

Freedom of Information Act 2000 – Request Reference FoI/24/116
Histopathology Services and Outsourcing

For the period April 1st to December 31st 2023, please provide the following information:

- 1. How many whole time equivalent histopathology consultants (as defined by being on the GMC specialist register for pathology) were employed by the authority at 31/12/2023.**

Cardiff and Vale University Health Board (the UHB) employed 21.34 WTE Consultant Histopathologists at 31 December 2023.

- 2. How many histology cases were reported in the following period, overall and by the following sub-specialties**

- dermatology – 3,318
- gastro-intestinal – 4,347
- urology – 1,182
- gynaecology – 2,364
- breast – 3,541, this is counted in General Surgery, so the figure might not be an accurate reflection of purely breast cases.
- thoracic – 612
- head and neck – 489
- other – 8,116
- total cases reported – 23,969

- 3. How many of the total cases given above were reported by**

- a. consultants (or other medical staff) employed by the authority during their contract Programmed Activities or PAs.**

16,502

- b. consultants employed by the authority, being paid additional amounts over and above their salary for additional work.**

1,792

- c. locum consultants working for the authority**

0

- d. external reporting companies.**

5,402

Please provide a total number of cases and the number reported by each of the following:

- Unilabs – 0
- HCA Laboratories including their subsidiary Backlogs – 3,814
- Source LD Path (previously Source Bioscience, and LD Path limited) – 0
- Cellular Pathology Services Limited – 0
- Diagnexia – 1,647
- Digital Pathology Partners – 0
- Cytel (including their subsidiary Pathognomics) – 0
- Poundbury Cancer Institute – 0
- Medica – 0
- external reporting companies total – 5,402

4. How much did the authority spend on each of the following during the period

- a. consultants (or other medical staff) employed by the authority during their contract Programmed Activities or PAs. (salary plus NI plus pension contribution) – £2,893,940.00
- b. consultants employed by the authority, being paid additional amounts over and above their salary for additional work – £117,992.70
- c. locum consultants working for the authority – £163,727.00
- d. external reporting companies – please find details below.

Please provide a total spend and the spend with each of the following:

After considering your request, the UHB considers this information to be exempt from disclosure under section 43 of the Freedom of Information Act 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 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 is not in the public's interest to disclose this information.

Nevertheless, the UHB can confirm the external reporting companies total – please find this figure below.

- Unilabs
- HCA Laboratories including their subsidiary Backlogs
- Source LD Path (previously Source Bioscience, and LD Path limited)
- Cellular Pathology Services Limited
- Diagnexia
- Digital Pathology Partners
- Cytel (including their subsidiary Pathognomics)
- Poundbury Cancer Institute
- Medica
- external reporting companies total – £300,963.00