

Freedom of Information Act 2000 – Request Reference FoI/24/146

Agency Spend

Information Requested:

Please disclose the following information pertaining to the health board's use of agency workers (nurses and medical locums etc.) within the 20 working days permitted under the Freedom of Information Act.

Section A: Total Agency Spend Per Job Category - Last 6 Months

1. In the period between 1st August 2023 and 31st January 2024, how much did the health board spend on Agency Medical Locums (including all locum grades, including locum pay, agency fees, on costs etc. - excluding only VAT. Please exclude the cost of any MSP fee (managed service provider fee) where such arrangements mean that this is distinguishable from the agency fee.
2. In the period between 1st August 2023 and 31st January 2024, how much did the health board spend on Agency Nurses (including nurse pay, agency fees, on costs etc. - excluding only VAT. Please exclude the cost of any MSP fee (managed service provider fee) where such arrangements mean that this is distinguishable from the agency fee. Please include all nursing bands, including band 2 HCAs. If possible, please break down the spend by banding.
3. In the period between 1st August 2023 and 31st January 2024, how much did the health board spend on Agency AHP/HSS workers (including all AHP.HSS job roles, including pay, agency fees, on costs etc. - excluding only VAT. Please exclude the cost of any MSP fee (managed service provider fee) where such arrangements mean that this is distinguishable from the agency fee.
4. In the period between 1st August 2023 and 31st January 2024, how much did the health board spend on Non-Medical / Non-Clinical (NMNC) agency workers (including all NMNC job roles, including pay, agency fees, on costs etc. - excluding only VAT. Please exclude the cost of any MSP fee (managed service provider fee) where such arrangements mean that this is distinguishable from the agency fee.

Section B: Supporting Services (Managed Services / Master Vendors / Neutral Vendors / Vendor Management Technology etc.)

1.0. For each of the agency staffing categories mentioned above (Medical Locums, Agency Nurses, AHP/HSS and NMNC), does the health board utilise either a technology provision and/or the services of any type of managed service provider (MSP), be it Master Vendor, Neutral Vendor, Managed Service or otherwise, in the course of managing the supply of Medical Locums?

If yes to Section B - 1.0, please also answer 1.1 and 1.2:

1.1: For each staff category, please describe the solution in place - including a. the type of solution (i.e. tech or managed services etc.), b. the company providing the service (e.g. Medacs, Retinue, NHSP etc.), c. the cost charged for the solution (e.g. 4% of agency spend, or [X] per timesheet hour), and d. the procurement Framework under which the solution is contracted (e.g. CCS RM6161 or HTE TWS11 Lot 2b etc.).

1.2: For each of the solutions you've listed above, please state the contract expiry date.

Section C: Procurement Activity and Associated Persons

1. Please advise whether the health board is likely to undertake procurement activity in relation to any of the solution either that are already in place, or in order to put such a solution in place, in the next 12 months.

2. Please provide the name, email address and telephone number, for the person(s) involved in 'buying' such solutions. In case of the existing contracts mentioned above, please provide the details of the person who would take overall ownership of evaluating the contract renewal moving forward.

Response Details:

Section A

Please see the below table which represents agency and locum expenditure from 1 August 2023 to 31 January 2024.

Staff Group	Agency (£)	Locum (£)	Grand Total (£)
ADD PROF SCIENTIFIC AND TECHNICAL	130		130
ADDITIONAL CLINICAL SERVICES	80,178		80,178
ADMINISTRATIVE & CLERICAL	229,740		229,740
ALLIED HEALTH PROFESSIONALS	333,758		333,758
ESTATES AND ANCILLIARY	20,087		20,087
HEALTHCARE SCIENTISTS	140,011		140,011
MEDICAL AND DENTAL	1,352,012	9,523,846	10,875,858
NURSING AND MIDWIFERY REGISTERED	4,500,236		4,500,236
NURSING ASSISTANTS	150,802		150,802
Grand Total (£)	6,806,955	9,523,846	16,330,801

Section B

1.0. Yes.

1.1. AHP and Medical Locums.

a. Mastervend Managed Service.

b. Medacs Healthcare.

- c. After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under section 43 of the Freedom of Information Act 2000 ('Commercial interests'). This section of the Act sets out an exemption from the right to know if:
- the information requested is a trade secret, or
 - release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity.)

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of both the supplier and the UHB. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: It has been established that releasing the information sought under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with suppliers. This in turn could lead to less effective use of public funds in future. The UHB believes that there is wider established public interest in suppliers not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 *ICO v Royal Marsden Hospital Trust*).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it is not in the public's interest to disclose this information.

- d. RM3711.

1.2. August 2024.

Section C

1. The UHB does not hold this information. The Freedom of Information Act 2000 gives individuals the right to receive information held by a public authority at the time of request; a public authority does not have to create new information that does not already exist.
2. After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018. Its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing with regard to Articles 5, 6, and 9 of the GDPR. We are therefore withholding this detail under section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.