

29 November 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 November in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority (NHS TDA) are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and NHS TDA.

Your request

With reference to your earlier FOI request dated 1 November and NHS Improvement’s response of 17 November, you wrote on 21 November:

“Please could you provide me with the information that you do hold then.

- 1. How many breaches occurred for the medical staff group in the original time period?*
- 2. What was the total price cap breach?”*

Decision

NHS Improvement holds the information you requested and has decided to release it to you in full.

As you will be aware from our response to your earlier FOI Act request, NHS Improvement collects agency rule breaches in the following staff groups: Nursing, Midwifery and Health Visiting; Medical and Dental; Admin and Estates; Scientific, Therapeutic & Technical (AHPS); Healthcare Science; Healthcare Assistant & Other Support; Other.

With regards to part 1 of your request, we have interpreted your request to mean the number of breaches in the Medical and Dental staff group. The total number of price cap breaches occurring in the Medical and Dental staff group in the “original time period” i.e. the period July 1st 2016 to September 30th 2016 was **241,195**.

With regards to part 2 of your request, the total number of price cap breaches across all the staff groups in the original time period was **643,465**.

Please note that NHS Improvement collects data on a whole week basis. As the requested time period covers partial weeks at the beginning and the end of the period, we have pro-rated the data accordingly.

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 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 'D Raymond'.

Dominic Raymond

Senior Finance Manager – Agency Intelligence Team