

FOI REF: 23/516

29th August 2023

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

- 1) How many requirements (hours) were released to on-framework agencies during the period 1st July 2022 until 30th June 2023, per calendar month, showing how many were filled and how many were unfilled, for the below-listed specialities*?**

East Sussex Healthcare NHS Trust does not centrally record this information. To enable the Trust to provide this information would require a manual review of all unfilled shifts on every roster, every email to agencies with our vacant shifts for the period in question which we estimate would take over 23 hours of work. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

- 2) How many requirements (hours) were released to off-framework agencies during the period 1st July 2022 until 30th June 2023, per calendar month, for the below-listed specialities*?**

None.

Cont.../

- 3) **What is the total agency usage for nurses in the period 1st July 2022 until 30th June 2023? Please provide hours supplied, and total expenditure, broken down per calendar month, and per recruitment agency (company name) for the below specialities*. Please indicate which agencies are operating on-framework and which are operating off-framework.**

Whilst the Trust holds the information requested, it is applying a Section 43(2) exemption in relation to this part of the request as the release of the information is likely to prejudice commercial interests of third parties. This is because release of the information could be detrimental to their competitive position in the market.

In applying the exemption consideration has been given to the public interest in enabling scrutiny of public sector decision making and the general public interest in accountability and transparency.

We have concluded that by sharing the pricing detail could cause harm to the Trust by not gaining best value for money for future contracts.

In this instance, we consider that the public interest in withholding the information is greater than the public interest in disclosing the information.

- 4) **Please provide the average hourly charge rate per calendar month, per recruitment agency, per speciality listed below, for the period 1st July 2022 until 30th June 2023.**

Section 43(2) applied as above.

- 5) **Please confirm how many international Band 5 Nurses have been permanently recruited by the trust, per calendar month, between 1st July 2022 and 30th June 2023, including their country of origin where feasible.**

Month	Number Recruited
October 2022	25
November 2022	25
January 2023	25
February 2023	15
March 2023	5
April 2023	7
Total	102

Countries recruited from are India and Philippines.

- 6) **Please confirm how many international Band 5 Nurses are forecasted to be permanently recruited by the trust, between 1st July 2023 and 30th June 2024, including their country of origin where feasible.**

70 are forecast. Interviews are ongoing but main source countries are Indian Sub-Continent/Philippines.

*** For the aforementioned specialities, the following specialities are requested:**

- **General (incl Medical / Surgical / General)**
- **A&E**
- **ITU**
- **Theatres**
- **Midwifery**
- **RMN / Mental Health**

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

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

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
esh-tr.foi@nhs.net