



Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

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

Our ref: IG/FOI/23.R.210

17 July 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 23 June 2023, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) does hold 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:

I would like the following information under FOI Act:

Q1 The number of appeals to the Continuing Healthcare (CHC) Independent Review Panel in each of the following years: 2019/20,2020/21 and 2021/22

Q2 The number of appeals to the CHC Independent Review Panel that were successful in the same years.

Q3 The weekly rate currently paid to the Rhallt Nursing Home, Welshpool for NHS continuing healthcare (CHC).

Powys Response:

	2019/20	2020/21	2021/22
Q1 The number of appeals to the Continuing Healthcare (CHC) Independent Review Panel in each of the following years	0	0	1
Q2 The number of appeals to the CHC Independent Review Panel that	0	0	0

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



Headquarters
Glasbury House, Bronllys Hospital
Brecon, Powys LD3 0LU
Tel: 01874 711661



were successful in the same years			
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Q3 PTHB are withholding the weekly raid currently paid to the Rhallt Nursing Home for Continuing Health Care, as this 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 Nursing Home 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.

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

A handwritten signature in black ink, appearing to read 'Claire Roche'.

Claire Roche
Director of Nursing & Midwifery