



Llywodraeth Cymru
Welsh Government

ATISN 15418

31 August 2021

Dear

ATISN 15418 – Philips/CPAP/Ventilator

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) received on 11 August. You asked for information in relation to the Philips CPAP/Bipap/ventilator recall. Specifically, you requested -

- 1) How many of these devices are in circulation in Wales? Additionally, you requested a breakdown per Health Board area, also by device model name (ie Dreamstation, Remstar SE, Remstar Pro etc) and also by how many are actually being used by patients.*
- 2) Details surrounding the arrangement with the manufacturer, such as when that contract is due to end, as well as any cost-benefit analysis done at the time.*
- 3) Any documentation and correspondence between the Welsh Government/NHS Shared Services and the Health Boards regarding these devices since the arrangement with Philips began, prior to the recall. This could include the standard guidance on how frequently they should be checked and cleaned, or internal process documents about how pieces of this equipment are to be distributed between Health Boards.*
- 4) Any communication between the Welsh Government/NHS Shared Services and the Health Boards since the recall, such as minutes of any meetings or other discussion and notification of Health Boards.*
- 5) Since the recall, all correspondence between Welsh Government and Philips in relation to this matter including the notification in April that they would not be selling you more of these devices?*
- 6) Minutes of meetings and correspondence associated with The UK Department for Health's emergency response group meeting which the Welsh Government has been attending.*

7) All correspondence relating to Philips claim that they have offered procurement to fund CPAPs from alternative suppliers and even to incur the cost of a patient helpline but this was not accepted. Additionally, you requested the rationale behind the decision to decline this alleged offer.

8) A breakdown of Health Inspectorate Wales inspections of healthcare entities by how recently they were done, how many have never been inspected etc, and grades of how they've been classified.

In order to provide you with the information that you have requested we would be required to conduct a number of searches through all communications between the identified parties to identify which contain the information you are seeking.

From my searches, I consider that your request should be refused, as dealing with it would exceed the appropriate limit. The 'appropriate limit' is set out in the Freedom of Information & Data Protection (Appropriate Limit and Fees) Regulations and, for central government, that's £600 or 24 hours. This means if we estimate it would take over 24 hours to determine whether we hold the information and to thereafter locate, retrieve and extract it then we can refuse the request.

You may wish to refine your request by narrowing its scope. For example, highlighting more specific time frames, information or documents. We would be happy to revise our calculations in this instance.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ
or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely,