



9 October 2023

Our Ref: RFI53414

Dear

**Freedom of Information Act 2000
Information in Relation to Temporary Staff Management**

I am writing to confirm that the South Eastern Health & Social Care Trust (the Trust) has now completed its search for information relating to above which you requested on 11 September 2023.

A response to Questions 1 – 3 and 4b – 4d is attached in Appendix, this has been provided by the People & Organisational Development Directorate.

In relation question 4a, I would like to advise you that the Trust has decided not to release the information that is held for the following reasons:

The information requested in question 4a is exempt from release under Section 31 and Section 38 of the Freedom of Information Act 2000.

These are all qualified exemptions and so a Public Interest Test was carried out to decide if the information should be released or not. Having weighed up the factors for and against release, it was decided to withhold this information because the disclosure of such information would:

- a) (Section 31) Leave the Trust patients, clients & staff more vulnerable to crime
- b) (Section 38) permits the withholding of information if there is a risk to Health and Safety of Individuals within the Trust. To withhold there must be a likelihood of endangerment to the physical or mental health of any individual

Section 31 – Law Enforcement Section

Section 31(1) (a) states that information is exempt if its disclosure is likely to prejudice the prevention or detection of crime. ICO guidance states that this can be used to protect information on a public authority's systems which would make it more vulnerable to crime. It can be used by a public authority that has no law enforcement function:

- To protect the work of one that does

- To withhold information that would make anyone, including the public authority itself, more vulnerable to crime

Section 38 – Health and safety

Section 38 states that as a security attack may lead to the placing of patient and client information into the public domain, the release of the requested information could potentially lead to harm for a number of patients (in a mental health context or may lead to physical harm)

The Trust believes there is a link between the risk endangerment for data subjects and the disclosure of the requested information. There would likely be a substantial detrimental effect on the physical or mental health of patients and clients, should the requested information be released

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice in respect of question 4a.

If you are unhappy as to how this request has been handled, you have the right to seek a review within the Trust in the first instance. You should write to the Information Governance Department, Lough House, Ards Community Hospital (informationgovernance@setrust.hscni.net) within two months of the date of this response and your complaint will be considered and a response provided, within 20 working days of receipt.

If, after receiving a response, you remain unhappy, you can refer your complaint to the Information Commissioner at The Information Commissioner's Office –Northern Ireland, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB. It is important to note that if you refer any matter to the Information Commissioner, you will need to show evidence of having gone through the Trust's internal review procedure to try to resolve the matter with the Trust in the first instance.

If you have any queries about this letter, please do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

Rebecca Manning
Information Governance Officer

Q1a. Do you have a master vendor (MV) or neutral vendor (NV) arrangement in place for sourcing agency staff? If so, please state which arrangement is in place.

A1a. The Trust does not use a Master Vendor or Neutral Vendor Arrangement but instead has a Multi-Supplier Framework agreement currently in place for sourcing agency workers; however this is managed by the Business Service Organisation (BSO) Procurement & Logistics Service.

Q1b. What is the name of the MV/NV provider(s) and what staffing groups do they source? e.g. medical, nursing etc.

A1b. There are two Framework Agreements in place for the Trust. The first covers Nursing and Healthcare Support workers and the second covers all Non-Medical and Non-Clinical workers across the Trust, as detailed above this service is managed by the BSO.

Q1c. As part of the arrangement, is any technology provided by the supplier to help manage the procurement of agency staff?

A1c. No, there is no technology provided.

Q1d. Please provide the contract start and end date for the supplier (dd/mm/yy)

A1d. For Agency Workers Nurses & Healthcare Support Workers the contract date is from 15/5/2023 to 14/5/2025.

For Agency Workers Non-Medical (Excluding Nurses and HCSW) the contract date is from 1/1/2018 to 31/3/2024.

Direct Engagement

Q2a. Does the organisation use a third party to provide a Direct Engagement/Outsourced Employment Solution? (This is where the NHS organisation sources agency staff via a recruitment agency but hold a direct contract between the organisation and the worker - there is often VAT savings associated to this employment model)

A2a. No, the Trust does not use a third party to provide Direct Engagement/Outsourced Employment Solution.

Q2b. What is the name of the Direct Engagement (DE)/Outsourced Employment supplier (e.g 247Time/Allocate, PlusUs, Retinue, Liaison etc.)

Q2c. Under the DE/Outsourced Employment arrangement, which staffing groups are managed? For example; Medical, Admin, Scientific staff. Please list all applicable

Q2d. Please provide the contract start and end date for the DE supplier (dd/mm/yy)

Q2f. How much did the organisation pay the supplier in 22/23 (April 2022 to March 2023) for the provision of the direct engagement service?

A2f. As detailed in A2a the Trust does not use a third party therefore there is no information to provide for Questions 2b to 2f.

Vendor Management System for Nurse Agency

Q3a. Does the organisation use a third-party Vendor Management System for the supply of nurse agency staff?

A3a. Yes, the Trust uses a third party Vendor Management System for the supply of agency staff nurses.

Q3b. Who supplies your Vendor Management System? E.g. Allocate, NHSP etc.

A3b. Allocate.

Q3c. Please provide the contract start and end date for this provider (dd/mm/yy)

A3c. Please see Table 1.

Table 1

Contract Start Date	January 2023
Contract End Date	December 2026

Bank Management

Q4b. Please name the staffing group each provider is used for e.g. medical, nursing, AHPs, admin and clerical

A4b. The provider is used for Nursing and Social Care within the Trust.

Q4c. Please provide the contract start and end date for each bank supplier (dd/mm/yy)

A4c. Please see Table 2.

Table 2

Contract Start Date	January 2023
Contract End Date	December 2026

Q4d. How much did the organisation pay the supplier(s) in 22/23 for the provision of the bank service?

A4d. The bank staff system service is included within the Trusts overall rostering system which includes various other components; the rostering system does not provide a breakdown for each component, therefore the Trust is unable to provide a breakdown of costs for the bank module only.