

Reference:	FOI.14134.24
Subject:	Tele reporting contracts
Date of Request:	2 April 2024

Requested:

I am writing to you under the Freedom of Information Act to request information regarding your NHS Trust's operations and tele reporting services for the following hospitals;

Bronglais General Hospital
Glangwili General Hospital
Prince Philip Hospital
Withybush General Hospital

Could you please provide me with the following details:

1. Operations Director for your Trust and email address
2. Operations Director/Manager for Imaging Service and email addresses
3. Operations Director/Manager for Pathology Services and email addresses

Tele reporting services – Outsourced and insourced:

4. Do you have any Tele Reporting contracts for your Imaging Services i.e. X-Ray, CT MRI Nuclear Medicine etc.
5. Date (MM/YYYY) When you entered into the contract for these Services
6. When the contract expires (MM/YYYY)
7. Value of contract, at contract start date (£GBP)
8. Suppliers details for said contract/s.
9. Do you have any Tele Reporting contracts for your Pathology Services i.e. Cellular, Histopathology, Mortuary etc.
10. Date (MM/YYYY) When you entered into the contract for these Services
11. When the contract expires (MM/YYYY)
12. Value of contract, at contract start date (£GBP)
13. Suppliers details for said contract/s.
14. Additionally, please include any bespoke (joint imaging and Pathology) reporting services you utilise.

Response:

Hywel Dda University Health Board (UHB) considers that Section 43 of the Freedom of Information Act (FoIA) applies to question 7, as the costs requested relate to a third party, and answering would be prejudicial to their commercial interests. Section 43(2) exempts information, disclosure of which 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).

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: Having sought comments from the third party provider, Everlight, 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 considered that releasing the information under the FoIA, to which the UHB is subject, will give an unfair advantage to the supplier'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.

Therefore, the public interest in withholding the costs for the service is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the company to which this information concerns.

However, the UHB provides the information for the remainder of the request below.

1. - 3. The UHB has applied a Section 21 exemption of the Freedom of Information Act 2000 (FoIA) as this information is already within the public domain and is accessible by another means. Executive Director details are available on the UHB's website. For ease of reference, the link has been provided below, which will take you to the relevant webpage:

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

Additionally, Gail Roberts-Davies, Head of Radiology is the Manager for Imaging Services, and the email address is Gail.Roberts-Davies2@wales.nhs.uk.

Dylan Jones, Head of Pathology Service is the Manager for Pathology Services, and the email address is Dylan.Jones2@wales.nhs.uk.

4. The UHB confirms that it does have a contract for Radiology reporting services.
5. The UHB confirms that the contract start date was 1 November 2019.
6. The UHB confirms that the contract expiry date is 31 October 2024.
7. A Section 43 exemption has been applied.
8. The UHB has provided the supplier's name within the Section 43 exemption explanation.
9. The UHB confirms that it does not have any tele reporting contracts for its Pathology Services. However, it does have tele reporting capabilities. The UHB is part of the IBEX project through a nationally procured system; funding to participate in this project was provided by Welsh Government (WG).
10. – 14. Not applicable.