



Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust



Pencadlys Ymddiriedolaeth GIG Prifysgol Felindre
Velindre University NHS Trust Headquarters
2 Cwrt Charnwood
Heol Billingsley
Parc Nantgarw
Caerdydd/Cardiff
CF15 7QZ



Ffôn/Phone : (029) 20196161
<https://velindre.nhs.wales>

Date: 29th May 2024
Ref: CORP 2024 - 089

Dear xxx

Freedom of Information request: Sick Days Report (CORP 2024 – 089)

Thank you for your request for information which the Trust received on 24th April 2024. We apologise for the delay in responding.

Your Request:

Can I please have data on sick days taken by employees within your organisation for the last 5 years. I'm aware you are unable to provide personal information so please just refer to each person as Person1, Person2 etc.

Please provide the information below in CSV file format in the following order of preference:

- [Authority name],*
- Calendar Year,*
- Anonymised Person data,*
- Department,*
- Number of days off sick,*
- Approx cost of sickness absence,*
- Reason (if available)*

Please find the Trust's response below:

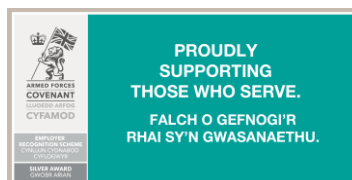
The Trust does not record the data requested in a format that enables the information to be easily retrieved to the level of detail required to specifically answer your request.

In reaching this decision we estimate that it would take a minimum of 170 hours or £4250 an amount of £3800 over the core amount of £450 extra to obtain the data. The amount would require payment in full prior to the Trust undertaking the work.

As result, the Trust is applying an exemption under Section 12 Freedom of Information Act (Exemption where cost of compliance exceeds appropriate limit), the legislation in this instance states:

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.*

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The Trust is also applying an Absolute Exemption under Section 40(1) and (2)(a) of the Freedom of Information Act 2000 (Personal information of third parties), as the information may allow the identification of individual staff members due to the small numbers within some of the Trust's departments. The legislation states:

- (1) *Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.*
- (2) *Any information to which a request for information relates is also exempt information if -*
 - (a) *it constitutes personal data which does not fall within subsection (1).*

The information you have requested is also exempt under section 38(1) of the Freedom of Information Act 2000 (Health and Safety) which states:

- (1) *Information is exempt information if its disclosure under this Act would, or would be likely to*
 - (a) *endanger the physical or mental health of any individual, or*
 - (b) *endanger the safety of any individual.*

We have concluded that due to the potential of this information being identifiable, it could have a detrimental impact on an employee's health and wellbeing. In this instance, we consider that the public interest in withholding the information is greater than the public interest in disclosing the information.

The Trust has a duty to advise and assist you under Section 16 of the Act where possible and reasonable to do so. Unfortunately, in this instance, it is not possible for us to do so.

Although you have requested this information in a specified, 'anonymised' format (e.g. "Person1"), we believe that with the additional information you are seeking including year, department, number of sick days and reason, this combined information will allow the identification of some individuals. Some of our departments are small, some staff have absence unique to their circumstances, and some are absent due to reasons that would be recognisable to other staff. The many years' worth of data would indicate trends in absence which could also identify staff. It is important to note that an individual's health data is considered 'special category' data under data protection legislation and therefore requires greater protection. The Trust has an explicit duty to safeguard confidential, personal information relevant to its employees under this legislation.

I trust this answers your request for information, however, should you not be satisfied with the information supplied or the process of supplying it, you have a right to complain and request a review. Please note that you must submit a request for a review within 40 days of the date of this letter.

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You should forward your complaint to:

Mr Ian Bevan via FOI.VUNHST@wales.nhs.uk
Head of Information Governance
Velindre University NHS Trust
2, Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff / Caerdydd
CF15 7QZ

Should you wish to take your complaint further, if you are still unhappy with the decision after review, you can contact the:

Information Commissioner's Office - Wales
2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH
Telephone: 0330 414 6421
email: wales@ico.org.uk

Yours sincerely

Lauren Fear
Director of Corporate Governance and Chief of Staff
Velindre University NHS Trust
2 Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff
CF15 7QZ

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