

Freedom of Information Act 2000 - Request Reference Fol/20/121
Endoscopy Provision

Request details

Please provide the following information under the Freedom of Information Act 2000

- 1. Which third party is currently used by the Health Board to deliver insourced endoscopy services?**

Medinet.

- 2. How long has this contract been in place? What was the start date?**

19.11.2019

- 3. When does this contract end and when do you expect to start re-procuring?**

15.3.2020 – please note due to COVID-19 there are no immediate plans to re-procure, though options are being discussed for future activity.

- 4. How many patients have been seen since the start of the current contract? Please also break down by HRG/OPCS code.**

Please find attached spreadsheet. Please note the attached file contains 2 tabs. Tab 1 shows the total patients seen in the confirmed period split by HRG and a split by OPCS code. Tab 2 shows a combined split of HRG/OPCS

- 5. What are the average and maximum number of JAG points completed per list (i.e. per endoscopist per day)?**

26 points per room, per day to allow for DNA/CNA

- 6. Does a floor price apply to the contract? If so, on how many occasions has the floor price per room per day charge been applied?**

Yes, most occasions.

- 7. What is the average charge per room per day?**

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) Commercial Interests. This section of the Act sets out an exemption from the right to know if:

- the information requested is a trade secret, or

- release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of the company in question. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with agencies. This in turn could lead to less effective use of public funds in future. It has been established above that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 ICO v Royal Marsden Hospital Trust).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it was not in the public's interest to disclose this information.

8. On how many occasions have four endoscopy rooms been used concurrently?

Excluding the first weekend of a renewed contract, 4 rooms are used every weekend.

9. Have there been any occasions when only 3, 2 or 1 rooms have been used? If so, how many instances of each?

Generally the first/second weekend of contract