

Reference:	FOI.8440.22
Subject:	Recent correspondence to Hywel Dda University Health Board
Date of Request:	11 March 2022

Requested:

FOI 8440

Received by Sarah Bevan, Information Governance Manager on the 11 March 2022, containing one (1) question as follows:

1. Would you please confirm the function and mechanics of the Secure Email System?

FOI 8470

Received by the Freedom of Information Department, on the 11 March 2022, containing two (2) questions as follows:

I have been informed by HDUHB FOI that there are two provisos in the Freedom of Information Act regarding 20 days limit for response:-

- (1) If the information is available then it may be forwarded before the 20 day limit.
- (2) If extra time is needed over the 20 days limit, a reasoned extension should be requested.

1. Would HDUHB FOI confirm that I have received accurate information?
2. Would HDUHB FOI confirm that Ms Sarah Bevan, HDUHB Information Governance Manager manages Secure Email to me via specific contact details?

FOI 8552

Received by Sarah Bevan, Information Governance Manager on the 23 March 2022, containing eight (8) questions as follows:

1. Would HDUHB Information Governance confirm that the document 20220307 response letter (JS) was forwarded to Government Secure Files?
2. HDUHB Information Governance confirm that my Clinical Records are Sensitive Person Identifiable Information (SPII)?
3. Would HDUHB Information Governance confirm that each of the five categories of listed HDUHB staff have the same level of access to my Clinical Records?
4. Would HDUHB Information Governance confirm that my Clinical Records can only be accessed manually following a written request?
5. Would HDUHB Information Governance confirm that my Clinical Records can only be accessed digitally by means of a password?

6. Would HDUHB Information Governance confirm that the password is the same for each category of the five listed categories of HDUHB staff that have accessed my records in the last 3 years?
7. Would HDUHB Information Governance confirm by quantitative and qualitative analysis of the statistics how many Consultants, how many Doctors accessed my Clinical Records in the last 3 years and what category of Medical Staff are covered by etc.?
8. Would HDUHB Information Governance quantify and qualify each of the remaining four categories, i.e. Clerical Staff - 159, Nursing Staff - 40, Pharmacy Staff - 3 and Therapies Staff - 5?

Response:

Following a review of your correspondence, Hywel Dda University Health Board (UHB) has made the decision to refuse some of your requests for information, on the basis that the requests will be of little benefit to the wider public. The UHB's reasons are detailed below; the remainder of your requests are answered subsequently.

The UHB considers (many of) the requests to be vexatious. Vexatious requests can be determined using the guidance as set out in Section 14 of the FoIA. The points drawn upon by the UHB to reach this decision are provided below:

- Multiple requests with a similar or related subject matter have been submitted to multiple UHB officers within a short timeframe. The requestor sends in new overlapping requests before the UHB has had an opportunity to address the earlier enquiries.
- The UHB recognises that (some of) the requests submitted are repetitive and have previously been answered in full by the UHB.
- The UHB believes that the requests are part of a scattergun approach, which lacks any clear focus and are intended to waste time and/or unnecessarily utilise resources for no apparent purpose.
- A number of the requests are simply trivial or frivolous and require disproportionate effort from UHB officers to handle.
- The requestor is abusing their rights of access to information by using the legislation to harass and annoy the UHB; for example, by requesting information which the UHB knows them to possess already.

Details of the refused requests under Section 14 of the FoIA are as follows:

- FOI 8470 – Questions 1 and 2
- FOI 8552 – Questions 1, 7 and 8

FOI 8440

1. The UHB confirms that the NHS Wales Secure File Sharing Portal is a system which allows for the issuing of correspondence or file sharing that contains Person Identifiable Information (PII). All NHS Wales email accounts will have authority to use the portal and will use their NHS Wales login details to access the portal. When sending files or correspondence to a third party outside of the UHB, the system will generate a temporary password, which along with the email address that receives the notification, will allow the recipient access to the file received. The password will only remain active for twenty (20) days, after which the file will be deleted by the system and will no longer be accessible.

FOI 8552

2. The UHB confirms that all patient records are viewed as Person Identifiable Information (PII).
3. The UHB confirms that its employees have different access arrangements to patient records, depending on their role and responsibilities.
4. The UHB confirms that clinicians can request access to patient Health Records from the UHB's Health Records Department.

Additionally, patients requiring access to their Health Records can apply in writing to the UHB's Access to Health Records Department by means of a Subject Access Request (SAR); additionally patients requesting access to their Non-Medical Records can submit a SAR to the UHB's Information Governance Department.

Details on how to make these requests can be found on the UHB's 'Your information, your rights' webpage and can be accessed via the attached link:

[Your information, your rights - Hywel Dda University Health Board \(nhs.wales\)](https://www.nhs.uk/your-information-your-rights)

5. The UHB confirms that all employees must receive and utilise a password to access patient digital records through the relevant systems.

The details have been provided above requesting digitally held Health Records held.

6. The UHB confirms that each employee will create an individual password, unique to them, which is in line with the UHB's standards as set out in the UHB's Acceptable use of Information & Communication Technology (ICT) Policy; this is available on the UHB's Policies and Procedures webpage. For ease of reference, a hyperlink to the policy has been provided below:

[320AcceptableUseofITPolicy-v2.pdf \(wales.nhs.uk\)](https://www.wales.nhs.uk/320AcceptableUseofITPolicy-v2.pdf)