

Reference:	FOI.18117.25
Subject:	National Influenza Immunisation Programme
Date of Request:	16 August 2025

Requested:

The latest advice from Public Health Wales's deputy chief medical officer regarding the forthcoming influenza programme includes the following paragraph:-

'Engaged providers must comply with their contractual obligations under the specifications and any locally agreed requirements. They should take all necessary steps to meet the expectations set out above. Health boards should be proactive in monitoring engaged provider compliance with their contractual obligations and take appropriate action in the event of non-compliance'.

1. Please advise what these contractual obligations and locally agreed requirements are.
2. Also can you please outline the contractual obligations in respect of 'monitoring provider compliance' and what the appropriate action referred to would look like in the event of 'non-compliance'?

Response:

Hywel Dda University Health Board (UHB) has considered applying a Section 43 exemption of the FoIA, as disclosure of the contractual obligations between the UHB and third party contractors 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 person. 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).

However, the UHB has considered that a Section 43 exemption does not apply as the commissioning of services for the Influenza vaccination programme are done by The Primary Care (Contracted Services: Immunisations) (Influenza) Directions, set by Welsh Government (WG).

Therefore, the UHB has applied an exemption under Section 21 of the FoIA to your request, as this information is already within the public domain and is accessible by another means. The Primary Care (Contracted Services: Immunisations) (Influenza) Directions 2025 are available on the Welsh Government (WG) website.

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

[The Primary Care \(Contracted Services: Immunisations\) \(Influenza\) Directions 2025 | GOV.WALES](#)