

Reference:	FOI.20484.26
Subject:	Legal fees
Date of Request:	20 May 2026

Requested:

I am writing to request some information under the Freedom of Information Act 2000 about your Health Board's legal spend on Court of Protection Welfare cases.

By 'welfare' cases, I mean any cases before the Court of Protection which are not about a person's property and affairs (or a property and affairs deputyship on its own). They could include matters about where a person lives, who they have contact with, any possible deprivation of liberty, medical treatments, welfare deputyship applications, and other welfare matters.

The question I would like to obtain data for is as follows:

How much did Hywel Dda University Health Board spend in total on legal fees for external lawyers on welfare Court of Protection cases in the following financial years:

- 1st April 2023 – 31st March 2024
- 1st April 2024 – 31st March 2025
- 1st April 2025 – 31st March 2026

If it is not possible to separate out external legal fees only, please provide legal fees in total, including in-house costs, for Court of Protection cases. Please specify whether costs are just external or include in- house costs.

If it is not possible to separate out spend on welfare cases, please indicate external legal spend on all Court of Protection cases, or all legal spend on all Court of Protection cases if no separation by category is possible.

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with the information requested, 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.

In order to provide you with the information requested, the UHB would be required to undertake a manual trawl of the Court of Protection (CoP) welfare cases opened during the 2023/24 to 2025/26 financial years, to identify any information that would fulfil your request, as the information is not recorded centrally.

The UHB can confirm that it opened a total of one hundred and fifty (150) CoP welfare cases during the 2023/24 to 2025/26 financial years. It is estimated that a manual search of these records would exceed the 18 hours stipulated within the Freedom of Information Act 2000 (FoIA). Based on the number of records identified, conducting a search of digital records taking a minimum of five (15) minutes per record, would exceed the "appropriate limit", costing the UHB the following:

150 @ 15 minutes per record = 37 hours and 30 minutes
37 hours and 30 minutes @ £25 per hour = £937.50

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.

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, which can include assisting a requestor to further refine their request.

The UHB suggests that you may refine your request by reducing the timeframe requested to a six (6) month period. However, the UHB would still be required to undertake a manual trawl of all CoP welfare cases opened during the requested timeframe, to identify the information that would fulfil your request. Therefore, the outcome would be dependent on the number of records identified within a shorter time period.