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Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board

Cadeirydd Dros Dro/ Interim Chair: **Emma Woollett**  
Prif Weithredwr/Chief Executive: **Tracy Myhill**

**gofalu am ein gilydd, cydweithio, gwella bob amser**  
**caring for each other, working together, always improving**

Rydym yn croesawu gohebiaeth yn y Gymraeg ac yn y Saesneg. We welcome correspondence in Welsh or English.

Dyddiad/Date: 25<sup>th</sup> September 2019  
Ein Cyf / Our Ref: 19-F-031

☎ 01639 648363

✉ FOIA.Requests@wales.nhs.uk

Hatel Tejura [htejura@hotmail.com](mailto:htejura@hotmail.com)

Corporate Services  
Headquarters  
1 Talbot Gateway  
Baglan  
Port Talbot, SA12 7BR

Dear Ms Tejura

I refer to your Freedom of Information Act Request acknowledged by ourselves on 20<sup>th</sup> June 2019. I apologise for the delay in responding. Your request sought information relating to the Wales Fertility Clinic. You further clarified on 18<sup>th</sup> July 2019, that you required income in relation to self-funding patients.

**1) What was the total privately generated income from the Wales Fertility Institute from January 2018 to May 2019.**

I can confirm that this information is withheld.

Section 43(2) of the FOIA provides an exemption from disclosure of information which would or would be likely to prejudice the commercial interests of any person (including the public authority holding it).

The Health Board is of the opinion that the fertility services industry is a very competitive market. As such, any advantage that a competitor in the industry gains over another is very important. In light of this the Health Board considers that there is a high risk of competitors using the information to gain an advantage over the Health Board.

If we provide potential private competitors with our total income along with our price lists they will be able to extrapolate the quantum of private activity that we undertake.

Therefore by using both sets of information, could potentially enable competitors to develop hostile business models to undermine the Health Boards private activity with a view to the activity going elsewhere. This outcome would affect the Health



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Bwrdd Iechyd Prifysgol Bae Abertawe yw enw gweithredu Bwrdd Iechyd Lleol Prifysgol Bae Abertawe  
Swansea Bay University Health Board is the operational name of Swansea Bay University Local Health Board

Board's ability to participate competitively in the market and thus their commercial interests would be prejudiced through the disclosure of the requested information.

This exemption under Section 43(2) of the FOIA is a qualified exemption which means that it is subject the public interest test.

The Health Board acknowledges the public interest in promoting transparency and accountability of public money, however has concluded that the public interest in maintaining the exemption and therefore protecting the commercial interests of the Wales Fertility Clinic and preserving its ability to compete fairly in a commercial market, outweighs the public interest in disclosure.

**2) Please give a full breakdown of how the income generated from these services has been spent.**

The Health Board does not hold a breakdown of where this has been spent, but can confirm that income is reinvested into NHS services.

**3) What is the average waiting time an NHS patient referred from secondary care (from date of referral) has to wait prior to commencing an assisted reproduction cycle.**

The average waiting times are not recorded. However the current wait for an outpatient consultation is 22 weeks. However when a couple/patient is deemed as suitable for IVF treatment, they will commence treatment immediately i.e. there will be no wait.

**4) What is the average waiting time a privately funding patient (self-referred or via other referral sources) has to wait prior to commencing an assisted reproduction cycle.**

We do not record the average waiting time for private self-funding patients.

I hope this information is helpful. If you require anything further please contact us at [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk).

Under the terms of the Health Board's Freedom of Information policy, individuals seeking access to recorded information held by the Health Board are entitled to request 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 me directly at the address below or register your complaint via [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@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), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 029 2067 8400.

Yours sincerely



Pam Wenger  
**Director of Corporate Governance**

