

**Information Governance**

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26 January 2023

**Our reference: FOI DA4444**

I am responding to your request for information received 9 November 2022. I am sincerely sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours. When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to provide all the information requested within the eighteen hours specified in the Freedom of Information Act 2000.

In order to assist you with your request, I have advised below the timing each question would take in order to assist you to refine your request. If you wish to refine your request to comply with the eighteen hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



Keshia Harvey  
Information Governance Manager

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:



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**Chief Executive:** Paul Calaminus  
**Chair:** Eileen Taylor

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113  
Web: [www.ico.org.uk](http://www.ico.org.uk)

**Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention**



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**Request:**

**Question 1: Please confirm the legal name of your organisation**

Answer This question can be answered within the timescale.

**Question 2: Are you a foundation trust?**

Answer This question can be answered within the timescale.

**Question 3: Are you a teaching hospital / teaching trust?**

Answer This question can be answered within the timescale.

**Question 4: What is your NHS geographical location (for example London, East, South West etc?)**

Answer This question can be answered within the timescale.

**Question 5: What is your current number of nursing staff?**

Answer This question can be answered within the timescale.

**Question 6: What is your current vacancy (FTE) for qualified nursing?**

Answer This question can be answered within the timescale.

**Question 7: What is your current vacancy (FTE) for unqualified nursing (eg. Care support worker)**

Answer This question can be answered within the timescale.

**Question 8 What was your total framework agency spend on qualified nursing for the last financial year?**

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit

The Trust has reviewed question 8 your request for information and in order to collate this information, staff would have to review all the invoices and categorise into Framework & non framework as well as establish if the invoice relates to qualified or non-qualified nursing. It is estimated that this will take 179 days to review.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

**Question 9: What was your total framework agency usage (hours) on qualified nursing for the last financial year?**

Answer: The Trust has reviewed question 9 of your request for information under the Freedom of Information Act (FOI) 2000.



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Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record the information requested and is therefore unable to provide a response.

**Question 10: What was your total framework agency spend on unqualified nursing for the last financial year?**

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit

The Trust has reviewed question 10 your request for information and in order to collate this information, staff would have to review all the invoices and categorise into Framework & non framework as well as establish if the invoice relates to qualified or non-qualified nursing. It is estimated that this will take 179 days to review.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

**Question 11: What was your total framework agency usage (hours) on unqualified nursing for the last financial year?**

Answer: The Trust has reviewed question 11 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record the information requested and is therefore unable to provide a response.

**Question 12: What was your total non-framework agency spend on qualified nursing for the last financial year?**

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit



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The Trust has reviewed question 12 your request for information and in order to collate this information, staff would have to review all the invoices and categorise into Framework & non framework as well as establish if the invoice relates to qualified or non-qualified nursing. It is estimated that this will take 179 days to review.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

**Question 13: What was your total non-framework agency usage (hours) on qualified nursing for the last financial year?**

Answer: The Trust has reviewed question 13 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record the information requested and is therefore unable to provide a response.

**Question 14: What was your total framework agency usage (hours) on unqualified nursing for the last financial year?**

Answer: The Trust has reviewed question 14 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record the information requested and is therefore unable to provide a response.

**Question 15: What was your total non-framework agency usage (hours) on unqualified nursing for the last financial year?**

Answer: The Trust has reviewed question 15 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*



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**Question 16: Who supplies your bank staff? (In house or NHSP, Locums Nest etc.)**

Answer This question can be answered within the timescale.

**Question 17: In the last financial year did you recruit overseas nursing staff?**

Answer This question can be answered within the timescale.

**Question 18: For overseas nursing staff do you do your own recruitment or use an agent?**

Answer This question can be answered within the timescale.

**Question 19: How many nursing posts did you fill with overseas recruits in the last financial year?**

Answer This question can be answered within the timescale.

**Question 20: Moving forward will your overseas recruitment be managed by the trust or via the ICS**

Answer This question can be answered within the timescale.



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