

**Freedom of Information Act 2000 - Request Reference Fol/21/016**  
**Hourly Rates for Agency Nurses**

**Request Details**

1. Since 1<sup>st</sup> April 2020, what are the top three / most expensive hourly rates (including all cost elements i.e. pay, agency fee, NI, PAYE taxes, VAT and any associated managed service / master vendor fee) paid for agency Nurses working at each of the following Bands?

Please respond to question one by populating the template below as per the example. Please clarify the Specialty for which each of the rates was paid as shown.

Grade	Highest		Second highest		Third highest	
	Specialty	Hourly rate	Specialty	Hourly rate	Specialty	Hourly rate
Band 2 / HCA						
Band 5						
Band 6						
<i>Example</i>	<i>General</i>	<i>£27.50</i>	<i>Critical</i>	<i>£33.20</i>	<i>Theatres</i>	<i>£43.80</i>

2. Since 1<sup>st</sup> April 2020, what are the bottom three / least expensive hourly rates (including all cost elements i.e. pay, agency fee, NI, PAYE taxes, VAT and any associated managed service / master vendor fee) paid for agency Nurses working at each of the following bands?

Please respond to question one by populating the template below as per the example. Please clarify the Specialty for which each of the rates was paid as shown.

Grade	Lowest		Second lowest		Third lowest	
	Specialty	Hourly rate	Specialty	Hourly rate	Specialty	Hourly rate
Band 2 / HCA						
Band 5						
Band 6						
<i>Example</i>	<i>HCA</i>	<i>£19.40</i>	<i>RMN</i>	<i>£22.40</i>	<i>Midwife</i>	<i>£25.90</i>

3. For each of the “job titles” (Band / Specialty) mentioned in your response to questions 1 and 2, please disclose the average hourly rate paid for agency nurses of the same Band and Specialty since 1<sup>st</sup> April 2020.

There should be a maximum of 18 unique “job titles” in the tables above; please use the template below as per the example given at the bottom.

<b>Job Title</b>	<b>Band / Speciality</b>	<b>Average hourly rate</b>	<b>Number of individual Nurses worked</b>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
<i>Example</i>	<i>Band 6 Midwife</i>	<i>£38.00</i>	<i>4</i>

**4. Has the Trust set maximum hourly rates for agency nurses and, if so, what is the maximum hourly rate for each of the job titles you've listed in response to question 1.**

## Response Details

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) 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 the company in question. 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:** There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with agencies. This in turn could lead to less effective use of public funds in future. It has been established above that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. The UHB believes that there is wider established public interest in companies 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 was not in the public's interest to disclose this information.