

Freedom of Information Act 2000 - Request Reference FoI/23/031
Courier and Taxi Service

Information Requested:

I am writing to obtain the following details in relation to your use of couriers, taxis, and non-patient transport services please:

1. The amount spent on courier/taxi/non-patient transport services in each of the following financial years:

- 2021-22
- 2020-21
- 2019-20
- 2018-19
- 2017-18

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 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 the supplier's competitors. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with suppliers. 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.

2. A breakdown of the amount spent on taxis and courier services by department (for example pathology, pharmacy, sterile services, medical records etc) in each of the following financial years:

- 2021-22
- 2020-21
- 2019-20
- 2018-19
- 2017-18

The UHB believes that Section 43 (Commercial interests) applies here. Please see the exemption set out above. However, under Section 16 which provides us with the duty to advise and assist, the UHB can provide you with the following list of directorates that have utilised the Taxi service.

Clinical Diagnostics & Therapeutics
Corporate Executives
Primary, Community and Intermediate Care
Surgical Services
Medicine
Capital Estates and Facilities
Mental Health
All Wales Genomics Service
Children & Women
Specialist services
Surge Hospitals
Corporate/central

3. A breakdown of the amount spent on taxis and courier services by reason for spend (for equipment, specimens, medicine etc) in each of the following financial years:

- 2021-22
- 2020-21
- 2019-20
- 2018-19
- 2017-18

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. To retrieve the information requested would require a manual search through individual taxi bookings and the UHB considers that this would exceed the limit set within regulations for responding to a request. 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. The name of your courier/taxi/non-patient transport services suppliers

Health Courier Service & Dragon Taxis

5. The annual value of your courier/taxi/non-patient transport services suppliers' contracts

Please see response to question 1.

6. The expiry dates of your courier/taxi/non-patient transport services suppliers' contracts

No expiry on HCS.

Taxi contract expires 31/07/23

7. The name of the framework(s) used to procure your courier/taxi/non-patient transport services suppliers' contracts

NMD-OJEU-31762 Taxi and Light Goods Transportation Service

8. The total cost of the courier/taxi/non-patient transport services that are not outsourced but are managed in-house

The UHB does not hold this information. Under Section 16 of the FOIA, which provides us with the duty to advise and assist, the UHB can inform you that there is no in-house courier service. The UHB fleet of vehicles is used only to deliver health services to patients.

9. The number of staff employed in managing the in-house contracts

One.

10. The number of vehicles either owned or leased to meet the in house courier requirements

Not applicable.

11. The name(s) and email(s) of the person(s) responsible for the management of courier/taxi/non-patient transport services.

Head of Transport and Sustainability

After considering your request, the UHB believes that the name and email address 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.

12. The name(s) and email(s) of the person(s) responsible for the procurement of courier/taxi/non-patient transport services

This is managed on an All Wales contract based on the Intergrated Partnership – North Wales team, run by the Assistant Head of Operational procurement

The UHB believes Section 40(2) Personal Information applies to the name and email address requested, please see the exemption set out in response to question 11.