

Reference:	FOI.16073.24
Subject:	Radiology equipment
Date of Request:	26 November 2024

Requested:

1. Capital Procurement Costs:
 “For each MRI/CT/Mammography scanners procured between April 1, 2024, and today, please provide the capital purchase price, manufacturer, model, and procurement method (e.g., direct purchase, NHSSC tender). If possible, include the installation date and the department or facility where the equipment is installed.”

2. Service and Maintenance Contracts:
 “For each MRI/CT/Mammography scanners currently in use, please provide the annual service and maintenance costs for the fiscal years 2021/22, 2022/23, and 2023/24. Include details of the service provider (internal or external), the scope of the maintenance agreement (e.g., parts, labour, uptime guarantees), and any additional service fees.”

3. Please list all current contracts with suppliers for diagnostic imaging equipment, specifying the supplier name, equipment type, contract start and end dates, total contract value, and any agreed-upon service level agreements (SLAs). If certain contracts cover multiple types of equipment, please break down the information by equipment type where possible.”

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with all of 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 and Data Protection (Appropriate Limit and Fees) Regulations 2004. The “appropriate limit” represents the estimated cost of one person spending 18 hours (or 2½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

In order to provide you with all of the information requested for question 2, the UHB would need to undertake a manual search of the asset database, to identify the information requested, as it is not recorded in an easily accessible format.

The UHB is therefore applying an exemption under Section 12 of the Freedom of Information Act 2000 (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. Therefore, the UHB provides the accessible information it holds overleaf.

Nevertheless, the UHB is applying an exemption under Section 43 of the Freedom of Information Act 2000 (FoIA), as the costs requested relate to a third party and would be prejudicial to 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.

Against Disclosure: Disclosure of this information would have a direct impact and may cause substantial harm to the provider, as it would disclose their pricing, 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 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 costs, is greater than the interest in disclosing them.

1. The UHB confirms that it has not procured any Magnetic Resonance Imaging (MRI), computed tomography (CT) or Mammography scanners, during the period 1 April to 30 November 2024.
2. & 3. A Section 43 exemption has been applied to the service and maintenance costs and contract values. Additionally, the UHB has answered a similar Freedom of Information request FOI.12977.23 - Diagnostic imaging equipment, which is available on our disclosure log. Therefore, the UHB has applied a Section 21 exemption of the FoIA, as some of the requested information is already within the public domain and is accessible by another means.

For ease of reference, please click on the attached link, which will take you directly to the UHB's disclosure log webpage:

[Disclosure Log - Hywel Dda University Health Board \(nhs.wales\)](#)

However, the UHB provides information relevant your request, that is not covered by the exemptions applied, within Attachment 1.