

Freedom of Information Act 2000 – Request Reference FoI/23/583
Parking Data and Correspondence

Information Requested:

This FOI request relates to the Cardiff and Vale UHB's University Hospital of Wales site and the car parking data & policies on that site, including the parking permit department/office. It also relates to correspondence issued from that office which may come from, but not necessarily be limited to, the following email address:

CAV_UHB.Parking.officePermits@wales.nhs.uk

Please provide the following data, in Excel format where suitable, or PDF format alternatively.

1. Total number of parking spaces at University hospital Wales site. Please break down data into car park number and type of parking space, eg. General staff permit, multi-site staff permit, patient parking
2. Number of parking permits issued to staff. Please break down data in a nested display as follows:
 - a. Section) type of permit eg. multi-site permit and general staff permit
 - b. Sub-section) Staff members department/directorate (eg, Estates, Clinical, etc)
 - c. Sub-sub-section) Staff members agenda for change pay band (if applicable)
3. Criteria used to determine whether a staff member is issued a general permit or a multi-site permit using information from the parking permit application (eg distance of home from hospital, frequency of needed to change site etc). Please provide specific details of the cut-offs utilized for decision making.
4. Any other criteria used to determine type of permit issued that is not included on the parking permit application (eg any specific staff groups that are automatically given a specific permit)
5. Number of permit applications received per month, over the last 12 months, and number of applications rejected including reason for rejection. Number of permit applications deleted/removed or adjusted over the last 12 months including the broad category or reason for change/deletion.
6. Duration of time in days taken to assess and issue a parking permit. Please provide data per month over the last 12 months. Please include average time, shortest time and maximum time in days.
7. Criteria used to determine priority in which to process requests for new permits (eg date request received, or other criteria?)
8. Steps and processes taken to ensure notice of permit issuance has been sent and received by staff members
9. The number of parking charge notices that the parking office has canceled or voided internally (either via email correspondence or direct discussion at parking office desk). Please break data down into month over the last 12 months and include, and staff member agenda for change band, staff members department, and reason for cancellation of parking charge notice.
10. Criteria or 'valid reasons' used to determine whether a parking charge notice can be canceled by the internal parking office (i.e. without referral to the formal appeals process of the third-party parking provider ParkingEye).
11. Please provide documentation/correspondence/email trails (redacted as necessary) regarding the last 20 conversations between the parking office department and staff members relating directly to parking change notices that have been issued to staff and the result/resolution on those 20 cases.

12. Type of permit issued to staff members working directly within the internal parking office
13. Documentation/correspondence/email trails between parking office department and ParkingEye (third party provider) relating to the number of parking charge notices that have been cancelled internally by the parking office department

Response Details:

1. Please see the below table which represents the estimated number of available parking spaces as submitted for EFPMS as at 31 March 2023. The actual number of available spaces can vary from day to day depending on factors such as ongoing COVID infrastructure changes, contractors on site, etc.

Organisation or Hospital Name	Total parking spaces available	Total Disabled parking spaces	Total parking spaces available for patients or visitors	Total parking spaces available for staff	Fleet Electric Vehicle Charging Points	Visitor/Patient Electric Vehicle Charging Points	Staff Electric Vehicle Charging Points
Cardiff & Vale University LHB	(No.)	(No.)	(No.)	(No.)	(No.)	(No.)	(No.)
University Hospital of Wales	2,856	130	1,041	1,772	3	6	6
Cardiff Royal Infirmary	119	4	119	119	0	0	0
Rookwood Hospital	106	15	106	106	0	0	0
Llandough Hospital	1,340	56	331	1,064	1	4	2
Barry Hospital	161	9	75	88	0	0	0
St David's Hospital	199	14	61	152	0	0	0
Fieldway Pharmacy and Clinical Engineering	49	2	0	49	1	0	0
Aggregated Sites – Non-Clinical	494	13	244	439	0	2	2
Aggregated Sites – Clinical	232	12	232	232	0	0	0
Health Board Totals/Averages	5,556	255	2,209	4,021	5	12	10

2. Cardiff and Vale University Health Board (the UHB) does not hold this information. Neither ParkingEye nor the UHB hold data relating to department or directorate, or staff members' pay band. The ParkingEye system operates using vehicle registrations and permits they are allocated.
3. The 'general' and 'multi-site' staff permits only apply to the University Hospital of Wales (UHW). All other sites with enforcement use a 'general' staff permit, which staff can readily access.

At UHW, a general permit is granted to those who live a minimum of 7 miles away from UHW or have a work pattern that requires them to arrive for work prior to 07:00 and leave UHW after 20:00 Monday to Friday, or both.

A 'multisite' permit is awarded to those who, after arriving at UHW, are then required to leave and return to the UHW for clinics, home visits, etc. within the same day.

4. Permits are not allocated to specific staff groups. Contractors working on site are granted temporary permits if they provide their vehicle details via appropriate Health Board departments, prior to attending site.
5. In completing a search for the information requested, 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 records 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 of the Freedom of Information Act 2000 (FOIA 2000) ('Exemption where cost of compliance exceeds appropriate limit') 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 requests under the FOIA 2000. 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.

6. The UHB does not hold specific data on response times for assessing permit applications. Average response time will take up to a week. During a busier period, this can take up to a month due to other factors including volume of applications received and available resources.
7. The UHB endeavours to process emails in chronological order from date of receipt.
8. Once a decision has been made regarding a permit application (multisite, general, or not met criteria for permit), we reply with the outcome directly to the email address the applicant included on the permit application form, or the email address from which the applicant sent the request for electronic applications. Where a permit is allocated, the type of permit is confirmed and a map of staff car parks included.
9. The UHB believes the section 12 FOIA 2000 exemption to apply here and is therefore refusing your request.
10. The extent to which the UHB parking office can intervene is limited. If the internal parking office is approached it will investigate each case on its merit. Subsequent action will depend on 'fault'. For example, if the incorrect permit has been issued by ParkingEye, the parking office may then be able to cancel the outstanding charge. If the office has emailed the applicant confirming that they have

been granted a UHW multisite permit but a general permit has been issued, it may then be able to cancel any charges that have been generated for parking within multisite car parks.

11. Please see the attached PDFs. Please be aware that the emails have been redacted in accordance with the terms of the FOIA 2000.
12. After considering your request, 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. Its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing with regard to Articles 5, 6, and 9 of the GDPR. We are therefore withholding this detail under section 40(2) of the FOIA 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.
13. After considering your request, the UHB considers this information to be exempt from disclosure under section 43 of the FOIA 2000 ('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 the supplier 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 FOIA 2000, to which the UHB is subject, will give an unfair advantage to the supplier's competitors.

Cardiff and Vale University Health Board v Information Commissioner (EA/2021/0030V) determined there was a causal link between the potential disclosure of the information sought and prejudice to ParkingEye's commercial interests. The judge also accepted in this case that such a prejudice would be likely to occur on the balance of probabilities. If this information were to be disclosed, it is likely it would enable a competitor to gain insight into ParkingEye's business model to the latter's disadvantage. 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 the supplier's competitors. 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 is not in the public's interest to disclose this information.