

Freedom of Information Request 6945

Copy of all correspondence held by Wye Valley NHS Trust relating to Freedom of Information Request 6769.

Under section 40 of the Freedom of Information Act 2000, personal data (individuals' names) have been removed under the obligations of the Data Protection Act 2018.

Friday, 18 May 2018

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Freedom of Information request - Direct Engagement of Locum Staff using third parties

I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and it is the departments responsibility to provide the information I require. If you need further clarification please contact me via this website (or email). I would like to request the following information:

1. Does your organization use a Direct Engagement scheme?
2. If so, who provides it? And when did you start using it?
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form
6. How much has been paid to the third party direct engagement facilitator thus far?
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

I would like the information to be provided by email or on this website in electronic form. If my request is denied in whole or in part I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute. Many thanks for your assistance with this request.

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

Is freedom.information@wvt.nhs.uk the wrong address for Freedom of Information requests to Wye Valley NHS Trust? If so, please contact us using this form:
https://www.whatdotheyknow.com/change_request/new?body=we_valley_nhs_trust

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

Wednesday, 23 May 2018

-----Original Message-----

From: Clark, Sue

Sent: 23 May 2018 11:14

To: Director of HR & OD

Subject: FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear All

The Trust is in receipt of the Freedom of Information as below (FOI 6769). We have a statutory duty to respond within 20 working days and my deadline is 19th June 2018.

I would be grateful if you would pass to colleagues who will be able to offer the information in order that I may respond by the given deadline.

Please address all information and queries to freedom.information@wvt.nhs.uk

As ever many thanks for your support in this matter

Sue Clark

Bank Admin

Wye Valley NHS Trust

Freedom of Information/ Information Governance

Monkmoor Court

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [<mailto:request-485988-f965145b@whatdotheyknow.com>]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

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Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

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-----Original Message-----

From: Clark, Susan

Sent: 23 May 2018 14:32

To: 'Dr Colin Iain Campbell MBChB FRSPH'

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

WYE VALLEY NHS TRUST

Email: freedom.information@wvt.nhs.uk

23rd May 2018

Dear Sir

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST 6769

Thank you for your request for information received by Wye Valley NHS Trust, for Freedom of Information purposes on 21st May 2018. I am dealing with it under the terms of the Freedom of Information Act 2000.

You will receive the information requested within 20 working days unless the Trust does not hold the information or there is a reason for it to be withheld. I will write to you in any event

In some circumstances a fee may be payable and if that is the case I will let you know. A fees notice will be issued to you, and you will be required to pay before I will proceed to deal with your request.

If you have any queries or concerns then please contact me, contact details are given at the top of the letter.

Further information about Freedom of Information Act 2000 is also available from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 01625 545 745 www.ico.gov.uk

Yours faithfully
Sue Clark

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

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Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

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Friday, 25 May 2018

-----Original Message-----

Sent: 25 May 2018 13:36

To: WVT - Financial Accountant

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

All

My comments are as per the below:

1. Does your organization use a Direct Engagement scheme?

Not actively but there is an intention to award a contract with a commencement date of June 2018

2. If so, who provides it? And when did you start using it?

Intention to award to Brookson via HealthTrust Europe framework - proposed commencement date June 2018

3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?

Internal legal advice and inclusive of framework award

4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.

- can you pick this one up?

5. How does the third party direct engagement facilitator save you money on the agency spend?

Please answer in short point form

- can you pick this one up?

6. How much has been paid to the third party direct engagement facilitator thus far?

Null. Commercially sensitive.

7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

- you can describe the model but not the percentages as this is again commercially sensitive.

Thanks

Head of Procurement

Wye Valley NHS Trust | Procurement Department, The County Hospital, Union Walk, Hereford. HR1 2ER

Tel: 01432 355444

Struggling to find your way round Integra e-Procurement? Have you reviewed the Guides section of the Procurement Intranet page?

Here we have guides for raising & authorising purchase orders, setting leave records & a guide to invoice approval.

-----Original Message-----

Sent: 25 May 2018 13:01

To: WVT - Financial Accountant

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi

All of the questions are contractual/financial so would this sit with you. In real terms we're not engaged yet with the software but we do use part system.

Can I sign this over to you both to answer?

Thanks

Medical Workforce Manager

Directorate of Human Resources

Working Days: Monday – Friday

Franklin Barnes Building, 1-3 Commercial Road, Hereford. HR1 2AZ

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-----Original Message-----

Sent: 25 May 2018 09:47

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi

Medical Staffing Manager is responsible for the direct engagement project here for medical locums so have copied them into this FOI as they are best placed to reply

Thanks

Kind regards

Head of Resourcing
Human Resources Directorate
Working days: Mon - Friday
Wye Valley NHS Trust, Franklin Barnes Building, 1-3 Commercial Road, Hereford, HR1 2AZ

-----Original Message-----

Sent: 23 May 2018 11:14

To: Director of HR & OD

Subject: FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear All

The Trust is in receipt of the Freedom of Information as below (FOI 6769). We have a statutory duty to respond within 20 working days and my deadline is 19th June 2018.

I would be grateful if you would pass to colleagues who will be able to offer the information in order that I may respond by the given deadline.

Please address all information and queries to freedom.information@wvt.nhs.uk

As ever many thanks for your support in this matter

Bank Admin
Wye Valley NHS Trust
Freedom of Information/ Information Governance
Monkmoor Court

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [<mailto:request-485988-f965145b@whatdotheyknow.com>]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

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Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

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[<https://www.wyevalley.nhs.uk/media/426350/nhs-70.png>]

Wednesday 15 August 2018

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 15 August 2018 15:36

To: Information, Freedom (WVT)

Subject: Internal review of Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Wye Valley NHS Trust's handling of my FOI request 'Freedom of Information request - Direct Engagement of Locum Staff using third parties'.

Kindly see our other messages. We have also tried to contact Susan Clark as you will see in the correspondence log below.

Please note the additional FOI contained in the message which I have pasted here:

Dear Clark, Susan,

RAPID REVIEW:

It has been three months with no reply (request 18th May 2018) and you are clearly in breach of the Freedom of Information Act by a monumental failure to respond promptly to my request which vastly exceeds the prescribed 20 days.

Please disclose the information in full by close of play today as I have waited more than long enough for this, and I am concerned this may be deliberate evasion.

-----Further Freedom of Information Act 200 Request:-----

- 1) Please disclose all internal emails, discussions, documents, recorded telephone calls, or other information in a recorded format relating to the handling of my FOI request.
- 2) All communications with any direct engagement provider you may have since the date of my original FOI, including any subsequent negotiations.
- 3) Details of how the procurement of any direct engagement provider you may use was conducted, by whom, and what details the trust hold about the operation of any scheme.
- 4) If you have a provider, what supply is being made to you by the Direct Engagement provider?

Yours sincerely,

Dr Colin Iain Campbell MBChB FRSPH

Whatdotheyknow.com does not disclose individual emails. This should be going to the direct FOI email address.

A full history of my FOI request and all correspondence is available on the Internet at this address:
https://www.whatdotheyknow.com/request/freedom_of_information_request_d_270

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

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Thursday 16 August 2018

Sent: 16 August 2018 09:50

To: Information, Freedom (WVT)

Subject: Automatic reply: URGENT - BREACH OF STATUTORY DEADLINE FOI 6769 - Freedom of Information request - Direct Engagement of Locum Staff using third parties

My working days are Mondays and Tuesdays only - covers this role on Thursdays and Fridays

Sent: 16 August 2018 09:50

To: Information, Freedom (WVT)

Subject: Automatic reply: URGENT - BREACH OF STATUTORY DEADLINE FOI 6769 - Freedom of Information request - Direct Engagement of Locum Staff using third parties

I am currently out of the office and will return Monday 20 August - any urgent queries please contact recruitment

Sent: 16 August 2018 12:13

To: Information, Freedom (WVT)

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi,

Please see below.

Regards,

-----Original Message-----

Sent: 16 August 2018 11:24

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi,

has called me with a couple of FOI requests that was looking at.

The below is around Direct Engagement. I'm assuming technically we aren't in a scheme at the point of this FOI but I wanted to check what if any previous arrangements we had around this?

Thanks

-----Original Message-----

From: Information, Freedom (WVT)

Sent: 16 August 2018 10:40

Subject: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties
Importance: High

Hello,

Please find below the FOI request and email re FOI 6769.

The essence of the request I recite here:

1. Does your organization use a Direct Engagement scheme? **Contract about to commence**
2. If so, who provides it? And when did you start using it? **See above**
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice? **Advice sought from our VAT advisor (EY)**
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017. **N/A**
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form 6. How much has been paid to the third party direct engagement facilitator thus far? **The contract as envisaged will enable savings through providing a better management interface for booking Locums and providing an on-line booking facility for Agencies to utilise. Savings will derive from increased efficiencies in bookings as well as the VAT benefits afforded through direct engagement. Contract not yet in operation so no payments to the DE facilitator to date.**
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this? **The payment to the DE facilitator is based on a percentage of the value of Locum bookings made through their Direct Engagement system. The percentage charged is commercial in confidence.**

Unfortunately this request has exceeded its 20 day response period, so your reply as soon as possible would be appreciated.

Thanks

Freedom of Information Coordinator
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX

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To: WVT - Financial Accountant

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Can I sign this over to you both to answer?

Thanks

Medical Workforce Manager
Directorate of Human Resources
Working Days: Monday – Friday

Franklin Barnes Building, 1-3 Commercial Road, Hereford. HR1 2AZ

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Human Resources Directorate

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Freedom of Information/ Information Governance Monkmoor Court

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Dr Colin Iain Campbell MBChB FRSPH

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[<https://www.wyevalley.nhs.uk/media/426350/nhs-70.png>]

-----Original Message-----

Sent: 16 August 2018 13:13

To: Information, Freedom (WVT)

Subject: 6769 Reviewed

Hi please use the attached response.

Please put this in the email response below, (and then maybe will not have to do a formal review .)

I acknowledge receipt of your request for an internal review into the processing of your Freedom of Information Request which was dated XX/XX/XXXX. Please accept our sincerer apologies for the delay in replying to your request.

I can confirm that a review of the Freedom of Information process has been undertaken over the past two weeks and it has been identified that delays in responding to requests have been incurred due to organisational changes and staff movement.

As a result our internal processes have been reviewed and updated and the responsibility for responding to Freedom of Information requests has transferred to the Information Governance Team.

I trust that our response will satisfy you and I would like to thank you for your patience and understanding.

-----Original Message-----

From: Information, Freedom (WVT)

Sent: 16 August 2018 12:47

Subject: DRAFT RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties FOI 6769

Importance: High

Dear Dr Campbell,

Please find attached our response to your Freedom of Information request, reference 6769.

Please accept our apologies for the delay in replying to your request. This has been due to organisational changes and staff movement. Thank you for your patience and understanding.

We have received your request for an internal review into the processing of your Freedom of Information request originally submitted on 18 May 2018. We will respond to you shortly regarding this.

Yours sincerely,

Freedom of Information Coordinator
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX

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Please note that Wye Valley NHS Trust may monitor e-mails sent by you to the Trust in accordance with current legislation."

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Freedom of Information request - Direct Engagement of Locum Staff using third parties

I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and it is the departments responsibility to provide the information I require. If you need further clarification please contact me via this website (or email). I would like to request the following information:

1. Does your organization use a Direct Engagement scheme?
2. If so, who provides it? And when did you start using it?
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form
6. How much has been paid to the third party direct engagement facilitator thus far?
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

I would like the information to be provided by email or on this website in electronic form. If my request is denied in whole or in part I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute. Many thanks for your assistance with this request.

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

Is freedom.information@wvt.nhs.uk the wrong address for Freedom of Information requests to Wye Valley NHS Trust? If so, please contact us using this form:
https://www.whatdotheyknow.com/change_request/new?body=wye_valley_nhs_trust

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

[<https://www.wyevalley.nhs.uk/media/426350/nhs-70.png>]

**ATTACHMENT TO EMAIL '6769 REVIEWED' 16
AUGUST 2018 13.13 TO INFORMATION,
FREEDOM (WVT)**



Trust Headquarters located at:

The County Hospital

Hereford

HR1 2ER

freedom.information@wvt.nhs.uk

16 August 2018

Dear Dr Campbell,

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST 6769

Thank you for your request for information.

Wye Valley NHS Trust responds:

1.Does your organization use a Direct Engagement scheme?

Yes the contract is about to commence

2. If so, who provides it? And when did you start using it?

The provider is Brookson and it is about to commence.

3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?

Advice was sought from our VAT advisor (EY)

4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.

Not applicable

5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form **The contract as envisaged will enable savings through providing a better management interface for booking Locums and providing an on-line booking facility for Agencies to utilise. Savings will derive from increased efficiencies in bookings as well as the VAT benefits afforded through direct engagement. Contract not yet in operation so no payments to the DE facilitator to date.**

6. How much has been paid to the third party direct engagement facilitator thus far?

Nothing to date as the contract has not started.

7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

The payment to the DE facilitator is based on a percentage of the value of Locum bookings made through their Direct Engagement system but no payments have been made to date.

If you have queries or any concerns contact details are given at the top of the letter. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to:

Information Governance/Privacy Officer

Wye Valley NHS Trust

Monkmoor Court

31-34 Commercial Road

Hereford

HR1 2DX

Email: freedom.information@wvt.nhs.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire, SK9 5AF

Telephone: 01625 545 745 www.ico.gov.uk

Yours sincerely,

Freedom of Information Coordinator

Thanks, It looks fine to me, who gave the responses to the request?

Regards

Head of Information Governance and Data Quality Information Services Wye Valley NHS Trust

This email contains confidential information which is intended only for the recipient(s) named above. If you have received this communication in error, please notify the sender immediately via email before deleting the message.

-----Original Message-----

From: Information, Freedom (WVT)

Sent: 16 August 2018 13:59

Subject: DRAFT FOI request 6769

Hello,

Please see below the response to Dr Campbell with attached formal reply. It's likely the reply will be posted on the website 'What Do They Know' so I wanted to ensure the response is fitting.

Thanks

////////////////////////////////////

Dear Dr Campbell,

I acknowledge receipt of your request for an internal review into the processing of your Freedom of Information Request which was dated 15 August 2018.

Please accept our sincere apologies for the delay in replying to your request. I can confirm that a review of the Freedom of Information process has been undertaken over the past two weeks and it has been identified that delays in responding to requests have been incurred due to organisational changes and staff movement.

As a result our internal processes have been reviewed and updated and the responsibility for responding to Freedom of Information requests has been transferred to the Information Governance Team.

I trust that our response will satisfy you and I would like to thank you for your patience and understanding.

Yours sincerely,

Freedom of Information Coordinator
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX

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Please note that Wye Valley NHS Trust may monitor e-mails sent by you to the Trust in accordance with current legislation."

////////////////////////////////////

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [<mailto:request-485988-f965145b@whatdotheyknow.com>]

Sent: 15 August 2018 15:36

To: Information, Freedom (WVT)

Subject: Internal review of Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Wye Valley NHS Trust's handling of my FOI request 'Freedom of Information request - Direct Engagement of Locum Staff using third parties'.

Kindly see our other messages. We have also tried to contact Susan Clark as you will see in the correspondence log below.

Please note the additional FOI contained in the message which I have pasted here:

Dear Clark, Susan,

RAPID REVIEW:

It has been three months with no reply (request 18th May 2018) and you are clearly in breach of the Freedom of Information Act by a monumental failure to respond promptly to my request which vastly exceeds the prescribed 20 days.

Please disclose the information in full by close of play today as I have waited more than long enough for this, and I am concerned this may be deliberate evasion.

-----Further Freedom of Information Act 200 Request:-----

- 1) Please disclose all internal emails, discussions, documents, recorded telephone calls, or other information in a recorded format relating to the handling of my FOI request.
- 2) All communications with any direct engagement provider you may have since the date of my original FOI, including any subsequent negotiations.
- 3) Details of how the procurement of any direct engagement provider you may use was conducted, by whom, and what details the trust hold about the operation of any scheme.
- 4) If you have a provider, what supply is being made to you by the Direct Engagement provider?

Yours sincerely,

Dr Colin Iain Campbell MBChB FRSPH

Whatdotheyknow.com does not disclose individual emails. This should be going to the direct FOI email address.

A full history of my FOI request and all correspondence is available on the Internet at this address:
https://www.whatdotheyknow.com/request/freedom_of_information_request_d_270

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [<mailto:request-485988-f965145b@whatdotheyknow.com>]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Freedom of Information request - Direct Engagement of Locum Staff using third parties

I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and it is the departments responsibility to provide the information I require. If you need further clarification please contact me via this website (or email). I would like to request the following information:

1. Does your organization use a Direct Engagement scheme?
2. If so, who provides it? And when did you start using it?
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form
6. How much has been paid to the third party direct engagement facilitator thus far?
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

I would like the information to be provided by email or on this website in electronic form. If my request is denied in whole or in part I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute. Many thanks for your assistance with this request.

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

Is freedom.information@wvt.nhs.uk the wrong address for Freedom of Information requests to Wye Valley NHS Trust? If so, please contact us using this form:
https://www.whatdotheyknow.com/change_request/new?body=wye_valley_nhs_trust

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

[<https://www.wyvalley.nhs.uk/media/426350/nhs-70.png>]

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 17 August 2018 17:42

To: Information, Freedom (WVT)

Subject: Internal review of Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Wye Valley NHS Trust's handling of my FOI request 'Freedom of Information request - Direct Engagement of Locum Staff using third parties'.

INTERNAL REVIEW:

Seeking clarification on the point about external legal advice please consider this an internal review on that point.

1)E&Y is known to work with the named Direct Engagement provider's VAT model - it is therefore not clear to us here that this is necessarily external advice from an SRA regulated legal professional, but rather from the company providing the service itself. Could you please clarify whether this was

external advice you sought or provided through an arrangement with the direct engagement scheme provider.

----- Further Freedom of Information Act 2000 Request -----

With respect to the claimed legal advice from E&Y please disclose the following under the Freedom of Information Act 2000:

- 1) How much did the trust pay to E&Y for this
- 2) The invoice for this amount showing that the trust has been invoiced
- 3) If there is no invoice and/or the trust did not pay E&Y directly for this please explain whether this was as a result of a contractual arrangement with the direct engagement provider themselves
- 4) Please disclose a copy of any advice given.
- 5) Specifically please confirm whether this is as a result of HTE Frameworks: 'TWS Lot 5 Specification' Section 5 clauses 5.1 and 5.2 (see pg 21), in which case the advice is patently NOT external legal advice as it has come from the provider of the scheme who has an obvious potential conflict of interests by having a financial interest in the trust adopting the scheme.
- 6) IF any opinion occurred as a result of the terms in TWS Lot 5 section 5 clause 5.1 then it is a contractual requirement that it is provided by a Bar Council or Solicitors Regulatory Authority regulated individual subject to audit please disclose:
 - a) The name of this individual
 - b) Their SRA or Bar Council registration details.

There is overwhelming public interest here in that supply of healthcare/medical services whose VAT exemption is relied upon by healthcare services based Direct Engagement Schemes may be incompatible with inside IR35 assessments, and additionally appear incompatible with clauses within framework agreements. Many thanks for your assistance with this matter.

Please also release:

- 8) All emails between you and Total Workforce Solutions/HTE Framework, or other framework relating to the procurement of this service.
- 9) Additionally please release all emails in the last 12 months from Gary Snart of HTE Framework/TWS (either gary.snart@healthtrusteurope.com, or Gary.Snart@htepg.com) and the following people:
 - a) Director of Workforce - or equivalent role.
 - b) CEO
 - c) Temporary Staffing Department.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/freedom_of_information_request_d_270

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

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<https://www.whatdotheyknow.com/help/officers>

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<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

Wednesday, 22 August 2018

Sent: 22 August 2018 12:45

To: Information, Freedom (WVT)

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 Direct Engagement of Locum Staff using third parties

Hi,

EY are contracted to provide the Trust general VAT advice. Our Direct Engagement provider was chosen following a competitive tender exercise involving a number of providers. I am not quite sure what the supplementary question means but I hope that the answer provides them with the information they require.

Regards,

From: Information, Freedom (WVT)

Sent: 22 August 2018 12:39

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 Direct Engagement of Locum Staff using third parties

Hello,

Thanks for your reply.

I've been asked a supplemental question by the requestor. Are you able to help answer it?

'E&Y is known to work with the named Direct Engagement provider's VAT model - it is therefore not clear to us here that this is necessarily external advice from an SRA regulated legal professional, but rather from the company providing the service itself. **Could you please clarify whether this was external advice you sought or provided through an arrangement with the direct engagement scheme provider.**'

Thanks in advance for your help,

Freedom of Information Coordinator

Wye Valley NHS Trust

Monkmoor Court

31-34 Commercial Road

Hereford

HR1 2DX

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Please note that Wye Valley NHS Trust may monitor e-mails sent by you to the Trust in accordance with current legislation.”

Sent: 16 August 2018 12:13

To: Information, Freedom (WVT)

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi,

Please see below.

Regards,

-----Original Message-----

Sent: 16 August 2018 11:24

Subject: RE: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi,

has called me with a couple of FOI requests that was looking at.

The below is around Direct Engagement. I'm assuming technically we aren't in a scheme at the point of this FOI but I wanted to check what if any previous arrangements we had around this?

Thanks

-----Original Message-----

From: Information, Freedom (WVT)

Sent: 16 August 2018 10:40

Subject: URGENT BREACH OF STATUTORY RESPONSE DATE FOI 6769 FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties
Importance: High

Hello,

Please find below the FOI request and email re FOI 6769.

The essence of the request I recite here:

1. Does your organization use a Direct Engagement scheme? **Contract about to commence**
2. If so, who provides it? And when did you start using it? **See above**
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice? **Advice sought from our VAT advisor (EY)**
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017. **N/A**
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form 6. How much has been paid to the third party direct engagement facilitator thus far? **The contract as envisaged will enable savings through providing a better management interface for booking Locums and providing an on-line booking facility for Agencies to utilise. Savings will derive from increased efficiencies in bookings as well as the VAT benefits afforded through direct engagement. Contract not yet in operation so no payments to the DE facilitator to date.**
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this? **The payment to the DE facilitator is based on a percentage of the value of Locum bookings made through their Direct Engagement system. The percentage charged is commercial in confidence.**

Unfortunately this request has exceeded its 20 day response period, so your reply as soon as possible would be appreciated.

Thanks

Freedom of Information Coordinator
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX

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Please note that Wye Valley NHS Trust may monitor e-mails sent by you to the Trust in accordance with current legislation."

-----Original Message-----

Sent: 25 May 2018 13:01

To: WVT - Financial Accountant

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi

All of the questions are contractual/financial so would this sit with you. In real terms we're not engaged yet with the software but we do use part system.

Can I sign this over to you both to answer?

Thanks

Medical Workforce Manager

Directorate of Human Resources

Working Days: Monday – Friday

Franklin Barnes Building, 1-3 Commercial Road, Hereford. HR1 2AZ

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-----Original Message-----

Sent: 25 May 2018 09:47

Subject: RE: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Hi

Medical Staffing Manager is responsible for the direct engagement project here for medical locums so have copied them into this FOI as they are best placed to reply

Thanks

Kind regards

Head of Resourcing
Human Resources Directorate
Working days: Mon - Friday
Wye Valley NHS Trust, Franklin Barnes Building, 1-3 Commercial Road, Hereford, HR1 2AZ

-----Original Message-----

Sent: 23 May 2018 11:14

To: Director of HR & OD

Subject: FW: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear All

The Trust is in receipt of the Freedom of Information as below (FOI 6769). We have a statutory duty to respond within 20 working days and my deadline is 19th June 2018.

I would be grateful if you would pass to colleagues who will be able to offer the information in order that I may respond by the given deadline.

Please address all information and queries to freedom.information@wvt.nhs.uk

As ever many thanks for your support in this matter

Sue Clark
Bank Admin
Wye Valley NHS Trust
Freedom of Information/ Information Governance Monkmoor Court

-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 18 May 2018 11:13

To: Information, Freedom (WVT)

Subject: Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Freedom of Information request - Direct Engagement of Locum Staff using third parties

I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and it is the departments responsibility to provide the information I require. If you need further clarification please contact me via this website (or email). I would like to request the following information:

1. Does your organization use a Direct Engagement scheme?
2. If so, who provides it? And when did you start using it?
3. Did you take external legal advice before entering into it and, if so, from whom did you take external legal advice?
4. What has your total locum/temporary staffing spend since you started using the scheme? If you started using the scheme before April 2017 please also state the total locum/temporary staffing spend since April 2017.
5. How does the third party direct engagement facilitator save you money on the agency spend? Please answer in short point form
6. How much has been paid to the third party direct engagement facilitator thus far?
7. Was this payment calculated as a percentage of the savings generated by employing the services of the third party direct engagement facilitator? If so, what percentage is this?

I would like the information to be provided by email or on this website in electronic form. If my request is denied in whole or in part I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute. Many thanks for your assistance with this request.

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

Is freedom.information@wvt.nhs.uk the wrong address for Freedom of Information requests to Wye Valley NHS Trust? If so, please contact us using this form:

https://www.whatdotheyknow.com/change_request/new?body=wye_valley_nhs_trust

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<https://www.whatdotheyknow.com/help/officers>

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<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

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[<https://www.wyevalley.nhs.uk/media/426350/nhs-70.png>]

Friday 24 August 2018

-----Original Message-----

Sent: 24 August 2018 13:52

To: Information, Freedom (WVT)

Subject: RE: Request for Clarification of Freedom of Information request 6769 - Direct Engagement of Locum Staff using third parties

Hi

As long as you think the response answers the question.

It looks ok to me.

Regards

-----Original Message-----

From: Information, Freedom (WVT)

Sent: 22 August 2018 14:06

Subject: RE: Request for Clarification of Freedom of Information request 6769 - Direct Engagement of Locum Staff using third parties

Dr Colin Iain Campbell MBChB FRSPH <request-485988-f965145b@whatdotheyknow.com>

Dear Dr Campbell,

Please find attached our response to your request for clarification for Freedom of Information request 6769.

Yours sincerely,

Freedom of Information Coordinator
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX

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-----Original Message-----

From: Dr Colin Iain Campbell MBChB FRSPH [mailto:request-485988-f965145b@whatdotheyknow.com]

Sent: 17 August 2018 17:42

To: Information, Freedom (WVT)

Subject: Internal review of Freedom of Information request - Freedom of Information request - Direct Engagement of Locum Staff using third parties

Dear Wye Valley NHS Trust,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Wye Valley NHS Trust's handling of my FOI request 'Freedom of Information request - Direct Engagement of Locum Staff using third parties'.

INTERNAL REVIEW:

Seeking clarification on the point about external legal advice please consider this an internal review on that point.

1)E&Y is known to work with the named Direct Engagement provider's VAT model - it is therefore not clear to us here that this is necessarily external advice from an SRA regulated legal professional, but rather from the company providing the service itself. Could you please clarify whether this was external advice you sought or provided through an arrangement with the direct engagement scheme provider.

----- Further Freedom of Information Act 2000 Request -----

With respect to the claimed legal advice from E&Y please disclose the following under the Freedom of Information Act 2000:

- 1) How much did the trust pay to E&Y for this
- 2) The invoice for this amount showing that the trust has been invoiced
- 3) If there is no invoice and/or the trust did not pay E&Y directly for this please explain whether this was as a result of a contractual arrangement with the direct engagement provider themselves
- 4) Please disclose a copy of any advice given.
- 5) Specifically please confirm whether this is as a result of HTE Frameworks: 'TWS Lot 5 Specification' Section 5 clauses 5.1 and 5.2 (see pg 21), in which case the advice is patently NOT external legal advice as it has come from the provider of the scheme who has an obvious potential conflict of interests by having a financial interest in the trust adopting the scheme.
- 6) IF any opinion occurred as a result of the terms in TWS Lot 5 section 5 clause 5.1 then it is a contractual requirement that it is provided by a Bar Council or Solicitors Regulatory Authority regulated individual subject to audit please disclose:
 - a) The name of this individual
 - b) Their SRA or Bar Council registration details.

There is overwhelming public interest here in that supply of healthcare/medical services whose VAT exemption is relied upon by healthcare services based Direct Engagement Schemes may be incompatible with inside IR35 assessments, and additionally appear incompatible with clauses within framework agreements. Many thanks for your assistance with this matter.

Please also release:

8) All emails between you and Total Workforce Solutions/HTE Framework, or other framework relating to the procurement of this service.

9) Additionally please release all emails in the last 12 months from Gary Snart of HTE Framework/TWS (either gary.snart@healthtrusteurope.com , or Gary.Snart@htepg.com) and the following people:

a) Director of Workforce - or equivalent role.

b) CEO

c) Temporary Staffing Department.

A full history of my FOI request and all correspondence is available on the Internet at this address:
https://www.whatdotheyknow.com/request/freedom_of_information_request_d_270

Yours faithfully,

Dr Colin Iain Campbell MBChB FRSPH

Please use this email address for all replies to this request:
request-485988-f965145b@whatdotheyknow.com

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[<https://www.wyevalley.nhs.uk/media/426350/nhs-70.png>]