

Reference:	FOI.20287.26
Subject:	Clinical Services Plan (CSP) and historical changes to Maternity Services
Date of Request:	24 April 2026

Requested:

I would ask the Health Board to clarify what risk assessments and impact assessments have been undertaken to date in relation to these proposed service changes, particularly concerning patient safety, travel times and access to emergency care for communities served by Withybush Hospital, plus those that were carried out in relation to the removal of maternity care. Given the significance of these decisions, it is essential that such assessments are robust, evidence based, and available for public scrutiny.

Accordingly, under the provisions of the Freedom of Information Act 2000, I formally request copies of all relevant risk assessments, Equality and Health Impact Assessments and any supporting documentation that has informed the Health Board's decision-making process to date.

Response:

Hywel Dda University Health Board (UHB) has considered your request in two parts due to the request relating to two different programmes of work namely the UHB's Maternity, Neonatal and Paediatric Service Change Programme and the UHB's Clinical Services Plan. Both of which are unrelated and were undertaken with a significant period of time having lapsed between the projects.

The UHB operates in accordance with the Freedom of Information Act 2000 (FoIA) and reserves the right to apply appropriate exemptions to the information being disclosed. While the UHB has identified a number of documents that fit within the remit of your request, upon reviewing the documents in accordance with the FoIA, the UHB has applied the following exemptions to parts of your request for information.

Maternity, Neonatal and Paediatric Service Change Programme

Section 36(2) (b)(ii) and (c) – Prejudice to the effective conduct of public affairs

"36(2) Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—

(b) would, or would be likely to, inhibit—

(ii) the free and frank exchange of views for the purposes of deliberation, or

(c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs."

The UHB has considered the application of an exemption under Section 36(2) (b)(ii) and (c) of the FoIA to some of the documents identified as part of our response to your request, namely the following seven (7) documents 11, 12, 13, 14, 15, 16 and 17. This is applicable where information being considered under this exemption, would or would be likely to, in the reasonable opinion of the UHB's qualified person, prejudice the effective conduct of public affairs. In the case of the UHB, the qualified person is the Chief Executive.

The UHB considers that the disclosure of all of the requested documents would be likely to prejudice the effectiveness of the UHB's decision making and would be likely to inhibit the free and frank exchange of views for the purposes of deliberation.

This exemption is qualified and is subject to the public interest test. Information can only be withheld if the public interest in maintaining this exemption outweighs the public interest in disclosure. The UHB has considered the following as part of the public interest test:

In favour of disclosure: There is a legitimate public interest in transparency and accountability of the ways in which public bodies operate and manage their services and operational functions. This includes enhancing the public's understanding of the UHB's decision making. Disclosing decision making documents such as committee papers and minutes demonstrates options considered and scrutinised by the UHB, as well as the challenges considered by the UHB, demonstrating accountability for its decision making. Furthermore, disclosure of the information builds trust between the public and the UHB and enhances confidence in the decisions made by the UHB. Additionally, this would allow public officials and members of the public alike to scrutinise the actions and decisions taken by the UHB.

Against Disclosure: Disclosure of the information, which includes documents presented to the in-committee Board and initial drafts of papers and reports, may undermine the UHB's ability to effectively discuss and consider information. The UHB relies upon its ability to have free and frank discussion and the exchange of views as part of its deliberation when reviewing and considering information which may lead to service change. Having a forum to fully explore, understand and address matters, whilst facilitating a secure environment for open and considered discussion is essential for the effective conduct of public affairs. Processes have been developed to ensure the UHB's Board can prepare, discuss, consider, review, and challenge information which may impact service delivery within a private forum, before later and where appropriate presenting a complete comprehensive picture for consideration and decision at a Public Board meeting.

Whilst some of the requested information is made up of historical in-committee documents, it is the UHB's belief that disclosure of these documents, despite them not being relevant to a current service change, could potentially undermine the agreed governance process and set a precedent that in-committee documents should be made available to the public.

The facilitation of some meetings such as in-committee Board and Executive Team meetings within a closed forum provides staff with a secure environment to hold open discussion, express their opinions, explore options, and develop and challenge proposals. It is not within the expectation of the meeting membership that their professional opinion and participation in discussion as recorded within documentation at such meetings be made available to the public at large.

Decision: The UHB strives to be open and transparent with the public and readily shares information to strengthen relationships with its service users and embed trust and confidence in its decision making with members of the public. However, the UHB considers that the public interest in withholding some of the information requested is greater than the interest in disclosing it. The UHB believes that there is wider established public interest in its ability to have free and frank discussion and exchange of views as part of its deliberation, in order to make decisions. As a Public Authority, prioritising the effective conduct of public affairs by safeguarding the UHB's governance processes outweighs the public interest in disclosure of the requested information.

Therefore, it has been determined that the public interest in withholding the seven (7) documents detailed above is greater than its disclosure, in accordance with Section 36(2) (b)(ii) and (c) of the FoIA.

Section 12 - Requests where the cost of compliance exceeds the appropriate limit

"(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit."

The UHB is unable to provide you with all of the information requested in relation to the removal of maternity services from Withybush General Hospital (WGH), as it is estimated that the cost of answering your request would exceed the “appropriate limit” as stated in the Freedom of Information Act 2000 (Appropriate Limit and Fees) Regulations 2004. The “appropriate limit” 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.

The service change programme which included the Maternity, Neonatal and Paediatric services formed part of the ‘Right Care, Right Place, Right Time Every Time’ five-year plan, which commenced in 2010. This later progressed to form part of the Clinical Services Strategy, for which a Consultation was approved in 2011.

In the time that has passed since this programme of work was undertaken, the UHB has experienced several staffing changes and developments in its governance and IT systems. It is therefore possible that some documents are no longer accessible due to the deletion of IT accounts belonging to former employees. Furthermore, a number of documents could be held in hard copy format rather than being digitally accessible. To identify these documents, the UHB would need to undertake manual searches of document storage facilities across the UHB’s sites, as the information is not all held centrally. A search of this scope is anticipated to take the UHB in excess of the 18 hour appropriate limit, as stipulated within the FoIA.

The UHB is therefore applying an exemption under Section 12 of the 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.

Section 16 – Advice and Assistance

“(1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.”

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 the FoIA, this can include assisting a requester to further refine their request.

On this occasion, the UHB is unable to suggest any further refinements to your request as it would still be required to undertake a search of both physical and digital records to identify any further information.

Aside from the Section 36, Section 12 and Section 16 exemptions detailed earlier, the UHB provides details of the accessible information it holds within the table overleaf, copies of which are provided within the attached files.

Section 40(2) by virtue of 40(3A)(a) – Personal Data

*“40(2) Any information to which a request for information relates is also exempt information if—
(a) it constitutes personal data which does not fall within subsection (1), and
(b) the first, second or third condition below is satisfied.*

40 (3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles”

The UHB is withholding some of the requested information within documents 8a and 8b, as they are the personal details (i.e. the names) of third parties, who were external contributors to a commissioned report. This decision has been made as it is not within the reasonable expectations of these individuals that their personal data would be released into the public domain. This information is classed as personal data of a third party. It is therefore being withheld in accordance with the exemption set out in section 40(2) of the FoIA, by virtue of section 40(3)(a) of the FoIA, which permits a public authority to withhold personal data other than the requestor's where the disclosure would breach Data Protection principles.

This information is protected by the Data Protection Act (DPA) 2018/UK General Data Protection Regulation (UK GDPR), as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles 6 and 9 of the UK GDPR. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In reaching this decision, the DPA/UK GDPR 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.

The UHB identified a total of forty-one (41) documents that were considered for disclosure per your request, a breakdown of which is provided within the table below. The table details whether a document has been disclosed or exempted, and where an exemption has been applied details of the relevant Section of the FoIA is provided.

Document number	Attachment number/ exemption applied	Date	Title/ context
1.	Attachment 1	30 September 2010	Front Sheet - Hywel Dda University Health Board – Right Care, Right Place, Right Time Every Time – 5 Year Plan 2010
1a.	Attachment 2	30 September 2010	UHB Draft engagement report - Right Care, Right Place, Right Time Every Time 5 Year Plan
2.	Attachment 3	30 September 2010	Right Care, Right Place, Right Time Every Time – Presentation to Annual General Meeting
3.	Attachment 4	22 November 2010	Front Sheet - Right Care, Right Place, Right Time Every Time – 5 Year Plan Update on Engagement Process
3a.	Attachment 5	22 November 2010	Public Board report - Right Care, Right Place, Right Time Every Time – 5 Year Plan Engagement Process
4.	Attachment 6	13 July 2011	Public Board report - Clinical Services Strategy Consultation – a proposed Communications-Engagement plan
5.	Attachment 7	26 January 2012	Public Board report - Governance Arrangements for the Implementation of the Services Strategy
6.	Attachment 8	6 August 2012	Public Board report - Your Health, Your Future (YHYF) Consultation and Communications
6a.	Attachment 9	6 August 2012	YHYF Consultation Document

7.	Attachment 10	6 August 2012	SBAR report YHYF – Assessing for Impact - Stage 1, Gathering the Evidence Part 2 – Update following ‘Listening and Engagement’ July 2012
8.	Attachment 11	6 August 2012	Public Board report - Opinion Research Services (ORS) – Executive Summary – your Health, Your Future – Hywel Dda Health Board’s Listening and Engagement phase
8a.	Attachment 12	6 August 2012	Section 40 applied - Executive Summary of the ORS Listening and Engagement Findings Report
8b.	Attachment 13	6 August 2012	Section 40 applied - Full report of findings from the ORS Listening and Engagement Findings Report
9.	Attachment 14	15 January 2013	Public Board report - YHYF Consulting our Communities – Consultation Final Recommendations
10.	Attachment 15	15 January 2013	Approved minutes of the UHB’s Extraordinary Board Meeting
11.	Section 36	-	Exemption applied draft version of Attachment 14.
12.	Section 36	-	Exemption applied.
13.	Section 36	-	Exemption applied.
14.	Section 36	-	Exemption applied.
15.	Section 36	-	Exemption applied.
16.	Section 36	-	Exemption applied.
17.	Section 36	-	Exemption applied.
18.	Attachment 16	30 January 2014	Public Board report - Clinical Services Strategy
18a.	Attachment 17	30 January 2014	Approved minutes of the Public Board meeting
19.	Attachment 18	22 May 2014	Public Board report - Women and Children’s Programme – Board Update
20.	Attachment 19	20 November 2014	Public Board report - Quarterly Evaluation & Monitoring Report Women’s and Childrens Services
20a.	Attachment 20	20 November 2014	Evaluation & Monitoring Report (first quarter) accompanying attachment 19
21.	Attachment 21	29 January 2015	Public Board report - Quarterly Evaluation & Monitoring Report Women’s and Childrens Services
21a.	Attachment 22	29 January 2015	Evaluation & Monitoring Report (first quarter) accompanying attachment 21
22.	Attachment 23	26 March 2015	Public Board report - Quarterly Evaluation & Monitoring Report – Women & Children’s Services
22a.	Attachment 24	26 March 2015	Evaluation & Monitoring Report (second quarter) accompanying attachment 23
23	Attachment 25	26 March 2015	Public Board report - Service Transfer Evaluation Process
24.	Attachment 26	28 May 2015	Public Board report - Women and Children’s Services Formal Evaluation Proposal
25.	Attachment 27	28 May 2015	Public Board report - Quarterly Evaluation & Monitoring Report Women’s and Childrens Services
25a.	Attachment 28	28 May 2015	Evaluation & Monitoring Report (third quarter) accompanying attachment 27
26.	Attachment 29	26 November 2015	Public Board report - Monitoring Report – Women & Children’s Services

26a.	Attachment 30	26 November 2015	Monitoring Report accompanying attachment 29
27.	Attachment 31	26 November 2015	Public Board report – Royal College of Paediatrics and Child Health (RCPCH) Independent Review Final Report
27a.	Attachment 32	26 November 2015	RCPCH - Independent Review Final Report to accompany attachment 31
28.	Attachment 33	28 January 2016	Public Board report - RCPCH Action Plan
28a.	Attachment 34	28 January 2016	Action Plan arising from the RCPCH review to accompany attachment 31

Clinical Services Plan

Section 21(1) - Information accessible to applicant by other means

“21(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.”

The UHB has applied an exemption under Section 21 of the Freedom of Information Act 2000 (FoIA), as the information requested around risk assessments and impact assessments that have been undertaken in relation to the proposed service changes within the UHB's CSP, including any supporting documentation are accessible by other means. The UHB provides below, a list of the information, documentation and resources that are available on the UHB's website.

Please note: The UHB undertakes impact assessments for proposed service changes rather than risk assessments. Potential risks are incorporated into the impact assessments.

For ease of reference, please click on the links provided below, which will take you directly to the relevant webpage:

- [Healthier Mid and West Wales](#)
- [Clinical Services Plan](#)
- [Consultation supporting documents](#)
- [Equality Impact Assessments \(including Welsh language impact assessment\) for all options](#)
- [Health Impact Assessments for all options](#)
- [Quality Impact Assessments for consultation options \(contained as an appendix within the closing report from page 85\)](#)
- [Quality Impact Assessments for alternative options post consultation](#)
- [Regional Impact Assessment for Swansea Bay University Health Board region \(using the Duty of Quality framework\) for all options](#)
- [Regional Impact Assessment for Mid Wales Joint Committee Region \(using Duty of Quality framework\) for all options](#)
- [Environmental and Sustainability Impact Assessments for all options](#)
- [Targeted Intervention update including update on the 2024/25 Planning Objectives](#) -

Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis was undertaken for each option, this included feedback from the Welsh Ambulance Services University NHS Trust (WAST) under 'Impact on external services'. Detail of the SWOT analysis can be found at Appendix A (page 82 onwards)

Section 22 – Information held with a view to its future publication

“(1)Information is exempt information if—

(a)the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b)the information was already held with a view to such publication at the time when the request for information was made, and

(c)it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).”

The UHB has applied an exemption under Section 22 of the FoIA, which states that information is exempt if it is intended that the information held by the public authority will be published at a future date. It is the UHB's intention to publish details of the travel and transport strategy within the developing implementation plan for the CSP, which will be presented to future scheduled Board meetings; the papers for which will be published up to seven (7) days in advance of the meeting.

This exemption is qualified and therefore, public authorities must apply a public interest test. 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 the UHB being open and transparent. The CSP, including the decisions taken and associated implementation planning which includes travel and transport plans, is a popular topic with a significant amount of public interest. Due to the level of public interest and the concerns raised by members of the public, it is within everyone's interests that the UHB's plans for the service changes, including travel and transport information is shared as soon as possible, and that the public be kept informed of the developments to reduce alarm and anxiety, and reduce misinformation.

Against Disclosure: The information being requested is currently in the development stage. All updates on the progress of the CSP and associated strategy and planning will be presented at future public Board meetings, where all required final decisions will be made. As such all information will be published over the coming months, up to seven (7) days in advance of the Board meeting.

The UHB has a duty to ensure that each of the service areas included within the CSP is given due consideration and thorough planning, to ensure that our patients and service users are provided the best and safest care. Disclosure of the information in its current form, could attract negative opinion and cause unnecessary concern and alarm within communities. The premature sharing of information during the planning stage could misinform the public, as the information is not yet finalised and could be subject to change or could be incomplete in its current format. It is the UHB's opinion that providing information before it has been fully assessed, evaluated and finalised could exacerbate public anxiety, which in turn, could harm the UHB's relationship with its communities.

Decision: The UHB considers that the public interest in withholding the requested information at this time, is greater than the interest in disclosing it. The attention drawn from the disclosure could cause harm to the UHB, members of the public and communities it services, and it is therefore applying a Section 22 exemption. Updates on the travel and transport strategy will be published on the UHB's website in due course and will be accessible via the link provided below.

[Board meetings 2026 - Hywel Dda University Health Board](#)

The UHB is unable to upload the attachments due to size limitations. Therefore, please contact the Freedom of Information team, if you would like copies of any of the attachments:
FOI.HywelDda@wales.nhs.uk