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/24/197
Independent Sector Providers and Efficiency Plans

Information Requested:

Under the FOIA, please could you provide:

1. A list of the independent sector healthcare providers being used by the trust for elective care, what they are being used for and in what specialty, and how much the health board has spent on these in the past year.

2. A list of the independent sector healthcare providers being used by the trust for diagnostics, what they are being used for and in what specialty, and how much the health board has spent on these in the past year.

3. What efficiency targets have been set by your health board this year (24/25)? Please provide your cost improvement/ efficiency plans for 24/25. How specifically is the health board aiming to make these efficiencies? And which specialties will be the most affected?

4. What was the efficiency target set in 23-24, and did the health board meet this? If not, why not?

Response Details:

In response to points 1 and 2

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 on 21 March 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 the use of independent healthcare providers, 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.

However, under our duty to advise and assist, per section 16 of the FOIA 2000, the UHB may be able to retrieve information relating to independent sector healthcare providers in specific specialities upon request.

In response to point 3

Cardiff and Vale University Health Board (the UHB) has a £47m savings programme (cost improvement plan) for 2024–25. Efficiency ambitions include: a 5% outpatient 'did not attend' rate, a 20% SOS/PIFU, a 90% theatre utilisation (of sessions), and 85-theatre utilisation (in session).

In response to point 4

There was not one overall efficiency target set in 2023–24. However, the UHB did meet its £40m savings target in 2023–24.