06 November 2026

Dear

ATISN 26-0008 – Meeting with Mabon Ap Gwynfor 28/07/2026 re ME/CFS

Thank you for your request to Welsh Government for information under the Freedom of Information Act (2000) received on 10 October 2026, relating to the meeting held by Mabon Ap Gwynfor, Cabinet Minister for Health and Care, with four groups on 28th July 2026 concerning ME/CFS.

You requested the following information:

- *To provide a copy of the minutes of this meeting*

Our Response

Please find attached the notes from the meeting as requested held on 28 July 2026.

We have concluded that some of the information requested is exempt from disclosure under Section 40(2) – Personal Information of the Freedom of Information Act. An explanation of our application of this exemption is set out at **Annex A** 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 A

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 the meeting held by Mabon Ap Gwynfor, Cabinet Minister for Health and Care, with four groups on 28th July 2026 concerning ME/CFS and you have asked for a copy of the notes from that meeting.

We have concluded that, in this instance, there is little to be gained from releasing the

name of individual who attended the meeting and believe we have provided sufficient information to satisfy the legitimate interest, and we do not believe disclosure of the identities of those who attended 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.