



**Wrightington,
Wigan and Leigh**
NHS Foundation Trust

Information Governance

Wrightington Hospital
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Lancashire
WN6 9EP

Tel: 01257 256284
Email: FOI@wwl.nhs.uk
Web: www.wwl.nhs.uk

Ref: FOI2019/5396

Date Received: 13th May 2019

Response Due: 11th June 2019

10th June 2019

Dear

INFORMATION REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

You asked:

I am writing to ask about intravenous anaesthetic agent - Propofol - used across your Trust. In particular, I would like to know the total volume of propofol used/issued PER YEAR between 2006 and 2018 by intensive care unit (ICU) and operating theatre (OT) as shown below:

- **Total (annual) volume of propofol used/issued in ICU units PER YEAR for 2006-2018 (in millilitres or litres).**
- **Total (annual) volume of propofol used/issued in OT units PER YEAR for 2006-2018 (in millilitres or litres).**

If it is easier to provide another unit of measure (for example, vial), please provide details of the products (incl. pack size and mL per vial) so that I can calculate the volume in millilitres/litres.

Please see the refusal notice below.

In the case of exceeding the statutory time limits as set out in the FOI Act, I am happy to receive the information for the last couple of years i.e. 2016-2018.

Please see the attached document. Please note that the values are costed in pence

Refusal Notice Section 43 (2)

Commercially sensitive information relating to the quantity has not been disclosed here as we consider that Section 43 (2) 'prejudice to the commercial interests of any party' of the FOI act is engaged. Disclosure of this information could be commercially detrimental to the Trust and companies acting on our behalf and result in less competitive prices for services. The likely consequence of this would be increased cost for service provision to the Trust. We have considered how the public interest might apply, and although recognising that there is a strong public interest in openness, there is a greater public interest in ensuring an ability to obtain best value for money

Refusal Notice - The information that you have requested is exempt under Section 12 of the Freedom of Information Act because it will take more than 18 hours to retrieve and extract the relevant information.

We cannot go back further than this as the system was replaced in late 2015. We cannot provide the data broken down by area as this would require a fresh trawl through the systems that may well exceed 18 hours.

12. — (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Regulation 4(3) of the Fees Regulations states that a public authority can only take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- determining whether the information is held;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

All public authorities should calculate the time spent on the permitted activities at the flat rate of £25 per person, per hour.

This means that the appropriate limit will be exceeded if it would require more than 18 hours work for all public authorities.

I trust that this information is helpful to you, however if you are not entirely satisfied with this response please do not hesitate to contact the Information Governance Department on 01257 488271. If we do not hear from you within 28 days we will assume that we have been able to accommodate your request under the Freedom of Information Act 2000.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Foster', written in a cursive style.

Andrew Foster
Chief Executive

PLEASE NOTE:

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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 our decision, you should write to: Information Governance Department, Wrightington, Wigan and Leigh NHS Foundation Trust, Wrightington Hospital, Hall Lane, Appley Bridge, Wigan, WN6 9EP

If you are not content with the outcome of your complaint, 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 at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF