

25 September 2026

Dear ,

ATISN 27431 LGBTQ+ Action Plan, Advisory Panel

Information requested

Thank you for your request which I received on 27 August 2026. You asked:

Will the Cabinet Minister publish details on the LGBTQ+ action plan advisory group, including a) the membership, b) external attendees, and c) the minutes of the meetings?

Our response

A copy of the information you have requested has previously been published in FOI 27141 which can be located on the Welsh Government website, a link has been provided below for ease.

LGBTQ+ Advisory Group

<https://www.gov.wales/atisn27141>

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 B

The Freedom of information Act/Environmental Information Regulations provide 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.

I have decided to withhold the following information under s40(2):

Freedom of Information Act 2000:

Section 40(2), together with the conditions in section 40(3)(a)(i) or section 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(3) of the Data Protection Act 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, including 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 that individual.

We have concluded that, in this instance, the information requested contains third party personal data, namely the names and associated identifying information of individuals connected with the LGBTQ+ Action Plan Advisory Group and LGBTQ+ Expert Panel Group including members of the Groups and civil servants involved in its meetings, administration or related work.

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 UK GDPR.

We consider the principle most relevant in this instance to be the first principle, which states that personal data must be

‘processed lawfully, fairly and in a transparent manner in relation to the data subject’.

The lawful basis 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**

We recognise that there may be a general interest in understanding how the LGBTQ+ Action Plan Advisory Group and Expert Panel Group supports implementation of the LGBTQ+ Action Plan for Wales, the range of views considered by Welsh Government, and the way in which stakeholders and officials contribute to policy development. However, we are not aware of any specific legitimate interest which requires disclosure of the names of individual Group members, participants, civil servants or other individuals connected with the Group.

2. **Is disclosure necessary?**

We do not consider that disclosure of the names of individuals connected with the Advisory Group and Expert Panel Group is necessary to meet any legitimate interest. The function, remit and workings of the Group can be understood without identifying individual members, participants or officials. The LGBTQ+ Action Plan Advisory Group and Expert Panel Groups were Welsh Government's mechanisms for stakeholder engagement to inform implementation of the LGBTQ+ Action Plan for Wales. Their role, Terms of Reference, meeting minutes and relevant outputs can provide transparency about the Group's purpose, the issues considered and the way in which views are fed into policy development, without requiring disclosure of personal names. Similarly, the content of meeting records, including discussions, decisions and actions, can be understood without naming individual civil servants or other individuals where their identity is not necessary to understand the substance of the business conducted.

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

We have considered whether any legitimate interest in disclosure would override the rights and freedoms of the individuals concerned. We do not consider that it would. Disclosure of names in the context of the LGBTQ+ Action Plan Advisory Group and the LGBTQ+ Expert Panel Group could lead to individuals being identified with particular views, policy positions, protected characteristics or involvement in areas of policy which may be sensitive or contested. In relation to members or participants, disclosure of names may give rise to public speculation about a person's sexuality, sexual orientation, gender identity or other protected characteristics, whether or not such assumptions are accurate. In relation to civil servants, disclosure of names in connection with LGBTQ+ policy work could expose individuals to unnecessary personal attention or targeting, including through social media or other online platforms. We are aware that individuals involved in this area of work may be subject

to intrusive or upsetting contact, and in some cases the disclosure of further personal information online may create risks to personal safety. Welsh Government has a duty of care to avoid placing individuals at unnecessary risk where disclosure of their identity is not required to understand the work of the Group or the policy position of Government.

For these reasons, we consider that disclosure of the names of individuals connected with the Advisory Group and Expert Panel Group would be unfair and would not be lawful under Article 6(1)(f) of the UK GDPR. As no other Article 6 condition is considered to apply, disclosure would breach the first data protection principle. The information has therefore been withheld under section 40(2) of the Freedom of Information Act 2000. Section 40(2) is an absolute exemption and is not subject to the public interest test.