
FOI Reference: FOI 35-1920

Title: Direct Engagement for Locum Staff

Date: 24 April 2019

FOI Category: Recruitment and Payroll

FOI Request:

What is your agency spend on Medical Locums/AHP's financial year 2017/2018?

Do you have a Direct Engagement arrangement for Medical Locums/ AHPs? If so who is your current provider?

When does the contract with your current provider expire?

What is the cost of this service and it charged per hour or % fee?

FOI Response:

What is your agency spend on Medical Locums/AHP's financial year 2017/2018?

Section 21

Under section 1 (1) (a) of the Freedom of Information Act 2000, I can confirm that Yeovil District Hospital NHS Foundation Trust (YDH) holds the requested information. In accordance with section 21(1) of the Freedom of Information Act 2000, we can confirm the information you have requested is published on our website. These are available on our website within our board papers: <http://www.yeovilhospital.co.uk/about-us/corporate-information/>

Do you have a Direct Engagement arrangement for Medical Locums/ AHPs? If so who is your current provider?

Yes, Brookson

When does the contract with your current provider expire?

June 2019

What is the cost of this service and it charged per hour or % fee?

Section 43(2)

Please note that, while Yeovil District Hospital NHS Foundation Trust holds the information

requested, we consider that it engages the exemption at section 43 (2) of the Freedom of Information Act 2000 as to provide you with this information would likely to prejudice the commercial interests of the third party agencies and those of the Trust.

Reason for Exemption

In our view, a commercial interest relates to the ability to participate competitively in a commercial activity, that is, the purchase and sale of goods or services, recognising that companies compete by offering something different from their rivals and that the difference will often be price.

In this case, it is thought that disclosure of the requested information would be likely harm the ability of our current providers to operate in an open, competitive market. While many companies now accept greater public access to information about their organisation and the products they provide when working with the public sector, it does not follow that information should be disclosed where to do so may reduce competition in the market. If this were to occur, it would also be likely to have a prejudicial effect on the ability of YDH to obtain best value for money agency staff as it would affect our ability to negotiate a fair rate.

Public Interest Test

Having established that the section 43 (2) exemption is engaged, the Trust has considered whether maintaining the exemption outweighs the public interest in disclosure. In doing so, the Trust has considered the need to promote public accountability of the expenditure of public money, the general public interest in transparency of dealings, helping the public to understand how services within the NHS are contracted and the price for which they are purchased by the Trust. However, this has to be counterbalanced by the public interest in avoiding unnecessary prejudice to the commercial interests of third parties and the ability of the Trust to operate in an open, competitive market to secure the best services for its patients without hindrance to its negotiating position. To achieve this, the public interest in the long term is better served by not disclosing this detail and thereby potentially losing the trust and confidence of the business community. The fact that section 43 (2) is a prejudice (harm) based exemption also means that there is automatically some public interest in maintaining it, and this has been taken into account.

Additional Information/Documents:

N/A

