

Off Contract Agencies

Reference Number: RDF1122-22

Date of Response: 30/12/2022

Further to your Freedom of Information Act request, please find the Trust's response(s) below:

1. From 1st October 2022 to 2nd December 2022 how many shifts has your Trust used Thornbury Nursing Services for?
2. Within this timeframe please list the number of shifts by ward or department that Thornbury was utilised in.
3. Please name all other 'off contract agencies' for nursing that were utilised by the Trust within this time frame. (01/10/2022- 02/12/2022) For the purpose of definition 'off contract suppliers' would be any non framework providers under Work Force Alliance or Health Trust Europe.
4. Within this same time frame please list all wards or departments that utilised these agencies.
5. Please list any suppliers with a general Band 5 day charge rate of over £50 per hour that have been booked for the Trust in this time period (01/10/2022- 02/12/2022)
6. Please list any suppliers with a general Band 5 night charge above £60 per hour that have been booked for the Trust in this time period (01/10/2022- 02/12/2022)

The Trust holds the requested information for all the above questions however, all of this information is commercially sensitive and its release would or would be likely to prejudice the commercial interests of the Trust.

In applying the exemption under Section 43(2) the Freedom of Information Act the Trust has balanced the public interest in withholding the information against the public interest in disclosure.

Public Interest in Favour of release: - Accountability for public funds tending to favour release , Openness and accountability for tender processes and prices and obtaining value for money .

Public Interest in favour of withholding the requested information in questions 1-6 (above): - Premature release of sensitive information that would damage commercial interests. And release of sensitive information that would damage the Trust's commercial interests. Providing such detailed information on one agency is not appropriate. the questions are specific to naming the agencies.

By publishing the information requested, it would also be possible to calculate how much the Trust has paid for shifts.

The release of all the requested information could jeopardise the company's future positions, which would cause a detrimental knock on effect on the market place, and would potentially limit the choices available to public authorities, including the Trust. This would potentially threaten the quality of

products and services available to the Trust. The Trust considers that it is not in the public interest to do anything to undermine the competitive nature of the procurement process, and the disclosure of key information, as has been requested, could have that affect.

The Trust has considered all the relevant factors in the public interest test and concluded that the benefit to the public in applying the exemption outweighs the public interest in releasing the information requested as a result of the prejudices and losses that would potentially affect the Trust and patients.

As such the requested information is being withheld under Section 43 (2).