (ESNR - ERA - Rural Payments Wales) (REDACTED - S40)

Sent: 02 August 2021 16:44

To: Official 3 (HSS) (REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing for travellers (15336)

Hi Official 3,

Sounds like a plan. I see the similarity in the FOI (15377), although no question is posed.

Yes, Official 5 have share the link to the correspondence log, happy to chat tomorrow re. organising it to expedite FOIs.

Official 4

<u>05</u>

From: Official 3 (HSS)
Sent: 24 August 2021 09:45

To: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Se (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Great – thanks v much!

Official 3

From: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Se (REDACTED - \$40)

Sent: 24 August 2021 09:38

To: Official 3 (HSS) (REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Official 3

I have re-jigged slightly and added a section on the review.

Sioned

From: Official 3 (HSS) (REDACTED - S40)

Sent: 24 August 2021 09:16

To: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Se (REDACTED - \$40)

Subject: FW: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Sioned

Have you managed to have a look at the draft FOI response I sent you last week? I'm being chased by GBT....

Thanks
Official 3

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 24 August 2021 09:12

To: Official 3 (HSS) **(REDACTED – S40)** <hs><hs>

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Good morning Official 3,

Apologies to chase, is the response completed and cleared by Nia? Eager to send it to the Minister and restart and recovery to note so we can issue on Friday.

Kind regards, Official 2

From: Official 3 (HSS) (REDACTED - S40)

Sent: 17 August 2021 15:55

To: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 2

Thanks very much. I'll complete the draft ASAP.

Official 3

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - S40)

Sent: 16 August 2021 11:29

To: Official 3 (HSS) (REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 3.

I have attached the draft response letter regarding the FOI detailed below. Can you confirm whether we hold the information and are able to provide it? As it has been given a high sensitivity rating it will need to be noted by the Minister before we are able to issue the response which is due 27th August.

From: Official 4 (ESNR - ERA - Rural Payments Wales) (REDACTED - S40)

Sent: 02 August 2021 09:41

To: Official 3 (HSS) (REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Morning Official 3

I've e-mailed Official 5 and Official 6 to gather their data in preparation for the FOI response. I opted not to CC you as I imagine your inbox is quite a task on a Monday. Can I now check how you'd like me to operate? i.e., come back to you once information is gathered, or do you wish to be CC'd through each step?

Thanks, Official 4

From: Official 3 (HSS) (REDACTED - S40)

Sent: 02 August 2021 09:27

To: Official 4 (ESNR - ERA - Rural Payments Wales) (REDACTED - \$40)

Subject: FW: FOI/REQ/HSSG/Covid testing agencies (15377)

Morning (REDACTED - \$40)

We've had another FOI but as Nia says it's very similar to the one I sent you on Friday so hopefully largely a copy and paste job!

Thanks (REDACTED - \$40)

From: Official 3 (HSS)
Sent: 02 August 2021 09:44

To: Official 4 (ESNR - ERA - Rural Payments Wales) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 4

That's great. Happy for you to just come back to me once the info is gathered and we can discuss a draft response.

Thanks
Official 3

11

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - S40)

Sent: 24 August 2021 11:12

To: Official 3 (HSS) (REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Thank you © I'll copy you in on the closure emails.

Official 2

From: Official 3 (HSS) (REDACTED - S40)

Sent: 24 August 2021 09:44

To: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 2

Sioned has now cleared the draft so it can go to the Minister. ©

Thanks
Official 3

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 16 August 2021 11:29

To: Official 3 (HSS) (REDACTED – S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

From: Official 3 (HSS)
Sent: 19 August 2021 18:03

To: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Se (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Sioned

See below. I've drafted a response - grateful for a view as to whether this hits the mark or if we need more concrete info.

Thanks
Official 3

From: Official 3 (HSS)
Sent: 24 August 2021 09:14

To: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 2

Apologies – it's with Sioned as Nia has now left the testing team. I'll give her a nudge today.

Official 3

From: Official 2 (HSS - Government & Corporate Business Team) (REDACTED - \$40)

Sent: 27 August 2021 10:06

To: Freedom of Information Officer (REDACTED - S40)Rees, Sioned (HSS - Mental Health, NHS

Governance & Corporate Services) (REDACTED – S40) Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Good morning,

To note this response was issued this morning and is now considered closed. It took approx. 2 hours to complete this request.

From: Official 3 (HSS) Sent: 24 August 2021 09:44

To: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

Hi Official 2

Sioned has now cleared the draft so it can go to the Minister. ©

Thanks
Official 3

From: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED – S40)

Sent: 08 September 2021 15:08

To: Official 7 (HSS) **(REDACTED – S40)** Connolly, Mike (HSS - Mental Health, NHS Governance & Corporate Services) **(REDACTED – S40)**

Subject: RE: ATISN 15377

Hi Official 7

Thanks for the below – can we go for option 2 as **(REDACTED – S40)** has not formally asked for an internal review and as noted by Official 8 if **(REDACTED – S40)** remains dissatisfied we can set out the internal review process.

Sioned

From: Official 7 (HSS) (REDACTED - S40)

Sent: 08 September 2021 13:32

To: Connolly, Mike (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED – S40) Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED – S40)

Subject: FW: ATISN 15377

Good afternoon Both,

Please see below. Grateful if you could advise on how you'd like to proceed? The FOI and DSAR request has been logged and allocated out, it's just the query on the complaint I would be grateful for your confirmation on.

Thanks in advance,

Official 7

From: Roberts, Nia (EPS - SED) (REDACTED - S40)

Sent: 06 September 2021 09:47

To: Official 8 (KAS) (REDACTED - S40) Jones, Robin (PSG - Recovery and Restart)

(REDACTED – S40) Official 1(HSS - Government & Corporate Business Team) (REDACTED – S40) Official 2 (HSS - Government & Corporate Business Team) (REDACTED – S40) Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED – S40) Connolly, Mike (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED – S40)

Subject: RE: ATISN 15377

Thanks Official 8

To note, I have now moved to EPS. Sioned Rees is now leading on private testing, and Mike Connolly is now the other DD in testing so I've copied them both into this response.

Thanks Nia

Nia Roberts

Is-adran Effeithiolrwydd Ysgolion Schools Effectiveness Division Grŵp Addysg a Gwasanaethau Cyhoeddus Education and Public Services Group

From: Official 8 (KAS) (REDACTED - S40)

Sent: 31 August 2021 15:19

To: Roberts, Nia (EPS - SED) (REDACTED - S40) Jones, Robin (PSG - Recovery & Restart) (REDACTED - S40) Official 1 (HSS - Government & Corporate Business Team) (REDACTED - S40) Official 2 (HSS - Government & Corporate Business Team) (REDACTED - S40)

Subject: FW: ATISN 15377

All.

To see below. It's only a short email but it contains a potential complaint, a new FOI request and a data subject access request. We can log the latter without much difficulty, but the complaint is trickier. . If **(REDACTED – S40)** was saying 'I want an internal review' then we'd log and allocate, but **(REDACTED – S40)** not asking that; **(REDACTED – S40)** is just stating dissatisfaction. The s45 Code of Practice states:

It is best practice for each public authority to have a procedure in place for dealing with disputes about its handling of requests for information. These disputes will usually be dealt with as a request for an "internal review" of the original decision. Public authorities should distinguish between a request for an internal review, which seeks to challenge either the outcome or the process of the handling of the initial response, and a general complaint, which should be handled as general correspondence.

It seems to me the broad options are:

- 1. Handle as an internal review, or
- 2. Handle as correspondence to confirm we don't hold information of that description and restate (**REDACTED S40**) options regarding internal review.

Grateful for a steer on how you want to handle (and if it's internal review, who we should allocate it to).

Happy to discuss.

Official 8

From: (REDACTED - S40) < (REDACTED - S40) @btinternet.com>

Sent: 27 August 2021 15:41

To: Freedom of Information Officer (REDACTED - \$40)

Subject: ATISN 15377

Dear Sir or Madam,

ONGOING FOI request ATISN 15377

The response received is not specific and offers no verifiable evidence of the claims.

I am dissatisfied with the response.

There must be emails and minutes of meeting which confirm that the Welsh Government is seriously considering permitting private suppliers of tests.

As said previously, i would like to see said minutes/emails.

I would also like to see all notes made, emails sent etc in regards to my request so far, anything connected to me.

Yours faithfully

(REDACTED - S40)

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 24 August 2021 16:22

To: Archive2021 PS Minister Health & Social Services (REDACTED - \$40)

Subject: MINISTER TO NOTE - Freedom of Information Request/HSSG/Covid testing agencies (15377)

Good afternoon,

Please see attached a reply for the Minister to note. The reply will be issued on Friday.

From: Official 3 (HSS)

Sent: 08 September 2021 18:45

To: (REDACTED – S40) (HSS) (REDACTED – S40)
Subject: FW: GDPR&FOI/REQ/ESNR/Handling of request (15486)

Hi Official 9

Can you log this one, please (if not already done)?

Thanks Official 3

From: Rees, Sioned (HSS - Mental Health, NHS Governance & Corporate Services) (REDACTED -

S40)

Sent: 06 September 2021 13:49

To: Official 3 (HSS) (REDACTED - S40)

Subject: FW: GDPR&FoI/REQ/ESNR/Handling of request (15486)

Official 3

This is the FOI I mentioned earlier.

Official 1 – can we catch up to discuss.

Thanks

Sioned

From: PS Minister Health & Social Services (REDACTED - \$40)

Sent: 30 August 2021 10:09

To: Official 2 (HSS - Government & Corporate Business Team) (REDACTED - S40)

Subject: RE: MINISTER TO NOTE - Freedom of Information Request/HSSG/Covid testing agencies

(15377)

Thanks Official 2

The Minister has noted.

Regards,

Official 10

From: Official 2 (HSS - Government and Corporate Business Team) (REDACTED - S40)

Sent: 24 August 2021 16:31

To: PS Minister Health & Social Services (REDACTED - S40)

Subject: FW: MINISTER TO NOTE - Freedom of Information Request/HSSG/Covid testing agencies

(15377)

Hi,

Accidentally sent to the archive mailbox, please note the below.

Kind regards, Official 2

From: Official 2 (HSS - Government & Corporate Business Team) (REDACTED - \$40)

Sent: 27 August 2021 10:04

To: (REDACTED – S40)@btinternet.com Subject: ATISN 15377 - Response Letter

Dear (REDACTED - S40)

Please find attached a response letter to your Freedom of Information Request of 01 August.

Kind regards, Official 2

From: (REDACTED - \$40)< (REDACTED - \$40)@btinternet.com>

Sent: 01 August 2021 06:48

To: COVID-19-Legislation - Deddfwriaeth (REDACTED - \$40)

Subject: Re: Enquiry Number: HR-817974-W0J2 Enquiry: Ultra Vires conduct by Welsh Government

FREEDOM OF INFORMATION REQUEST

Good Morning Mr (REDACTED - S40),

I wish to register a Freedom of Information request for proof of "We are working with the UK Government to seek assurance that only those companies who reach specified key performance indicators will be allowed to provide tests. When we are assured the right systems are in place to protect the Welsh public, we will review the position so that people could access tests from private companies".

I understand that company names may be confidential but i am happy for a redacted set of information.

It is not appropriate in any way for the Welsh administration to obstruct travellers who are performing a perfectly lawful activity.

Yours faithfully

(REDACTED - S40)

On 23 Jul 2021, at 11:20, (REDACTED - S40) wrote:

(REDACTED - S40)

Thank you for your email to the Welsh Government, I have been asked to respond.

Where international travel is essential, Welsh residents must consult the requirements for visitors for any country they plan to travel to. Tests may be required for entry. For anyone planning on travelling to Wales, we continue to require people to take tests before travel and following arrival in Wales. All travellers must take a pre-departure test up to 72 hours before travel and present proof of a negative test to carriers. In addition, travellers must book and pay for mandatory PCR tests to be taken following their arrival to Wales.

Following the changes recently announced relating to amber list countries, fully vaccinated adults and under-18s will need to take a PCR test on or before day two following their arrival in the UK and will no longer be required to self-isolate. Those who are not fully vaccinated will need to continue to take PCR tests on day 2 and on day 8 and to self-isolate for 10 days. Travellers arriving from green countries must take a PCR test on or before day 2.

Fully vaccinated means that you have had your final dose of an approved vaccine under the UK vaccination programme, are taking part in formally approved COVID-19 vaccine clinical trials, or under the age of 18 and resident in the UK. This also applies if you are a resident of the British Overseas Territories who has been vaccinated under a vaccination programme supported directly by the UK Government. You should have had your final dose at least 14 whole days before the date you arrive in Wales. The day you have your final dose of the vaccine does not count as one of the 14 days.

It is critical any positive cases and potentially harmful variants of COVID-19 are identified at the earliest opportunity.

For this reason, for the time being, we require the tests people must take following their arrival to Wales to be provided by the NHS. NHS tests are booked through the CTM web portal. CTM are the booking agent for NHS tests, they are not the test provider. The price for NHS tests is the same across the UK, and is set by the UK Government. NHS tests are processed through the UK Lighthouse Laboratory network, which means we can identify positive cases quickly with results flowing directly to our Test, Trace, Protect system for follow up. Positive results undergo genomic sequencing in our world class sequencing facilities.

There is a list of private test providers on the UK Government's website who offer PCR testing, sometimes at cheaper prices. The UK Government does not endorse or recommend any of these providers. The Welsh Government is concerned about the level of service provided by some of these private providers across a range of issues, including booked tests not being delivered and people not being notified of results. We are determined to protect the Welsh public from companies who do not meet the standards we require.

Protecting public health remains our main priority. We are working with the UK Government to seek assurance that only those companies who reach specified key performance indicators will be allowed to provide tests. When we are assured the right systems are in place to protect the Welsh public, we will review the position so that people could access tests from private companies

If you are not satisfied with my response, you can make a formal complaint in writing, by e-mail or by using a complaint form. Receiving a complaint in writing is particularly important if the complaint is complicated and detailed. However, we may accept a verbal complaint if we consider it reasonable to do so.

You can e-mail the Welsh Government Complaints team at complaints@gov.wales

You can write to them at Complaints Advice Team, Welsh Government, Cathays Park, Cardiff, CF10 3NQ

Or use the online form https://gov.wales/complain-about-welsh-government

You can contact the Complaints Advice team on 0300 025 1378 if you want to make your complaint over the phone. If no one is able to take your call, please leave a message and someone will call you back.

Thank you

Official 11

Official 11 COVID-19 – Legislation / Deddfwriaeth Llywodraeth Cymru/ / Welsh Government

From: Customer Help < Customer Help@gov.wales>

Sent: 23 July 2021 09:37

To: COVID-19-Legislation - Deddfwriaeth (REDACTED - \$40)

Subject: You have been forwarded an enquiry from the First Point of Contact Centre. Ref:04697044

Please see the following email received in the Welsh Government's mailbox.

Could you please deal with the query or pass to a relevant colleague for action within the standard 15 working day timescale.

PLEASE ADVISE OF RESPONSE TO THIS CORRESPONDENCE SO THAT RECORDS CAN BE UPDATED

My apologies if this is not your line of work - could you please forward to a relevant colleague, or advise if this is the case.

Regards/Cofion

(REDACTED - S40)

Desg Gymorth Cydwasanaethau / Shared Service Helpdesk

Canolfan Cydwasanaethau Corfforaethol / Corporate Shared Service Centre

Cyllid a Gwasanaethau Corfforaethol / Finance and Corporate Services

Llywodraeth Cymru / Welsh Government Parc Cathays / Cathays Park Caerdydd / Cardiff CF10 3NQ Ffôn/Phone: 0300 060 4400

E-bost / E-mail: cymorth@llyw.cymru / customerhelp@gov.wales

Enquiry: Ultra Vires conduct by Welsh Government

Hello,

Please direct this communication to whoever deals with legal challenges to the Actions of the Welsh Government.

I intend to raise money via crowd funding to challenge the prima facie abuse of power regarding the failure to recognise other providers of Covid Tests, than just the NHS in Wales.

This is deliberate and blatant abuse of power.

In England the Government recognises many different (cheaper) suppliers of tests for people returning from foreign travel.

The creation of a monopoly of supply in Wales is clearly designed to discourage people from perfectly lawful conduct.

The First Minister has openly admitted that this decision is designed with the purpose of dissuading people from travelling, travel which is perfectly legal to do.

The effort needed to recognise other suppliers of tests is minimal and is in no way a justification for this abuse of power.

It would be far more sensible if this draconian and dictatorial stance were dropped before the Welsh Government incurs legal costs.

(REDACTED - S40)

From: Official 1 (HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 04 August 2021 11:30

To: Official 7 (HSS) (REDACTED - S40)

Subject: Fols

Hi Official 7

As discussed, these are the two requests that I mentioned earlier:

- 15377 Testing Agencies Requesting proof that WG are working with the UK Government to seek assurance that only those companies who reach specified key performance indicators will be allowed to provide tests. (Nia Roberts)
- 15379 NHS Allocations Requesting documents which outline the principles underpinning the new formula for allocation funds along with supporting papers and details of the financial effects at Health Board and Cluster level. (Gareth Havens)

Let me know which one you and Official 2 are going to pick up and I can then issue a commissioning email.

Official 1

From: Jones, Robin (PSG - Recovery and Restart) (REDACTED - S40)

Sent: 05 August 2021 09:43

To: Official 1 (HSS - Government and Corporate Business Team) **(REDACTED – S40)** Official 2 (HSS - Government and Corporate Business Team) **(REDACTED – S40)**Roberts, Nia (EPS - SED)

(REDACTED - S40)

Subject: RE: FOI/REQ/HSSG/Covid testing agencies (15377)

I think this one may be high, thank you. Robin

From: Official 2(HSS - Government and Corporate Business Team) (REDACTED - \$40)

Sent: 06 August 2021 17:41

To: (REDACTED – \$40)@btinternet.com Subject: ATISN 15377 - Acknowledgment Letter

Dear (REDACTED - S40)

Please find attached an acknowledgment letter towards your Freedom of Information Request of 01 August.