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Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust



Gwasanaeth Gwaed Cymru
Welsh Blood Service



Canolfan Ganser Felindre
Velindre Cancer Centre

Pencadlys Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University NHS Trust Headquarters

2 Cwrt Charnwood
Heol Billingsley
Parc Nantgarw
Caerdydd/Cardiff
CF15 7QZ

Ffôn/Phone : (029) 20196161
<https://velindre.nhs.wales>

Ref: CORP 2023-098

Date: 07th July 2023

Dear Sir/Madam,

Request for Information under the Freedom of Information Act 2000 - CORP 2023-098

Thank you for your emails dated 22nd April 2023 and 18th June 2023 respectively in which you requested information under the Freedom of Information Act.

May I take this opportunity to apologise for not responding to you sooner, the lack of response was due to the fact that your request was received in the Blood Collections email inbox and that the FOI Team were not alerted to your request until 18th June 2023.

You requested the following information:

Hello

I am writing to ask for FOI request on a contract that Welsh Blood awarded in August 2017 to a company called CTX CYF for a Head of Cell and Gene Therapies.

The contract was listed on the Sell2Wales website with inaccurate information, spelling and grammatical problems and has now disappeared.

I would like to know:

Who the decision makers were for this contract?

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When was the contract advertised, offered and extended?, the details on the removed contract appeared to be incorrect and contradictory.

How long was the contract opportunity advertised for?

Thank-you

The Trust's response is below:

This letter acts as a refusal notice under Section 17(1) of the Act. Section 17(1) states:

17 Refusal of request.

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that any provision of Part II relating to the duty to confirm or deny is relevant to the request or on a claim that information is exempt information must, within the time for complying with section 1(1), give the applicant a notice which—

(a) states that fact,

(b) specifies the exemption in question, and

(c) states (if that would not otherwise be apparent) why the exemption applies.

In order to comply with Section 17(1) and Section 45 Code of Practice (Request Handling) (known hereafter as the "Code" , the Trust is informing you of the reasons for the refusal in full.

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The Trust believes that you may have used a pseudonym in your request to us.

Section 8(1)(b) of the Act states that you must provide your name and an address for correspondence (email is acceptable). In detail Section 8 of the Act states:

8 Request for information.

(1) *In this Act any reference to a “request for information” is a reference to such a request which—*

(a) is in writing,

(b) states the name of the applicant and an address for correspondence, and

(c) describes the information requested.

(2) *For the purposes of subsection (1)(a), a request is to be treated as made in writing where the text of the request—*

(a) is transmitted by electronic means,

(b) is received in legible form, and

(c) is capable of being used for subsequent reference.

In making its decision, the Trust has consulted ICO Guidance which is contained in the [Section 45 - Code of Practice \(Request Handling\)](#) in assessing whether it is currently able to fulfil your request. The Code sets out the best practice that the ICO expects Public Authority's to follow.

Section 1.14 of the Code states:

Section 8 sets out the criteria for what constitutes a valid request under the Act:

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- *Section 8(1)(a) requires that a request for information must be made in writing. This can either be in hard copy or electronically;*
- *Section 8(1)(b) requires that a request for information must state the name of the applicant and an address for correspondence. Applicants must provide their real name and not use a pseudonym. Both email and postal addresses are acceptable;*
- *Section 8(1)(c) requires that a request for information must also adequately describe the information sought*

Section 1.15 of the Code also states that:

Public authorities do not have to comply with requests that do not meet the requirements set out in section 8. It is good practice to write to the applicant and explain this if this is the case.

It is for this reason that we have written to you explaining that this letter is a refusal under Section 8(1)(b) of the Act.

In order to comply with our duty to advise and assist you under Section 16 of the Act, should you submit a new request, we advise that you do so in accordance with the requirements of Section 8 of the Act and the Code of Practice. The Trust would then undertake all necessary activity in accordance with our obligations in relation to the Act.

I trust this answers your request for information, however, should you not be satisfied with the information supplied or the process of supplying it, you have a right to complain and request a review. Please note that you must submit a request for a review within 40 days of the date of this letter.

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You should forward your complaint to:-

Mr Ian Bevan via FOI.VUNHST@wales.nhs.uk
Head of Information Governance
Velindre University NHS Trust
2, Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff / Caerdydd
CF15 7QZ
Tel / Ffon - 029 20196161

Should you wish to take your complaint further, if you are still unhappy with the decision after review, you can contact the:-

Information Commissioner's Office - Wales
2nd Floor,
Churchill House,
Churchill Way,
Cardiff,
CF10 2HH
Telephone: 0330 414 6421
email: wales@ico.org.uk

Yours sincerely,

Lauren Fear
Director of Corporate Governance and Chief of Staff
Velindre University NHS Trust
2 Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff
CF15 7QZ

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