

<b>Reference:</b>	FOI.17917.25
<b>Subject:</b>	Equality and Human Rights Commission (EHRC) consultation
<b>Date of Request:</b>	28 July 2025

**Requested:**

1. Please provide a copy of the consultation response by or on behalf of your organisation, or by any representative thereof to the EHRC consultation published 20/5/25 in response to the Supreme Court judgment in the case of For Women Scotland v Scottish Ministers.

[Equality regulator opens consultation on updates to services Code of Practice | EHRC](#)

2. Please also provide any reports or internal correspondence within your organisation relating to the completion or preparation of this consultation response.

**Response:**

Hywel Dda University Health Board (UHB) is unable to provide you with all of the information requested for question 2, as it is estimated that the cost of answering your request would exceed the “appropriate limit” as stated in the Freedom of Information Act 2000 (Appropriate Limit and Fees) Regulations 2004. The “appropriate limit” represents the estimated cost of one person spending 18 hours (or 2½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

To provide you with the information requested, the UHB would be required to contact all of its teams and services across the UHB and request a manual search of computer systems and email accounts to be undertaken, to identify any information that may fulfil your request, as this is not recorded centrally.

The UHB can confirm that it has one hundred and forty-seven (147) services and teams listed on its website. Therefore, contacting each of these and requesting a search of systems would exceed the 18 hours stipulated within the Freedom of Information Act 2000 (FoIA). Based on the number of teams that would need to be contacted and the subsequent number of staff members, conducting a search would far exceed the ‘appropriate limit’, costing the UHB the following:

147 @ 15 minutes per item = 36.75 hours  
36.75 hours @ £25 per hour = £918.75

The UHB is therefore applying an exemption under Section 12 of the FoIA, which provides an exemption from a public authority’s obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

However, under Section 16 of the FoIA, we are required as a public authority, to provide advice and assistance so far as it is reasonable to individuals who have made a request under the FoIA, which can include assisting a requestor to further refine their request.

Unfortunately, the UHB is unable to provide advice on how you can refine your request further. This is due to the UHB still requiring a manual trawl of all employee computer systems to identify any information relating to your request. However, the UHB provides below the accessible information it holds.

The UHB is withholding some personal information, such as names, email addresses, telephone numbers and extension numbers that relate to some of its staff. This decision has been made as it is not within the reasonable expectations of these individuals that their personal data, including signatures, would be released into the public domain. Accordingly, the UHB has applied redactions within the attachments provided. This information is classed as personal data of a third party. Therefore, it is being withheld in accordance with the exemption set out in section 40(2) of the FoIA, by virtue of section 40(3)(a) of the FoIA, which permits a public authority to withhold personal data other than the requestor's where the disclosure would breach Data Protection principles.

This information is protected by the Data Protection Act 2018 (DPA)/UK General Data Protection Regulations (GDPR), as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles of the UK GDPR. This exemption is absolute and therefore, there is no requirement to apply the public interest test.

In reaching this decision, the DPA and UK GDPR define personal data as data that relates to a living individual who can be identified solely from that data or from that data and other information, which is in the possession of the data controller.

1. The UHB provides a copy of its response to the EHRC consultation on the code of practice for services, public functions and associations, at Attachment 1.
2. A Section 12 exemption has been applied. However, under Section 16, the UHB has identified twelve (12) documents that relate to the completion and/or preparation of the EHRC consultation response. Of these, six (6) documents contain duplicate information that is included within other documents being provided. Therefore, the UHB provides copies of the six (6) documents identified that are relevant to your request, at Attachments 2 to 7.