



# Department of Health & Social Care

Freedom of Information Team  
Department of Health and Social Care  
39 Victoria Street  
London SW1H 0EU

[www.gov.uk/dhsc](http://www.gov.uk/dhsc)

Ms Alice Jenks

By email to: [request-988540-41e1a6a5@whatdotheyknow.com](mailto:request-988540-41e1a6a5@whatdotheyknow.com)

6 July 2023

Dear Ms Jenks,

## **Freedom of Information Request Reference FOI-1458560**

Thank you for your request dated 8 June to the Department of Health and Social Care (DHSC), a copy of which can be found in the accompanying annex.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

DHSC holds some information relevant to your request. For ease of reference, we have numbered each of the queries in your request and will address each matter in turn.

1. DHSC has used RM6160. We expect to use RM6277 in the future.
2. As the information held by DHSC is in the public domain, we will, under section 21 of the FOIA (information accessible to the applicant by other means), refer you to the published source. The relevant agencies can be found via the Contracts Finder on GOV.UK ([www.gov.uk/contracts-finder](http://www.gov.uk/contracts-finder)). Please note that we have interpreted 'the trust' to be 'DHSC' in the context of your request.
3. Outside of the CCS RM6160 Framework, DHSC has also used the supplier AMS, under the CCS Public Sector Resourcing Framework.
4. As the information held by DHSC is in the public domain, we will, under section 21 of the FOIA, refer you to the published source. The information you have requested can be found via the Contracts Finder on GOV.UK by searching using the parameters you have specified in your request.
5. Under section 8(1) of the FOIA, DHSC is not required to provide explanations to answer your request.

We should explain that the FOIA provides a right of access to recorded information held by public authorities. Recorded information can typically include physical and electronic information such as emails, letters, documents, reports, policies, datasets, photographs, and sound or video recordings. However, it does not require public authorities to generate new information to answer questions, including providing explanations or giving opinions, unless this is recorded information that they already hold.

You may find it helpful to refer to the Information Commissioner's Office's (ICO's) 'For the public' webpages. They include some advice for requesters on how to word requests to

get the best result. They are aimed at the general public and provide guidance on how to use section 1 rights responsibly and effectively. Future requests are less likely to be refused if framed in accordance with these guidelines. You can view the relevant section, 'How to write an effective request for information', on the 'How to access information from a public authority' page of its website, which can be found at <https://ico.org.uk/for-the-public/official-information>.

**6.** DHSC holds relevant information, but we consider that this information is exempt under section 43 of the FOIA, which exempts from the general duty to release information that would, or would be likely to, prejudice the commercial interests of any entity, including the public authority holding the information.

Section 43 is a qualified exemption and, as such, we are required to assess the public interest in withholding this information against that of its release. We recognise a general public interest in government contracts, but we also take into account the fact that this information is commercially sensitive.

We consider that disclosing this information would not be in the public interest as it could prejudice future commercial relations with suppliers. DHSC takes the view that release of this information into the public domain will not enable a fair and competitive tendering process for the contracts relating to your request, and that withholding this information will protect future contractual negotiations and relationships. Therefore, we consider that the balance of interest favours withholding this information.

**7.** As the information held by DHSC is in the public domain, we will, under section 21 of the FOIA, refer you to the published source. Relevant information can be found via the Contracts Finder on GOV.UK by searching using the parameters you have specified in your request.

**8.** Individual hiring managers own the contracts with agencies, supported by the commercial team, so responsibility varies from contract to contract.

**9.** DHSC does not hold the information you have requested. On a discretionary basis, and outside the scope of the FOIA, you may be interested to know that the outcome of a contracting decision relies on a process with a series of activities, which includes a number of people. There is no single person responsible for agreeing on staffing contracts as different people are involved in the different stages of the process.

**10.** DHSC does not hold the information you have requested. On a discretionary basis, and outside the scope of the FOIA, you may be interested to know that the decision around which agencies to use is based on a number of factors and involves a number of people, which is determined on a case-by-case basis.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be sent to [freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk) or to the address at the top of this letter and be submitted within two months of the date of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the ICO. Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

Freedom of Information Team  
[freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk)

## **Annex**

From: Alice Jenks <request-988540-41e1a6a5@whatdotheyknow.com>

Sent: 08 June 2023 15:28

To: FreedomofInformation <freedomofinformation@dhsc.gov.uk>

Subject: Freedom of Information request - Agency Use 2022 - 2023

Dear Department of Health and Social Care,

**1.** For the use of agencies, please can you confirm if the Department of Health and Social Care works under, Non-Clinical Temporary and Fixed Term Staff CCS Framework RM6160 and the new CCS Non-Clinical Staffing Framework Agreement RM6277.

**2.** Please can you confirm the list of agencies that have supplied to the trust under the framework through the dates of January 2022 – December 2022.

**3.** For the same 12-month period, please can you provide the list of agencies that have supplied to you staff outside of the framework CCS Framework RM6160 .

**4.** Please outline your spending per agency, broken down by grade and speciality of roles or lots department for the above time period.

Lot 1 – administration and secretarial roles

Lot 2 – finance, accounts and audit roles

Lot 3 – IT technicians, analysts and technical engineer specialists

**5.** Please can you confirm on what occasions you would look to go outside of the framework for roles as below;

Lot 1 – administration and secretarial roles

Lot 2 – finance, accounts and audit roles

Lot 3 – IT technicians, analysts and technical engineer specialists

**6.** Please can you confirm the highest agency hourly charge rate and their speciality staffing, for;

Lot 1 – administration and secretarial roles

Lot 2 – finance, accounts and audit roles

Lot 3 – IT technicians, analysts and technical engineer specialists

**7.** What contractual relationships are in place for supplying Temporary and Fixed Term Staff CCS Framework RM6160 and the new CCS Staffing Framework Agreement RM6277.

Lot 1 – administration and secretarial roles

Lot 2 – finance, accounts and audit roles

Lot 3 – IT technicians, analysts and technical engineer specialists

**8.** And who is responsible for managing them?

**9.** Please can you please provide me with the name, contact number & email address of the person responsible for agreeing on staffing contracts for your organisation

**10.** Please can you provide details of the names of the decision-makers who ultimately decide which agencies your organisation uses for non-clinical staff for CCS Staffing Framework Agreement RM6277 and the previous Temporary and Fixed Term Staff CCS Framework RM6160.

Yours faithfully,

Alice Jenks

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Please use this email address for all replies to this request:  
request-988540-41e1a6a5@whatdotheyknow.com