

Reference:	FOI.13892.24
Subject:	Agency spend
Date of Request:	26 February 2024

Requested:

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 health board 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.
2. In the period between 1st August 2023 and 31st January 2024, how much did the health board 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.
3. In the period between 1st August 2023 and 31st January 2024, how much did the health board 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.
4. In the period between 1st August 2023 and 31st January 2024, how much did the health board 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.

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 health board 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, please also answer 1.1 and 1.2:

- 1.1. 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.).
- 1.2. 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 health board 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.
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.

Response:

Hywel Dda University Health Board (UHB) has considered applying a Section 43 exemption of the Freedom of Information Act 2000 (FoIA), as the costs requested in question 1.1.c under Section B relate to third parties and this information would be Prejudicial to their Commercial Interests. Section 43(2) exempts information, disclosure of which would or would be likely to prejudice the commercial interests of any person, in this case the provider listed above.

Commercial interests may be prejudiced where disclosure would, or would be likely to:

- Weaken a company's position in a competitive environment by revealing market sensitive information or information of potential usefulness to its competitors.
- Damage a company's business reputation or the confidence that customers/users, suppliers or investors may have in it.

This exemption is qualified; therefore, even if information falls within Section 43, public authorities must then apply the public interest test set out in Section 2(2)(b). The information can only be withheld if the public interest in maintaining the exemption outweighs the public interest in disclosure.

The UHB has therefore considered the following:

In favour of disclosure:- There is a public interest in transparency and in the accountability of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services. Private sector bodies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed.

Against Disclosure:- Disclosure of this information would have a direct impact and cause substantial harm to the supplier as it would disclose their pricing, and it would be likely that this would damage their ability to work within a highly competitive sector. The information being requested is likely to be used by their competitors to gain a competitive advantage.

Decision:- The UHB has consulted with the third party, Medacs Healthcare and their comments have been considered as part of the decision making and the public interest test. The UHB has therefore decided that releasing the information under the FoIA, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body, and that there is a public interest in ensuring that there is

competition for public sector contracts. Additionally, to ensure continuous service delivery and patient safety, the UHB must be able to engage with Medacs Healthcare to provide the required roles; should the costs requested be disclosed, then they may consider no longer trading with the UHB, which would put the UHB in a position of not being able to deliver services safely. Therefore, the UHB considers that the public interest in withholding the costs are greater than the interests in disclosing it.

However, whilst operating in accordance with the Section 45 Freedom of Information Code of Practice, the UHB has a duty to provide advice and assistance and therefore, provides the information it holds in response to the remainder of your request overleaf.

Section A

1. The UHB confirms that the spend on agency Medical Locums was £3,126,992.54, during the period 1 August 2023 and 31 January 2024.
2. The UHB provides, within the table below, the spend on agency Healthcare Support Workers (HCSW) and Nurses by Agenda for Change (A4C) pay band, during the period 1 August 2023 and 31 January 2024.

A4C staff role	Spend
Band 2 HCSW	£134,356.62
Band 5 Nurses	£10,744,802.94

3. The UHB confirms that the spend on agency Allied Health Professionals (AHP)/Healthcare Scientists (HCS) staff, was £670,322.83, during the period 1 August 2023 and 31 January 2024.
4. The UHB confirms that the spend on agency Non-Medical/Non-Clinical (NMNC) staff, was £49,118.29, during the period 1 August 2023 and 31 January 2024.

Section B

1. The UHB confirms that it does not utilise technology provision for Medical Locums, HCSW/Nurses, AHP/HCS or NMNC staff. However, it does use a Managed Service Provider (MSP) for Medical Locums and AHP/HCS staff.
 - 1.1. & 1.2. As some of this information is already within the public domain, the UHB has applied a Section 21 exemption of the FoIA. The UHB has answered a similar Freedom of Information request, FOI.12513.23 - Temporary agency staffing, which is already within the public domain and is available on our disclosure log.

For ease of reference, please click on the attached link, which will take you directly to the UHB's disclosure log webpage:

[Disclosure Log - Hywel Dda University Health Board \(nhs.wales\)](https://www.nhs.uk/disclosure-log)

However, the UHB provides the information not publicly available below.

- 1.1.d. The UHB confirms that the Procurement Framework used is RM6161.

Section C

1. The UHB's procurement of services is undertaken by the Procurement Service in NHS Wales Shared Services Partnership (NWSSP). We therefore recommend that you redirect this part of your request to the Freedom of Information (FoI) Team in NWSSP, who may be able to help you with your enquiry. Contact details for NWSSP are as follows:-

shared.services@wales.nhs.uk or alternatively, you can contact: Information Governance Manager, 4-5 Charnwood Court, Heol Billingsley, Parc Nantgarw, Cardiff, CF15 7QZ.

2. The UHB confirms that overall responsibility sits with the Executive Director of Finance and the Executive Director of Workforce and Organisational Development.

However, a Section 21 exemption has been applied to the contact details as they are available on the UHB's website. Additionally, contact details for the Procurement Service in NWSSP are also available on their website.

For ease of reference, please click on the attached links, which will take you directly to the UHB and NWSSP contact details webpages:

[Board members - Hywel Dda University Health Board \(nhs.wales\)](#)

[Contact Procurement Services - NHS Wales Shared Services Partnership](#)