

20 June 2016

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By email

Dear [REDACTED]

### **Request under the Freedom of Information Act 2000 (the "FOI Act")**

I refer to your email of 20 May 2016 in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority are operating as an integrated organisation known as NHS Improvement.

#### **Your request**

Your email contained the following questions (the numbering has been inserted by NHS Improvement for ease of reference):

1. The latest version of the spreadsheet of this data (previously released at <https://www.gov.uk/government/publications/foi-break-glass-clauses-used-by-trusts> ) with the data up to the date of the response to this request.
2. What is the level of expenditure on agency, bank or locum staff since the introduction of national price caps for NHS agency staff? The policy was introduced to reduce agency staff spending by NHS Trusts, and this request is intended to discover whether this has actually been the case and how much the reduction in spending has been.
3. What data has been collected, or estimate has been made, of changes over time in the number and proportion of nursing, medical and other shifts that have not been filled since the introduction of national price caps for NHS agency staff? This includes shifts where Trusts have been unable to find staff to cover rostered shifts or other staffing gaps (for medical, nursing or other staff groups) or have deliberately chosen to leave a shift uncovered. It may be actual collected data or estimates made by Trusts or by NHS Improvement, Monitor, CQC or others.
4. What regional variation there has been in the number and proportion of shifts which have not been filled since the introduction of national price caps for NHS agency staff?

5. What monitoring of "the impact of the price caps on workforce, service performance and service quality" has been carried out in relation to the agency price cap implementation, and what its findings have been (both qualitative and quantitative findings).

## **Decision**

NHS Improvement holds some of the information that you have requested. NHS Improvement has decided to release all of the information that it holds as set out below.

### **Question 1**

NHS Improvement holds this information. Please note that under the FOI Act you are entitled to the information in question held at the time when the request is received. Your request was received on 20 May 2016 which was part way through the reporting period for the week commencing 16 May 2016 therefore the last complete set of data on the number of agency shifts exceeding the price caps is for the week commencing 9 May 2016. Please see the attached spreadsheet.

### **Question 2**

NHS Improvement holds this information and this was published in our quarterly report which can be found in our Q4 Sector Performance Report:

[https://improvement.nhs.uk/uploads/documents/BM1653\\_Q4\\_sector\\_performance\\_report.pdf](https://improvement.nhs.uk/uploads/documents/BM1653_Q4_sector_performance_report.pdf)

### **Question 3**

NHS Improvement does not collect this quantitative information for the purposes of monitoring implementation of the agency rules. NHS Improvement has surveyed all trusts' agency executive leads on the impact of the price caps on workforce, expenditure, quality and protected characteristics. These surveys took place in January, March and most recently in May. In these surveys, trusts were asked to indicate the degree to which the number of vacant or unfilled shifts had changed.

In the January survey of agency executive leads, we asked:

*Have you observed a change in the number of vacant or unfilled shifts at the trust?*

Of those responding to the survey, the results are shown in the table below:

	<b>All staff</b>
Substantial decrease	1
Some decrease	0
No change	26
Some increase	1
Substantial increase	0

In the March survey of agency executive leads, we asked:

*“Since 1 February, have you observed a change in the number of vacant or unfilled shifts at the trust?”*

Of those responding to the survey, the results are shown in the table below:

	<b>All staff</b>
Substantial decrease	0
Some decrease	13
No change	59
Some increase	40
Substantial increase	5

In the May survey of agency executive leads, we asked:

*“Since 1 April, have you observed a change in the number of vacant or unfilled shifts at the trust?”*

Of those responding to the survey, the results are shown in the table below:

	<b>All staff</b>	<b>Medical locums</b>	<b>Registered nursing, midwifery &amp; health visiting</b>	<b>All other clinical</b>	<b>All non-clinical</b>
Substantial decrease	0	0	1	0	0
Some decrease	6	6	8	3	3
No change	66	60	60	87	93
Some increase	29	28	30	12	6
Substantial increase	1	8	3	0	0

#### **Question 4**

NHS Improvement does not collect or hold this quantitative information.

#### **Question 5**

In the March survey of agency executive leads, we asked:

*“Since 1 February, have you observed a change in the quality of agency/locum staff working at the trust?”*

Of those responding to the survey, the results are shown in the table below:

<b>Agency staff category</b>	<b>All staff</b>
Substantial increase	0
Some increase	0
No change	102
Some decrease	14
Substantial decrease	1

In the May survey of agency executive leads, we asked:

*“Since 1 April, have you observed a change in the quality of agency/locum staff working at the trust?”*

Of those responding to the survey, the results are shown in the table below:

<b>Agency staff category</b>	<b>All staff</b>	<b>Medical locums</b>	<b>Registered nursing, midwifery and health visiting</b>	<b>All other clinical</b>	<b>Non-clinical</b>
Substantial increase	0	0	0	0	0
Some increase	1	0	2	3	1
No change	94	88	95	97	100
Some decrease	7	14	5	2	1
Substantial decrease	0	0	0	0	0

In addition, trusts report any issues they experience on a weekly basis. These reports are discussed at weekly agency control meetings, and are resolved through support offered by either the agency controls team, the regional monitoring teams, or teams from the improvement or clinical directorate.

### **Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

### **Publication**

Please note that this letter and the attachment will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Robinson', written in a cursive style.

Katharine Robinson  
**Senior Manager, Finance**