

Our ref: IG/FOI/FOI.442.25

20 August 2025

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 01 August 2025, 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, but have applied an exemption to elements of the request. For ease of reference your request is set out below and my response follows.

### Your Freedom of Information (FOI) Request:

Under the Freedom of Information Act 2000, we kindly request the following information for your Trust:

1. A list of all ophthalmic consumables and procedure packs currently in use that are not covered by a formal contract or framework agreement.
2. For each non-contracted product, please provide the annual volume purchased (or used) over the last 12 months, the total spend, and the current supplier (if known).
3. If possible, please also provide the contact details (name, email, and telephone number) for the buyer or procurement lead responsible for ophthalmology within your Trust.

To make this process as straightforward as possible, we have attached an Excel template for your convenience. Please complete the relevant fields for each non-contracted product:

| Product Code | Product Description | Annual Volume (last 12 months) | Total Spend (last 12 months) | Current Supplier (if known) |

### Powys Response:

Q1 & Q2. Please see FOI.442.25 Attachment 1 for Powys Teaching Health Board's (PTHB) response to your request.

I can confirm that PTHB are withholding the annual volume figures within the last 12 months as it 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 Health Board and the third parties we work with.

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.

However, under Section 16 of the FOIA under the duty of a public authority to provide advice and assistance, we have provided the annual volume as bandings.

Q3. Procurement is undertaken on an all-Wales basis by NHS Wales Shared Service Partnership (NWSSP). I would recommend you contact them via the following email address: [NWSSP.NWALES.PROCUREMENT@wales.nhs.uk](mailto:NWSSP.NWALES.PROCUREMENT@wales.nhs.uk)

Under the terms of the Health Board's Freedom of Information procedure, individuals seeking access to recorded information held by the Health Board are entitled to request an internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request, please contact us directly at the address below or register your complaint via [Powys.FOI@wales.nhs.uk](mailto:Powys.FOI@wales.nhs.uk)

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 0330 414 6421.

Yours sincerely



**David Farnsworth**  
**Assistant Director, Community Services Group**

Spritchard

**Sarah Pritchard**  
**Assistant Director of Finance**

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.