

<b>Reference:</b>	FOI.1054.19
<b>Subject:</b>	Agency and bank usage
<b>Date of Request:</b>	26 June 2019

**Requested**

Sourced staffing arrangements

- 1a. Do you have a master vendor or neutral vendor arrangement in place for sourcing agency staff? If so, please state which arrangement is in place.
- 1b. Please state the name of the appointed supplier for the above arrangement.
- 1c. Please state the start date of the contract with this supplier
- 1d. Please state the end date of the contract with this supplier
- 1e. Annual cost of your supplier in 18/19?

Agency spend and supply

- 2a. Please state the organisations total expenditure on agency (non-contract) staff for the financial year 18/19 (April 2018 - March 2019). Split by the following staffing groups.
- 2b. Please state the name of the framework(s) you source your agency staff under, for each of the following staffing groups.

Internal bank spend

3. Please state the organisations total expenditure on internal bank staff for the financial year 18/19 (April 2018 - March 2019). Split by the following staffing groups.

Medical bank supplier

- 4a. Please state the name of the technology provider used to manage the supply of your medical bank staff, inclusive of any outsourced or managed arrangements (i.e. NHSP, Patchwork, Allocate, Liaison, PlusUs, Locum's Nest etc., please state if in-house).
- 4b. Please state the start date of the contract with your medical bank provider.
- 4c. Please state the end date of the contract with your medical bank provider.
- 4d. What was the annual cost to the organisations for the provision of bank provider services/software in 18/19?
- 4e. Did the organisation procure these services via a framework? If so, please provide the full name of the framework.

**Response:**

Hywel Dda University Health Board (UHB) has provided the information as requested within an Excel Spreadsheet, Attachment 1.

As the annual cost requested from the UHB relates to third parties, the UHB considers that Section 43 applies to question 1e, as answering 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 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 suppliers as it would disclose their pricing and products/services provided to the UHB, and this 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.

It has therefore been decided above that releasing the information under the Freedom of Information Act 200, to which the UHB is subject, will give an unfair advantage to the suppliers' 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.

**Decision:** - The UHB considers that the public interest in withholding the annual cost is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the company to which this information concerns.