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**King's Mill Hospital**  
Mansfield Road  
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NG17 4JL

**RE: Freedom of Information Request**

Tel: 01623 622515  
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**9<sup>th</sup> May 2024**

Dear Sir/Madam

With reference to your request for information received on 20<sup>th</sup> February 2024, I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information you have requested. A response to each part of your request is provided below.

In your request you asked:

**1. What communication have you received from NHSI and NHSE in regards to moving locum agency doctors on to hospital bank between August 2022 & August 2023?**

Section 21 exempts information that is reasonably accessible to you by other means.

The information you require is available here:

<https://www.england.nhs.uk/publication/agency-rules/>

**2. What additional communication has your trust received in the year 2024 in regards to moving doctors from agency on to bank?**

Section 21 exempts information that is reasonably accessible to you by other means.

The information you require is available here:

<https://www.england.nhs.uk/publication/priorities-and-operational-planning-guidance-2024-25/>

**3. What, (in both percentage and nominal terms) of your temporary doctor staffing spend went on bank in the last 12 months? Please provide figures for the 12 months previous for comparison.**

Medical Variable Py 23/24	Bank	Percentage
25516624.64	14175329.99	56%

Medical Variable Py 22/23	Bank	Percentage
22744107.49	12753169.02	56%

## Home, Community, Hospital.

**Patient Experience Team**  
01623 672222  
[sfh-tr.pet@nhs.net](mailto:sfh-tr.pet@nhs.net)



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**Chair** Claire Ward  
**Chief Executive** Paul Robinson

#### **4. What set rates do you use for your bank staff at SHO, SpR & Consultant levels?**

It is our opinion that the information sought in relation to costs is exempt from disclosure pursuant to section 43(2) of the Freedom of Information Act 2000 (FOIA). S43(2) relates to information that is exempt from disclosure that could have a detrimental effect on the commercial interests of "...any person." The Trust considers that at this time the commercial interests of the Trust, third parties and overall the NHS could be detrimentally impacted upon. Please see the public interest test below.

##### **Public Interest Test**

We recognise that the disclosure of the information sought in relation to the costs involved would provide transparency in the use of public funds by the Trust and the NHS in general. It would also assist the general populous with transparency in decision making by the Trust and their transactions with third parties.

Conversely to the factors demonstrated above in favour of disclosure, it is felt that the Trust, third party suppliers and overall the NHS could be disadvantaged should the information sought in relation to costs being made available. Suppliers compete with one another in a competitive environment and to provide the value of the costs involved may allow rival companies to undercut the Trust current suppliers, lead to loss of confidence by suppliers and customers and could cause significant harm and disadvantage to the Trust and suppliers.

The disclosure could also adversely impact on any on-going or future procurement processes for the reasons outlined above. Any disclosure by the Trust could also in future discourage the provision of commercially sensitive information necessary to respond properly to the Trusts Invitation To Tender and would be likely to affect and undermine the Trusts bargaining position in any future procurement process or negotiations. Ultimately civil action could be taken against the Trust should information be disclosed that adversely affects the commercial interests of current and/or future suppliers.

As a result, it is in the Trust's opinion that this sufficiently demonstrates the prejudice which could be caused through disclosure.

##### **Balance Test**

It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. It is recognised that there is a general public interest in the Trust being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

Therefore, – the Trust considers that releasing this information would not be in the public interest, as the public interest does not outweigh the prejudice as set out above. Further guidance can be accessed from the Information Commissioner's Office <https://ico.org.uk/for-organisations/guidance-index/freedom-of-information-and-environmental-information-regulations/section-43-commercial-interests/>

#### **5. How many full time doctor rota gaps are covered long term by bank staff in your trust? How many of these roles are covered at your set bank rates and how many are over these rates?**

9 – 2 at enhanced rates

- 6. How many doctors have been moved from agency directly to your bank in the last 12 months? Of these, please provide a breakdown of the cost increases or savings that have been made per doctor.**

5 – 1x saving £2.71/hr, 2 x saving £7.20/hr and 2 x saving £10.94/hr

- 7. What is the most you have spent on a single Bank shift in the last 12 months and what grade/specialty was it to cover? What is the most you have spent on a single agency locum shift in the last 12 months and what grade/specialty was it to cover?**

Agency – 01.04.23 – 10.03.24 – £2,580.00 – Consultant Cardiologist.

Bank – £3979.58 including on oncosts – Obs & Gynae Consultant.

- 8. Please provide a breakdown as to how you work out the real cost of each bank shift. This should be pay rate, employment taxes (ENI + AL), Pension costs, annual leave and study leave, and third party bank fees.**

Pay to worker (inclusive of WTD) + Employment on-costs (i.e., 13.8% of earning above the Secondary Threshold + Employers Pension Contribution [e.g., if NEST = 3% of weekly earnings above LEL and below UEL] + Apprenticeship Levy at 0.5%)

- 9. When quoting a PAYE rate for your bank staff, is WTR included in this cost or is it an additional cost on top?**

Publicised Bank Rates are indicated as being inclusive of WTD

- 10. What % Pension contribution from the trust is paid to bank workers as Employer Contribution?**

NEST – [https://www.thepensionsregulator.gov.uk/en/employers/new-employers/im-an-employer-who-has-to-provide-a-pension/choose-a-pension-scheme/understanding-your-costs/making-contributions-to-your-pension-scheme/?gad\\_source=1&gclid=EALalQobChMljNjhweaChQMVaZpQBh17DgguEAAYASAAEgIbkPD\\_BwE&qclsrc=aw.ds](https://www.thepensionsregulator.gov.uk/en/employers/new-employers/im-an-employer-who-has-to-provide-a-pension/choose-a-pension-scheme/understanding-your-costs/making-contributions-to-your-pension-scheme/?gad_source=1&gclid=EALalQobChMljNjhweaChQMVaZpQBh17DgguEAAYASAAEgIbkPD_BwE&qclsrc=aw.ds)

NHSPS – <https://www.nhsbsa.nhs.uk/nhs-pension-scheme-employer-contribution-rates-202425>

- 11. What was your total doctors bank spend in 2022 and 2023, what was your agency spend for the same period?**

Section 21 exempts information that is reasonably accessible to you by other means.

The information you require is available here: <https://www.sfh-tr.nhs.uk/about-us/contact-us/freedom-of-information-act-access-information-from-a-public-body/freedom-of-information-disclosure-log/?id=19160>

- 12. How many doctors were moved from working via an agency in 2023 on to the bank?**

5

- 13. Is your bank ran by staff on the hospital's payroll or via a third party?**

In-house provision.

- 14. If using a 3rd party for your bank services, what is the charge for their services and how is this calculated as part of your bank spend? Do they charge per hour, per shift, or a monthly fixed cost?**

N/A

I trust this information answers your request. Should you have any further enquiries or queries about this response please do not hesitate to contact me. However, if you are unhappy with the way in which your request has been handled, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Sally Brook Shanahan, Director of Corporate Affairs, King's Mill Hospital, Mansfield Road, Sutton in Ashfield, Nottinghamshire, NG17 4JL or email [sally.brookshanahan@nhs.net](mailto:sally.brookshanahan@nhs.net).

If you are dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether we have complied with our obligations under the Act and can require us to remedy any problems. Generally, the Information Commissioner's Office cannot decide unless you have exhausted the internal review procedure. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/your-data-matters/official-information/>.

Complaints to the Information Commissioner's Office should be sent to FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone 0303 1231113, email [casework@ico.org.uk](mailto:casework@ico.org.uk).

If you would like this letter or information in an alternative format, for example large print or easy read, or if you need help with communicating with us, for example because you use British Sign Language, please let us know. You can call us on 01623 672232 or email [sfh-tr.foi.requests@nhs.net](mailto:sfh-tr.foi.requests@nhs.net).

Yours faithfully

### **Information Governance Team**

All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the licence conditions must be met. You must not re-use any previously unreleased information without having the consent from Sherwood Forest Hospitals NHS Foundation Trust. Should you wish to re-use previously unreleased information then you must make your request in writing. All requests for re-use will be responded to within 20 working days of receipt.