

3 July 2023

Dear

ATISN 18577 - LGBTQ+ Action Plan consultation responses

Thank you for your request which we received on 5 June 2023. You asked for:

- Please may you provide the full responses from the LGBTQ+ Action Plan consultation.

Our response

The information described in the enclosed list will be withheld under Section 14(1) of the Freedom of Information Act. The reasons for applying these exemptions, Section 14 (1) are set out in full in Annex A at the end of this letter.

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: 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

Annex A: Application of Section 14(1) of the Freedom of Information Act.

The Freedom of information Act provides a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

We have decided to withhold the following information:

- The full responses from the Welsh Government LGBTQ+ Action Plan consultation.

The information described in the enclosed list will be withheld under Section 14(1) of the Freedom of Information Act.

Section 14 (1) states that this may be applied where requests which would impose a grossly oppressive burden but are not covered by the Section 12, cost limits, of the Freedom of Information Act.

We have engaged Section 14 (1) of the Freedom of Information Act, as it is deemed that this FOI would impose a grossly oppressive burden on us as authority, which would not be covered by Section 12 relating to cost limits.

For the Welsh Government to comply with this Freedom of Information request significant re-allocation of resources, imposing an oppressive burden on the Welsh Government, would be necessary in order to review and prepare each of the LGBTQ+ Action Plan completed consultation responses to ensure full compliance with the Data Protection Act 2018 and United Kingdom General Data Protection Regulation.

There would be an excessive amount of information to review and prepare:

- A total of 1,334 responses were submitted, of which 1,123 were via the online consultation form and 211 were received via email.
- **773 of the 1,123 online responses asked us to keep their responses anonymous.**

For the responses via the online consultation form (making up 84% of the total responses) there is 1,830 pages of text. The remaining 16% (the email responses) average 20 - 40 pages each.

The time required to review and prepare the completed consultation responses for disclosure, including any possible redactions, would take approximately one quarter of an hour per response, dependent on the number of pages. On this basis, review and preparation for disclosure would take approximately 333 hours¹.

¹ $1,134 \times 0.25 = 333$ hours

To ensure full compliance with the Data Protection Act 2018 and United Kingdom General Data Protection Regulation, each response would need to be reviewed and in each case where anonymity had been requested, all personal data throughout the document would need to be identified and redacted.

Complying with this Freedom of Information request would impose a grossly oppressive burden on the Welsh Government. We are therefore withholding the information requested under Section 14(1) of the Freedom of Information Act.