

Reference:	FOI.745.19
Subject:	Anaesthetic agents
Date of Request:	13 May 2019

Requested

I would like to know the total volume and total amount spent individually for each of the following agents Sevoflurane, Desflurane, Isoflurane, Nitrous Oxide, and Propofol per year between 2006 and 2018 as shown below:

- Total (annual) volume purchased for each agent (incl. Sevoflurane, Desflurane, Isoflurane, Nitrous Oxide, and Propofol) per year for 2006-2018 (in millilitres or litres).
- Total (annual) volume used/issued for each agent per year for 2006-2018 (in millilitres or litres).

If it is easier to provide another unit of measure, please provide details so that I can calculate the volume.

If not violating commercial sensitivity, please also include the total (annual) amount spent on each agent per year for 2006-2018 (in pounds sterling) and the name of the manufacturers/suppliers. Also, please state whether the total amount spent includes or excludes VAT.

Response:

Hywel Dda University Health Board (UHB) has provided the total volume of the named agents purchased and used within the requested timeframe within Attachment 1.

As the total expenditure requested of each service provider to the UHB relates to third parties, the UHB has considered Section 43(2) of the Freedom of Information Act 2000, as answering could be Prejudicial to their suppliers Commercial Interests. Section 43(2) exempts information, disclosure of which would or would be likely to prejudice the commercial interests of any person, in this case the suppliers listed above. Commercial interests may be prejudiced where disclosure would, or would be likely to:

- Weaken a company's position in a competitive environment by revealing market sensitive information or information of potential usefulness to its competitors.
- Damage a company's business reputation or the confidence that customers/users, suppliers or investors may have in it.

This exemption is qualified; therefore, even if information falls within Section 43, public authorities must then apply the public interest test set out in Section 2(2)(b). The information can only be withheld if the public interest in maintaining the exemption outweighs the public interest in disclosure.

The UHB has therefore considered the following:

In favour of disclosure:-There is a public interest in transparency and in the accountability 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.

Private sector bodies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed.

Against Disclosure:- Disclosure of this information would have a direct impact and cause substantial harm to the suppliers as it would disclose their pricing and products/services provided to the UHB, and it would be likely that this would damage their ability to work within a highly competitive sector. The information being requested is likely to be used by their competitors to gain a competitive advantage.

Decision:- It has therefore been decided that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the suppliers' competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body, and that there is a public interest in ensuring that there is competition for public sector contracts.