



15 May 2026

Dear ,

Request for internal review in respect of ATISN 26787 – British Sign Language and First Aid in the Curriculum for Wales

Further to my letter of 5 May 2026, and your email of the same date, I have now completed my consideration of the information identified during the internal review of the Welsh Government's response to your recent request for information made under the Freedom of Information Act 2000.

As I said in my earlier letter, during the review a re-examination of the records undertaken as part of the internal review identified some documentation relating to First Aid training that falls within the terms of your original request.

I also stated that in my view some of the information contained in the documents identified should be exempt from disclosure under Section 40(2) of the Freedom of Information Act 2000. This exemption relates to personal Information.

Section 40(2) of the Freedom of Information Act 2000 is a qualified exemption, meaning it is subject to the public interest test. I am aware you have queried this. The public interest test is invoked where personal information is identified and where the circumstances described in section 2(3)(f)(ii) of the Act do not apply. This is the case here.

The information you requested is enclosed as follows:

1	02 November 2017	Email including an attachment with data on the percentage of schools in each local authority area who had received first aid training in 2017 from British Heart Foundation, British Red Cross and St John Cymru-Wales
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2	12 January 2018	Email enclosing a Response from the British Heart Foundation Cymru, the British Red Cross (Wales) and St John Cymru to the draft Health and Wellbeing Area of Learning Experience (AoLE) statements.
3	23 February 2018	Email trail between the British Heart Foundation and Welsh Government discussing the response to the Health and Wellbeing AoLE Statement.
4	09 July 2018	Email exchange between stakeholders and Welsh Government officials arranging a meeting.
5	10 July 2018	Email exchange between stakeholders and Welsh Government officials arranging a meeting.
6	23 September 2018	An email from the Red Cross containing a powerpoint presentation to be made to pioneer schools as part of the work to inform the development of Curriculum for Wales
7	25 March 2019	Consultation Response from the British Heart Foundation

I have decided that **some of the information** is exempt from disclosure under section 40(2) of the Freedom of Information Act 2000 and is therefore withheld. The reasons for applying this exemption are set out in full at Annex A to this letter.

I have considered your complaint in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests for Information](#) which is available by post on request or via the internet.

If you remain dissatisfied with this response you 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.

Yours sincerely,

Nicola Edwards
Dirprwy Gyfarwyddwr / Deputy Director
Tegwch mewn Addysg / Equity in Education

Annex A

Freedom of Information Act 2000: Section 40(2)

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

There is a recognised public interest in:

- Transparency and accountability in decision-making processes
- Understanding how public bodies engage with stakeholders
- Scrutiny of actions taken by public officials and organisations

Accordingly there is a public interest in transparency around how the Welsh Government gathers evidence and engages with stakeholders. However, there would be little to no

additional merit in the requestor having access to the personal identifiers of third parties contained in the information identified, as the organisations engaged are apparent along with their views.

2. Is disclosure necessary?

In this case:

- The documents can be meaningfully understood without including the personal identifiers of the third parties involved in the exchanges
- Disclosure of the personal identifiers would add minimal additional value to public understanding of the matters in question

Therefore, disclosure of names and email addresses is not necessary to understand the information.

It is also important to note that:

- Individuals with distinctive names may be easily identifiable, even if partial information is released
- Some of the third parties have left their organisations meaning it has not been possible to seek their views on disclosure. Their expectation of privacy is likely to be higher
- Disclosure of personal identifiers creates a risk of unsolicited contact or harassment and / or redistribution or misuse of personal data. The information would be available to the wider public, and not just the requestor. Even low-level harm is relevant where disclosure is not necessary

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

While we recognise the value of openness and transparency, we consider that, on balance, the release of personal data pertaining to third parties is not necessary to aid understanding of the information provided.