

**Freedom of Information Act 2000 – Request Reference FoI/24/311**

**Mental Health Services**

**Information Requested:**

- What Mental Health and Well-being (MHWB) contracts/services do you currently commission or deliver in house (with a specific focus on Children and Young People/Families)?
- Please can you confirm the supplier/provider of each of these services/contracts?
- Please can you confirm the annual and total contract values of each of these contracts/services?
- Please can you confirm the start date & duration of each of these contracts?
- Could you please provide a copy of the service/product specification given to all bidders for when these contracts were last advertised?
- Please can you confirm if there is an extension clause in each of these contracts and, if so, the duration of the extension?
- Has a decision been made yet on whether each of these contracts is being either extended, direct awarded or recommissioned? And if so what is the decision?
- Who is the senior officer (outside of procurement) responsible for each of these contracts?
- Are there any planned market engagement events for each of these contracts if they are being recommissioned?
- Are there any new MHWB contracts you intend to commission in the next 36 months that have already been confirmed/given permission to proceed?

**Response Details:**

Please see the attached Excel document and PDFs.

With regard to the Mental Health Crisis Network service, please note that this is for specialist care – an NHS responsibility – to provide directly and cannot be commissioned from a third party in accordance with requirements placed upon the NHS in Wales.

There are no new contracts that are currently intended to be commissioned.

After considering your request for contract values, Cardiff and Vale University Health Board (the UHB) considers the information in relation to 'Chat Health & Parent Line' 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.