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Public Health
Wales

Freedom of Information request to Public Health Wales

FOI Reference:	FOI 363
Date request received	12th May 2020
Date information is due to be sent	3rd July 2020

Information Requested:

- How many Coronavirus testing kits were ordered from January 1st 2020 and what was the date and volume of each order?
- How many testing kits will Wales have available in the coming weeks?

Information provided for the answer:

Thank you for your recent request which I have now considered. I have to consider that release of information under the Freedom of Information Act is 'release to the world'.

Under Section 43(2) of the Act, information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

We believe that releasing the information in response to these questions would be likely to prejudice the commercial interests of our organisation.

As Section 43 is a 'qualified exemption', I am required to carry out the public interest test to determine whether or not release of the information is of sufficient public interest to override the prejudice likely to be caused.

Factors in favour of disclosure.

There is currently considerable interest in all matters connected with the Covid19 emergency.

The question of testing was a high profile issue over the early weeks and months of the pandemic.

Factors against disclosure

Public Health Wales has had to use a portfolio of providers to achieve testing capacity.

The volumes we are procuring and using could be attributed to specific labs and with basic analysis, competitors are likely to work out what we are being charged by other companies.

This could then have a commercial bearing on subsequent procurement exercises in Wales, UK and elsewhere.

I am therefore minded to conclude that the public interest favours non-disclosure in this instance and therefore I am engaging the exemption under Section 43 (2) of the Freedom of Information Act 2000 and refusing the request.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Email: wales@ico.org.uk
