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Request for Information Reference: 02.24.85

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Email only

22nd March 2024

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 26th February 2024 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to Agency Spend and I am providing the following information in response to your specific questions:

Please disclose the following information pertaining to the Trust'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 Trust 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.**

£3,544k

- 2. In the period between 1st August 2023 and 31st January 2024, how much did the Trust 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.

Not split by band - £395k Qualified, £2,214k HCA

3. In the period between 1st August 2023 and 31st January 2024, how much did the Trust 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.

£255k

4. In the period between 1st August 2023 and 31st January 2024, how much did the Trust 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.

£241k

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

1. For each of the agency staffing categories mentioned above (Medical Locums, Agency Nurses, AHP/HSS and NMNC), does the Trust 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:

Medical Locums	Maser Vend
Agency Nurses	Master Vend
AHP/HSS	Managed in House
NMNC	Managed in House

2. 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.).

Medical Locums

Master Vend ID Medical 02/04/2025 CCS RM6161 - 2, 12 months
extensions available

Agency Nurses

Master Vend Medacs 16/10/2024 CCS RM616 - 2, 12 months
extensions available

Section 43 (2) exempts from disclosure the following:

(2) Information, the disclosure of which would, or would be likely to, prejudice the commercial interests of any person including those of the public authority holding the information.

Our supplier has made clear representation that pricing for the solution is commercially sensitive information, the disclosure of which would be likely to prejudice their commercial interests, as it would provide alternative bidders with an understanding of their costs (which would not be reciprocated) with respect to similar contracts in the NHS, thereby undermining their ability to tender, on fair and equal terms, for such contracts. The Trust considers that there is potential for such harm to arise with reasonable proximity and, therefore, that the exemption under Section 43(2) of the Act is engaged.

The Trust acknowledges the public interest in publication of the information; specifically the interest in transparency with respect to expenditure on services, as a means of assisting the taxpayer in evaluating their value for money. However, there is a competing public interest in preserving fair market competition and the ability of public authorities to obtain value for money when sourcing services. In previous rulings the Information Commissioner has made clear that the Freedom of Information Act is not intended to distort fair market competition. In this case, the Trust therefore considers that the public interest in preserving fair competition outweighs the general public interest in transparency and is therefore applying the exemption under Section 43(2).

AHP/HSS Managed in House None

NMNC Managed in House None

The Trust are unable to provide the information as requested on the grounds that this information is commercially sensitive and has, therefore, been withheld pursuant to Section 43 of the Act.

3. 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 Trust 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.

There are currently no plans to undertake procurement activity in relation to any of the solutions within 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.

The contracts were previously led by Amanda McElroy- Procurement Manager, Amandamcelroy@nhs.net telephone number 0191 569 2841. The panel for the evaluation of the contract is decided once it is confirmed a Procurement exercise will take place.

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. More information is available on their website; www.ico.gov.uk.

Yours sincerely

Corporate Records and Freedom of Information Facilitator