

Reference:	FOI.17697.25
Subject:	Artificial Intelligence (AI) system information
Date of Request:	3 July 2025

Requested:

AI system information

1. How many artificial intelligence (AI) systems does your trust/health board currently have in development?
2. How many AI systems are currently deployed within your trust/health board?
3. For every AI model currently being used or developed in your trust:
 - a. Is the AI model being used operationally, clinically, or for another purpose?
 - b. What department(s) is the AI system being used in?
 - c. What month and year was the AI system first deployed? (n/a if in development).
 - d. Was the AI system created by a commercial entity, university, in-house, or within another NHS trust? Please give the name of the organisation.
 - e. What is the AI systems architecture? (e.g. deep neural network, random forest, logistic regression, large language model).
 - f. Which coding language and packages are used to deploy the AI system? (e.g. python - scikit-learn, pytorch, tensorflow)
 - g. What is the nature of the input of the AI system? (e.g. a medical scan, free text notes, tables of lab results).
 - h. What is the nature of the output of the AI system? (e.g. a masked image, a risk score, natural text).
 - i. How was the AI system validated in the target population before deployment?
 - j. What measures are in place to monitor for degradation in the performance of the AI system post-deployment?
 - k. What was the cost to procure the AI model and what is the ongoing cost of use?
 - l. Which departmental budget is the cost paid from?

Data management

4. Was any local patient data used for training or fine tuning the AI system?
5. Is any patient data collected specifically for the purpose of training any of the AI systems currently in development or deployment?
6. Do you share, or plan to share, any patient data with third-party developers for AI-related purposes? If yes, please provide details of the data-sharing agreement or relevant policy.

Regulation

7. What is the regulation and certification of the AI model under the European Union Medical Device Directive and/or United Kingdom Medicines and Healthcare products Regulatory Agency (MHRA)?

Patient/public involvement

8. Was any patient/public engagement undertaken before deployment of the AI system?
9. Is there any ongoing patient/public engagement input into the use of AI within your organisation?

Governance

10. Who has responsibility for the AI systems being using?
11. Does your organisation have a governance policy that covers:
 - a. Use of AI systems within your organisation?
 - b. Ongoing evaluation of an AI model's performance after deployment?
 - c. How to monitor for bias in the AI system and how to mitigate against this?

If it would aid in your efforts we have attached an Excel sheet proforma where you can fill in the answers to each question.

Response:

Hywel Dda University Health Board (UHB) does not hold all of the information requested as two (2) of the three (3) systems identified were procured on a national basis.

We therefore recommend that you redirect question 3k of your request to the Freedom of Information Teams at Digital Health Care Wales (DHCW) and Public Health Wales (PHW) who may be able to help you further. The contact details are as follows:

DHCW.FOI@wales.nhs.uk or alternatively, you can contact:
Freedom of Information Team, Digital Health and Care Wales, Ty Glan-yr-Afon, 21 Cowbridge Road East, Cardiff, CF11 9AD.

PHW.FOI@wales.nhs.uk or alternatively, you can contact:
Freedom of Information Office, Floor 3, 2 Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

The UHB is unable to provide the information requested for questions 3e and 3f as it has deemed that the information requested is exempt from disclosure under Section 31(1)(a) of the FoIA. The UHB has also considered the "mosaic effect"; the harm which will or will be likely to arise from the release of this information, when utilised alongside information already in the public domain.

Section 31 of the FoIA is subject to the public interest test.

In favour of disclosure: The UHB has a duty to maintain openness and transparency in all its activities, which will help to maintain public trust in the UHB.

In favour of non-disclosure: By releasing the information, the UHB would be vulnerable to this being used for crime, which potentially could compromise the security of both patient and staff information, whilst causing disruption to the flow of information through the UHB systems,

impacting on patient care and safety. There is a clear public interest in protecting society and the UHB from the impact of crime.

Decision: The UHB considers that the public interest in withholding the information is greater than the interest in disclosing, therefore protecting the UHB from potential criminal activity.

The UHB has applied an exemption under Section 43 of the Freedom of Information Act 2000 (FoIA) to the contract costs requested for the third AI system identified in response to question 3k, as they relate to a third party and would be prejudicial to their commercial interests. Section 43(2) exempts information, where disclosure would or would be likely to prejudice the commercial interests of any company.

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 supplier, 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: The UHB has consulted with the third party and have therefore decided that releasing the information under the FoIA, to which the UHB is subject, will give an unfair advantage to the provider's 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.

The UHB considers that the public interest in withholding the contract costs and any ongoing costs for question 3k, is greater than the interest in disclosing it, as it is anticipated that disclosure of the information would be likely to give unfair commercial advantage to competitors of the company concerned.

However, whilst operating in accordance with the Section 45 Freedom of Information Code of Practice, the UHB has a duty to provide advice and assistance and provides the information it holds, as requested, within Attachment 1.