



Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust



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>

Date: 7th November 2024.
Ref: CORP 2024 - 198

Dear xxx

Freedom of Information request: Fire Damper Contract (CORP 2024 – 198)

Thank you for your request for information which the Trust received on 11th October 2024.

Your Request:

1. Are the Fire Dampers currently on contract for the inspection and maintenance?
2. If yes, please confirm the following:
 - Due date for contract end
 - Actual contract spend
3. What route to market used to obtain these services (a) open tender (b) framework - if yes, which one?
4. Are the fire dampers currently maintained by an external contractor? If yes, please provide which contractor?
5. Finally, please advise names and contact details of any individuals (outside of procurement) responsible for this contract including your Estates Manager (b) Health & Safety Compliance Manager (c) Fire Officer?

Please find the Trust's response below:

1. Are the Fire Dampers currently on contract for the inspection and maintenance? – Yes
2. If yes, please confirm the following:
 - **Due date for contract end** – Contract runs from June 2024 to May 2025.
 - **Actual contract spend:**

The Trust is applying a qualified exemption under Section 43(2) of the Freedom of Information Act 2000 which states:

(2) *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).*

In applying the exemption, the Trust has balanced the considerations of:

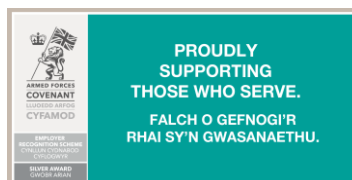
- Potential weakening of its position in a competitive environment by revealing market-sensitive information.

Against:

- Transparency in the accountability of public money
- Value for money being achieved when using public money

In this instance, the release of the information may result in the potential weakening of the Trust

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and the commercial entity's position in a competitive environment by revealing market-sensitive information.

For procurement queries, please direct any FOI requests to NHS Wales Shared Services Partnership - shared.services@wales.nhs.uk

3. What route to market used to obtain these services (a) open tender (b) framework - if yes, which one?

Contract awarded annually, initial check of existing NHS Framework but current contract awarded through competitive tender through NHS Wales Multi-quote.

4. Are the fire dampers currently maintained by an external contractor? If yes, please provide which contractor?

Yes – the contractor is Kingspan.

5. Finally, please advise names and contact details of any individuals (outside of procurement) responsible for this contract including your Estates Manager (b) Health & Safety Compliance Manager (c) Fire Officer?

The Trust has a legal obligation to comply with the Data Protection Act 2018 and the retained EU GDPR 679/2016 (known as UK GDPR). As you have requested information about someone other than yourself, the Trust has applied an Absolute Exemption under Section 40(2)(a) of the Freedom of Information Act 2000 which states:

- (2) *Any information to which a request for information relates is also exempt information if -*
(a) *it constitutes personal data which does not fall within subsection (1)*

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.

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

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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

Non Gwilym
Interim Director of Corporate Governance
Velindre University NHS Trust
2 Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff
CF15 7QZ

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