

19 May 2016

Wellington House
133-155 Waterloo Road
London SE1 8UG

T: 020 3747 0000
E: nhsi.enquiries@nhs.net
W: improvement.nhs.uk

By email [REDACTED]

Dear [REDACTED]

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

I refer to your email of **21 April 2016** in which you requested information under the FOI Act.

Your request

You made the following request:

"Please release figures for the number of times trusts have reported using 'break glass' clauses to exceed locum pay caps (weekly if available) since the introduction of locum pay caps. If possible, please break these data down to detail the number of the times the clause was used per trust and whether the 'break glass' clause was for nursing, junior medical or consultant medical staff."

Decision

NHS Improvement holds some of the information that you have requested and has decided to release it.

We can release data on the number of agency shifts in breach of price caps, provided on a weekly basis. This anonymised data is provided per trust in the attached spreadsheet, for the week commencing 23 November 2015 to the week commencing 11 April 2016 (i.e. the last set of weekly data NHS Improvement held at the date of your request).

In response to your request for data per trust on junior medical or consultant medical staff, as we only collect data for an aggregated category of "Medical and Dental staff", we are unable to provide a breakdown for this particular category.

Please note our response to a previous request for this data from 23 November to the date of that request (week commencing 7 March) is available on our website [here](#).

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.

Publication

Please note that this letter and the attached information 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,



Katharine Robinson
Senior Manager, Finance