

Reference:	FOI.8256.22
Subject:	Fertility treatment
Date of Request:	15 February 2022

Requested:

Please provide details of:

1. The number of people requiring fertility treatment from NHS services in Wales, ideally by county
2. The number of those people granted funding for treatment
3. The number of those denied treatment based upon funding and
4. The reasons for these decisions

I would like the data, if possible, for the period between 01/01/15 to the latest date recorded, by year.

Please provide the information in the form of a PDF or Excel spreadsheet.

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with all of the information requested for question 1, as it is estimated that the cost of answering your request would exceed the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The "appropriate level" represents the estimated cost of one person spending 18 hours (or 2 ½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

In order to provide you with the information for the period 1 January 2015 to 31 March 2018, the UHB would need to undertake a manual search of all sexual health patient records, to identify those individuals who were referred for fertility treatment, as this information was not recorded centrally at this time.

Additionally, the same search would be required to establish the county for those that have been identified as uncoded on the system.

The UHB has identified 659 uncoded records. Therefore, conducting a search for this part of the request only would far exceed the 'appropriate limit', costing the UHB the following:

659 @ 15 minutes per item = 164.75 hours
164.75 hours @ £25 per hour = £4,118.75

The UHB is therefore applying an exemption under Section 12 of the Freedom of Information Act 2000 (FoIA), which provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

However, under section 16 of the FoIA, we are required, as a public authority, to provide advice and assistance so far as it is reasonable, to individuals who have made a request under FoIA.

Therefore, the UHB provides the accessible information it holds, within the attached spreadsheet, as requested, at Attachment 1.

Additionally, where the figures in the table have been replaced with an asterisk (*), the UHB is unable to provide you with the exact number of patients, due to the low numbers of cases (5 and under), as there is a potential risk of identifying individuals if this was disclosed. The UHB has also replaced totals which could be used to calculate the redacted figure with a double asterisk (**). The UHB is therefore withholding this detail under Section 40(2) of the FoIA. This information is protected by the Data Protection Act 2018/General Data Protection Regulations 2016 (GDPR), as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles 6 and 9 of the GDPR. This exemption is absolute and therefore, there is no requirement to apply the public interest test.

In reaching this decision, the Data Protection Act 2018/General Data Protection Regulations 2016 define personal data as data which relates to a living individual who can be identified solely from that data or from that data and other information which is in the possession of the data controller.