



Eich cyf/Your ref  
Ein cyf/Our ref: RG/050508/20

Wynne Jones

[minyrafon@btinternet.com](mailto:minyrafon@btinternet.com)

21 August 2020

Dear Mr Jones,

Thank you for your email of 6 August in response to the letter from Robert Griffiths, Operation Lead – Contact Tracing.

We fully understand your concerns about the security of personal data processing required for the purpose of the Test, Trace, Protect service. You can be reassured Welsh Government officials have considered the implications for personal data processing throughout the development of the Test, Trace, Protect strategy to protect public health during the Covid19 emergency. There has been considerable engagement and consultation between officials and the Information Commissioner's Office (ICO) as the UK Regulator.

Under the GDPR, a national parliament may make a regulatory measure which creates an obligation for data controllers to process personal data; this does not make that national parliament the data controller for that processing. In the case of Test, Trace, Protect, the Welsh Government is obliging businesses to collect data for the NHS TTP process under the Health Protection Regulations (Wales) 2020. When making such regulations, the Welsh Government is expected to take due consideration of data protection impacts and is subject to a legal requirement to consult with the ICO, which it has done.

With respect to how personal data is being recorded and processed for Test, Trace, Protect by private businesses, this is a matter solely for those businesses. That businesses are the competent authority under the law is a matter of fact and not opinion. Each individual business, as data controller, is responsible for complying with the GDPR and ensuring their



Grŵp Iechyd a Gwasanaethau Cymdeithasol  
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Parc Cathays • Cathays Park  
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Canolfan Cyswllt Cyntaf  
• First Point of Contact Centre:  
E-bost • E-mail:  
[CustomerHelp@gov.wales](mailto:CustomerHelp@gov.wales)  
Ffôn • Tel: 0300 0604400

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

compliance is a matter for the Information Commissioner's Office alone as the designated UK Regulator.

I am unable to comment on the sharing of data with respect to laboratory test results as the Welsh Government is not the Data Controller for laboratory services and is not involved in this data processing. In this case, questions you have with regards to data protection should be directed to Public Health Wales.

Yours sincerely

A handwritten signature in blue ink that reads "Robert Griffiths". The signature is cursive and somewhat stylized, with the first name "Robert" and the last name "Griffiths" clearly legible.

**Robert Griffiths**  
Operational Lead, Contact Tracing