

28<sup>th</sup> October 2019

**Joan Corrigan**  
**[request-609263-d21dbba7@whatdotheyknow.com]**

*Our ref.: FOI/19/341*

**Dear Ms Corrigan**

**RE: Freedom of Information (FOI) request – Agency staff pay rates – unsocial hours**

We refer to your Freedom of Information request which was received by the Western Health and Social Care Trust on 4<sup>th</sup> October 2019. Please see below a response to your queries, provided by the Trust's Human Resources directorate.

**1) Are WHSCT Health Care Assistants paid a consistent 'one rate only' rate between the hours of 20.00 and 08.00? (And if so, why are agency staff paid differently i.e. less?)**

Health Care Assistants are paid at the appropriate pay band and rate in line with Agenda for Change Terms and Conditions of Service. Agency Health Care Assistants are paid in line with the Health and Social Care (HSC) Business Services Organisation (BSO) Framework for Nurses and Healthcare Support Workers and this includes unsocial hours.

**2) Why is the variant hours of pay which currently exists (and has long existed) in payment of an agency workers' night shift at odds with what is stated in the NHS Employee handbook?**

Agencies invoice the Trust in line with the rates agreed in the Framework. Paragraph 47 of the SS20a Framework Scope and Specification document states the following requirement:-

47 Approval, Payment and Invoicing

47.1 The Contractor must ensure that all Agency Worker rates of pay comply with the Agency Workers Regulations (Northern Ireland) 2011 and the Agenda for Change pay structure as outlined in Section 2 of the NHS Terms and Conditions of Service Handbook.

We hope you find this response helpful.

Yours sincerely

(Not signed – issued by email)

**Freedom of Information Office  
Western Health and Social Care Trust**

*Freedom of Information: If you are unhappy as to how this request has been handled, you have the right to seek a review within the Trust in the first instance. You should write to the FOI Office, Lime Villa, Gransha Park, Clooney Road, Londonderry, BT47 6WJ ([foi.request@westerntrust.hscni.net](mailto:foi.request@westerntrust.hscni.net)) within two months of the date of this response and your complaint will be considered and a response provided, usually within 20 working days of receipt.*

*If, after receiving a response, you remain unhappy, you can refer your complaint to the Information Commissioner at The Information Commissioner's office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. It is important to note that if you refer any matter to the Information Commissioner, you will need to show evidence of having gone through the Trust's internal review procedure to try to resolve the matter with the Trust in the first instance.*