

FOI REF: 23/583

25th September 2023

Eastbourne District General Hospital

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Eastbourne
East Sussex
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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:

Please can you tell me, for each of the following time periods:

- 1) 7am March 13 to 7am March 16
- 2) 7am April 11 to 7am April 15
- 3) 7am June 14 to 7am June 17
- 4) 7am July 13 to 7am July 18
- 5) 7am August 11 to 7am August 15

What was the highest amount paid to an agency or individual to cover a shift during junior doctor strike action?

The information you have requested in respect of the amount paid to an individual is exempt under section 41 of the Freedom of Information Act 2000. This is because the information would originally have been provided in confidence. Information is exempt information if –

- (a) it was obtained by the public authority from any other person (including another public authority), and,
- (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

Whilst the Trust holds the information requested in respect of the amount paid to an individual, 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 its commercial interests.

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.

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We have concluded that by providing the highest amount paid to an agency or individual could cause harm to the Trust, as this could be used by agencies to inflate their prices should we need to use an agency doctor during any future strike actions, resulting in the Trust not obtaining best value for money.

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

In each case, please indicate:

- a) Was the payment made directly to an individual or via an agency?
- b) Does the worker covering the shift have a substantive role at the trust?
- c) What department was the shift in?
- d) How long was the shift?

1. 7am March 13 to 7am March 16

- a) Individual.
- b) Yes.
- c) Medicine.
- d) 12 hours.

2) 7am April 11 to 7am April 15

- a) Individual.
- b) Yes.
- c) Urology.
- d) 15 hours.

3) 7am June 14 to 7am June 17

- a) Individual.
- b) Yes.
- c) Medicine.
- d) 14 hours.

4) 7am July 13 to 7am July 18

- a) Individual.
- b) Yes.
- c) Medicine.
- d) 24 hours.

5) 7am August 11 to 7am August 15

- a) Individual.
- b) Yes.
- c) Anaesthetics
- d) 19 hours.

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
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