



**GIG**  
CYMRU  
**NHS**  
WALES

Bwrdd Iechyd Prifysgol  
Caerdydd a'r Fro  
Cardiff and Vale  
University Health Board

**Freedom of Information Act 2000 - Request Reference FoI/22/100**  
**Stonewall**

**1. How much has Cardiff & Vale UHB paid Stonewall over the last 5 financial years - can this information be provided year by year with a description of what the payment was for.**

STONEWALL EQUALITY		
FY	£	INFO
2019/20	£420	Development Session 27 Jun 2019
2020/21	£3,000	STONEWALL DIVERSITY CHAMPIONS ANNUAL MEMBERSHIP 20/21
2021/22	£3,000	STONEWALL DIVERSITY CHAMPIONS ANNUAL MEMBERSHIP 21/22
2021/22	£600	TRANS INCLUSION DAY - 2 JULY 2021

**2. Can you please provide a copy of Cardiff & Vale UHB's submission to Stonewall for the 2022 Employer's List which saw Cardiff & Vale UHB ranked 37th by Stonewall.**

<https://www.stonewall.org.uk/full-list-top-100-employers-2022>

Please see attached.

Please also note that this document has been redacted, relying on the following exemptions of the FOIA:

Cardiff and Vale University Health Board (the UHB) believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

And information pertaining to the internal training materials of UHB staff, 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).





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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 both Cardiff University and the UHB. 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:** It has been established that releasing the information sought under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to competitors. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position. This in turn could lead to less effective use of public funds in future. The UHB believes that there is wider established public interest in suppliers 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.

**3. Can you please confirm which, if any, other equal rights organisations Cardiff & Vale UHB, specifically around the Equality Act protected characteristics relating to sex, religion, disability, age and pregnancy/maternity.**

In completing a search for the information requested, Cardiff and Vale University Health Board (the UHB) has confirmed that this information is not centrally recorded or collated. Cardiff & Vale UHB work with a number of third-party organisations in relation to the protected characteristics outlined above. Engagement with these organisations is not undertaken by one specific department, to retrieve the information requested would require a manual search through individual records and the UHB considers that this would exceed the limit set within regulations for responding to a request.





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The UHB has therefore relied upon the Section 12 exemption ('Exemption where cost of compliance exceeds appropriate limit') of the Freedom of Information Act 2000 and is refusing your request.

The UHB has estimated that to complete the work needed to respond to this request would exceed the time limit as set within regulations to respond to a Freedom of Information Act request. Under the Act there is an allowance of two and a half days, or 18 hours, to comply with a request and the cost limit set within the fees' regulations for this amount of work (18 hours) is £450 for the UHB. The fees regulations specify that the cost of complying with a request must be calculated at the rate of £25 per hour.

**4. At the time of writing there is a job advertised on the Cardiff & Vale UHB website for a "Rotational Midwife" with the description as below. The advert mentions women and does not acknowledge that non-binary and men can require midwifery services along with their families. Have Stonewall approved the language used in this job advert which excludes trans men and non-binary people?**

The UHB can confirm that Stonewall were not contacted in relation to the job advert you have referred to and therefore did not approve the language used.

