

**Freedom of Information Act 2000 – Request Reference FoI/24/041**

**Waiting Times and Cancellations**

**Information Requested:**

- *the number of operations that have been cancelled in your health board for each of the last 12 months (and a breakdown of reason for cancellation)*
- the average length of time between the date of the cancelled operation and the date the rescheduled operation
- the number of cancer operations that have been cancelled in your health board for each of the last 12 months (and a breakdown of reason for cancellation)
- the average length of time between the date of the cancelled cancer operation and the date the rescheduled operation
- *the number of cancelled outpatient appointments in your health board for each of the last 12 months (and a breakdown of reason for cancellation)*
- the average length of time between the date of the cancelled outpatient appointment and the date the rescheduled outpatient appointment
- the number of outpatient appointments for suspected cancer in your health board for each of the last 12 months (and a breakdown of reason for cancellation)
- the average length of time between the date of the cancelled suspected cancer outpatient appointment and the date the rescheduled suspected cancer outpatient appointment

**Response Details:**

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 records and the UHB considers that this would exceed the limit set within the Appropriate Limit and Fees Regulations 2004. 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 for the following reasons.

It should first be noted that multiple requests within a single item of correspondence are considered separate requests for the purposes of section 12(4) of the FOIA 2000, as confirmed in *Fitzsimmons v Information Commissioner* [2008] UKIT EA/2007/0124.

When a public authority is estimating whether the appropriate limit is likely to be exceeded for the purposes of regulation 5 of the Fees Regulations as prescribed by section 12(4) of the FOIA 2000, it can include the costs of complying with two or more requests if these are:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign; and
- received by the public authority within any period of 60 working days.

Since all of these requests were sent by the same individual and received after 18 January 2024, the UHB believes these conditions to be satisfied.

Regulation 5(2) of the Fees Regulations equally requires that aggregated requests relate 'to any extent' to the same or similar information. This test is likely to be met where requests possess an overarching theme or have a common thread running between them with respect to the nature of the information sought. And since each of the requests relates to capacity and temporal data, the UHB considers the requirement of similar information sought to be met due to the common themes present.

The UHB has estimated that to complete the work needed to respond to the aggregated requests would exceed the time limit as set within the Fees Regulations to respond to a request made 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 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.

In light of the above considerations, the UHB is refusing your requests for information in accordance with section 12(4) of the FOIA 2000.

Furthermore, in line with a public authority's duty under section 16 of the FOIA 2000, the UHB can refer you to the following weblink which you might find of use: [Stats Wales](#).

Despite the UHB's application of section 12 of the FOIA 2000, we are able to provide a response to your first and fifth above requests related to the number of cancellations which have both been italicised above.

For your first above request (number of cancelled operations), please see the attached Excel document titled 'Fol.24.041; Operation Cancellations'. Please note the following caveats. The data includes emergency and elective cases from 1 January 2023 to 31 December 2023. All of the figures represent cases cancelled within 24 hours only; it does not show cases any greater than 24 hours because these are classed as 'rescheduled'. The data also represents cancellations from the following hospital sites only:

- University Hospital of Wales
  - Children's Hospital
  - Dental Hospital
  - Main Theatres
  - Short-Stay Surgical Unit
  - Radiology
  - Urology Diagnostic Suite 18
  - Obstetrics

- University Hospital Llandough
  - Cardiff and Vale Orthopaedic Centre
  - Main Theatre
  - Day Surgery

For your fifth above request (number of cancelled outpatient appointments), please see the attached Excel document titled 'FoI.24.041; Appointment Cancellations'. Please note that recorded cancellations may not necessarily mean a patient is inconvenienced, for example, an appointment may be made and cancelled without the patient being aware.