

11 May 2026

Dear

ATISN 26880 – Health Impact Assessment Regulations

Thank you for your request to Welsh Government for information under the Freedom of Information Act (2000) received on 10 April 2026 relating to the development and implementation planning of the Health Impact Assessment (Wales) Regulations 2025.

You requested the following information to be provided:

1. Impact and regulatory assessments

- *All regulatory impact assessments, integrated impact assessments, or equivalent policy assessments produced by Welsh Government in relation to the Health Impact Assessment (Wales) Regulations 2025.*
- *Where drafts exist that are held and materially different from the final published version, please include them where disclosure is possible.*

2. Capacity and workforce analysis

- *Any internal analysis, briefing papers, or assessment documents produced in relation to the Regulations which include discussion of:*
 - *workforce capacity for Health Impact Assessment in Wales;*
 - *estimated demand for HIA practitioners arising from the Regulations;*
 - *estimated costs to public bodies of implementing HIA requirements.*

3. Workforce development planning

- *Any workforce planning documents, training strategies, or implementation plans produced by Welsh Government, Public Health Wales, or WHIASU relating to developing Health Impact Assessment capacity in preparation for the Regulations.*

4. Implementation correspondence (targeted)

- *Any correspondence, briefing notes, or internal summaries produced by Welsh Government between January 2023 and the present (or most recent available recorded point) which record implementation concerns or capacity constraints raised by or discussed with the public bodies subject to the Regulations.*

Our Response

- 1) A Regulatory Impact Assessment, with an accompanying Explanatory Memorandum, was published on 16 September 2025 and can be found here: [EM template for sub leg](#)

An Integrated Impact Assessment was published on 01 December 2025 and can be found here: [Integrated impact assessment: Health Impact Assessment \(Wales\) Regulations | GOV.WALES](#)

- 2) Workforce Capacity

Analysis of workforce capacity for Health Impact Assessments was included in Regulatory Impact Assessment and can be found in the link already provided.

The public consultation on the proposed Regulations was launched on 29 December 2023 and closed on 29 March 2024. It asked 19 questions, with the aim to gather views including the benefits and costs to public bodies. The summary of the consultation responses was published in April 2025 and can be found here: [Consultation on Health Impact Assessment \(Wales\) Regulations: summary of responses](#)

Estimated Demand for HIA practitioners

The Welsh government does not hold this information.

Estimated Costs to Public Bodies

Estimated costs to public bodies of implementing HIA requirements were published as part of the Regulatory Impact Assessment and can be found in the link already provided.

- 3) The Welsh Government does not hold the information requested. Under the Regulations, Public Health Wales has been directed to provide guidance and training for the public bodies.

Freedom of Information requests only apply to the recorded information held by the organisation it is sent to. For information held by Public Health Wales, or WHIASU as part of Public Health Wales, then a separate request needs to be made to them. Information on how to make requests to PHW can be found here: [Freedom of information - Public Health Wales](#)

- 4) The public consultation on the proposed Regulations recorded the views of the public bodies, including implementation concerns and/or capacity constraints and the link to the consultation summary document produced by Welsh Government has already been provided.

Following the consultation, the Welsh Government had direct engagement with one organisation, Qualifications Wales, regarding some concerns about organisational capacity. The information captured by this request is attached at Doc 1.

We have concluded that some of the information requested is exempt from disclosure under the following section of the Freedom of Information Act:

- Section 40(2) – Personal Information of the Freedom of Information Act.

An explanation of our application of this exemption is set out at Annex 1 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: Freedom.ofinformation@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 1

Section 40(2) – Personal Information of the Freedom of Information Act

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

Your request relates to information about Health Impact Assessment Regulations, which includes copies of correspondence, briefings and advice.

We have concluded that, in this instance, there is little to be gained from releasing the names of individuals and other personal data which are included within the attached documentation. We believe we have provided sufficient information to satisfy the legitimate interest, and we do not believe disclosure of the identities of those consultants would allow any greater understanding

2. Is disclosure necessary?

Following the above analysis, we do not believe that disclosure of the personal data is necessary.

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

As we do not believe disclosure of this personal data is necessary, there is no requirement on us to undertake a test to balance the legitimate interests against the right of individuals, as the fundamental rights and freedoms provided by the DPA are not being challenged.