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Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

Information Governance Team
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Bronllys Hospital
Bronllys
Brecon
Powys LD3 0LY
Email: Powys.FOI@wales.nhs.uk
Tel: 01686 252159/01874 442071

Our ref: IG/FOI/23.R.181

2 August 2023

Sent via email to: [REDACTED]

Dear [REDACTED]

Request under the Freedom of Information Act 2000

I write further to your request for information which was received on 2 June 2023, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) partly holds the information that you require.

For ease of reference your request is set out below and our response follows:

Your Freedom of Information (FOI) Request:

Under the Freedom of Information Act, I would like to request the following information regarding adult learning disability services. Where possible, please kindly include responses on the attached Excel spreadsheet.

1. Please could you supply the name, email address and telephone number of the commissioner with responsibility for learning disabilities placements?

For questions 2 to 6, please supply this information as a snapshot at the end of the year for the financial years 2022/23 and the most up to date snapshot available for 2023/24.

2. Please provide the total number of adults with learning disabilities funded by the University Health Board in residential care.

3. Of the total number of adults with learning disabilities funded by the University Health Board in residential care (q.2) please provide the number that are in 'in area' placements and the number that are in 'out of area' placements.

4. Please provide the total number of adults with learning disabilities funded by the University Health Board in supported living.

5. Please provide the number of adults with learning disabilities who transitioned from children's learning disabilities services into adult's services

Pencadlys
Tŷ Glasbury, Ysbyty Bronllys,
Aberhonddu, Powys LD3 0LU
Ffôn: 01874 711661



Headquarters
Glasbury House, Bronllys Hospital
Brecon, Powys LD3 0LU
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Rydym yn croesawu gohebiaeth Gymraeg
Bwrdd Iechyd Addysgu Powys yw enw gweithredd Bwrdd Iechyd Lleol
Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

- in total, into adult residential care services only, and into adult supported living services only.

6. Please provide the number of adults with learning disabilities who 'stepped down' from specialist inpatient hospital placements into adult residential care and supported living services.
7. Please provide the University Health Board's total expenditure on residential care and supported living for adults with learning disabilities for the financial year 2022/23, and budgeted expenditure for 2023/24.
8. Please provide the highest, lowest, and average weekly rate paid by the University Health Board for residential care placements for adults with a learning disability for each of the financial years 2022/23 and 2023/24. If the University Health Board has weekly rate bands, please also provide these.
9. Please provide the highest, lowest, and average hourly rate paid by the University Health Board for supported living placements for adults with a learning disability for each of the financial years 2022/23 and 2023/24. If the University Health Board has hourly rate bands, please also provide these.

Powys Response:

Please see FOI 23.R.181 Attachment 1 in response to all your questions in your request regarding the adult learning disability service. We have been unable to provide an answer to all your questions, for the reasons set out below.

Q3 – 5 (in part) - Please note that Section 40 of the Freedom of Information Act 2000 has been applied where information in the attachment has been replaced with an asterisk. PTHB is not able to provide these exact numbers due to the low numbers of individuals involved (5 or less). PTHB believes there is a potential risk of individuals being able to be identified, when considered with other information already available within the public domain, if this was disclosed. Therefore, the data is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

Q8 PTHB is only able to provide the average costs as we believe the remaining data is considered exempt under Section 43 Commercial Interests of the Freedom of Information Act. This section of the Act sets out an exemption from the right to know if releasing the information is likely to prejudice the commercial interests of any person (a person maybe an individual, company, the public authority itself or any other legal entity). This exemption was considered by the Health Board when deciding whether to release this information because it was felt that, in doing so, it could create a significant risk in prejudicing the commercial interests of the practices in question.

As this is a qualified exemption the Health Board must consider the public interest in deciding whether to withhold or disclose the information. The Health Board accepts that there is a public interest in ensuring openness and transparency. However, the Health Board believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could discourage third parties from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn, this could jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. As a result, exemption section 43 is engaged as it is not considered in the public interest to disclose this information.

Q9 – PTHB does not record the hourly rate, therefore we are not able to provide this information.

Should you need any further assistance, please do not hesitate to contact me at the address below.

If you are dissatisfied, with the way your request has been dealt with by PTHB, you have the right to request a review in which case you should write to:

Chief Executive
Powys Teaching Health Board Headquarters
Glasbury House
Bronllys Hospital
Bronllys
Brecon
Powys LD3 0LY

If you are still dissatisfied at the end of the review, you may complain to the Information Commissioner, who can be contacted at the following address:

Information Commissioner's Office - Wales
2nd Floor,
Churchill House,
Churchill Way,
Cardiff, CF10 2HH
Tel: 029 2067 8400 Fax 029 2067 8399
www.ico.org.uk twitter.com/iconews

Rydym yn croesawu derbyn gohebiaeth yng Nghymraeg. Byddwn yn ateb y fath ohebiaeth yng Nghymraeg ac ni fydd hyn yn arwain at oedi. We welcome receiving correspondence in Welsh. We will reply to such correspondence in Welsh and this will not lead to a delay.

Yours sincerely



Joy Garfitt
Director of Operations / Director of Community & Mental Health