

Information Governance

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Website: <https://www.elft.nhs.uk>

10 January 2023

Our reference: FOI DA4409

I am responding to your request for information received 12 October 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.

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:

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

Tel: 0303 123 1113
Web: 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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Chief Executive: Paul Calaminus
Chair: Eileen Taylor

Request: Please could you answer the below questions in relation to international/overseas recruitment during financial year 2021/2022

Question 1: During the last financial year how many nurses, doctors or AHP have been recruited internationally via an agency?

Answer: The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

<https://www.elft.nhs.uk/sites/default/files/2022-09/ANON%20Response%20-%20FOI%20DA4261.pdf>

Question 2: How much spend has been used for international recruitment?

Answer: The Trust has reviewed question 2 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

<https://www.elft.nhs.uk/sites/default/files/2022-09/ANON%20Response%20-%20FOI%20DA4261.pdf>

Question 3: What agencies do you currently use for international recruitment?

Answer: The Trust has reviewed question 3 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

<https://www.elft.nhs.uk/sites/default/files/2022-09/ANON%20Response%20-%20FOI%20DA4261.pdf>

Question 4: How did the trust engage with these agencies (direct award, Call off agreement, Mini tender)?

Answer: Not applicable.

Question 5: How many vacancies do the Trust have for nurses, doctors and AHPs?

Answer: Please see table below:



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Staff type	Vacancy WTE
Medical and dental	80.8
Nursing, midwifery and health visiting staff	372.8
Scientific, therapeutic and technical staff	71.0
Healthcare assistants and other support staff	59.8

Question 6: Who in your trust is responsible for international recruitment?

Answer: The Trust has reviewed question 6 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

<https://www.elft.nhs.uk/sites/default/files/2022-09/ANON%20Response%20-%20FOI%20DA4261.pdf>

Section 1 – not held

Answer: The Trust has reviewed questions X-X 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.

XX Insert reason for section 1 – see examples below highlighted in green XX
 East London NHS Foundation Trust is primarily a Mental Health and Community Health Trust and as such do not provide the services described in this request. We are therefore unable to provide a response.



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

In order for the Trust to provide this information it would have to access patient records. We do not have a legal basis to access patient records in order to respond to a Freedom of Information Request. Therefore we are unable to provide a response.

Section 12 – cost

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

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

If any information being requested is already easily accessible via our website we will advise and direct you with a web link.

The Trust has reviewed your request for information and in order to collate this information, staff would have to **XX Insert the process that would have to be done to collate the information XX**

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.

Section 21 – already available

Answer: The Trust has reviewed questions **X-X** of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:
(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

Insert link

Section 31 – prevention of a crime

Answer: The Trust has reviewed questions **X-X** of your request for information under the Freedom of Information Act (FOI) 2000.

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

Section 31(1)(a) of the FOI Act states:
31(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice
(a) the prevention or detection of crime,



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The information requested, if released into the public domain, could [insert reason, i.e. have the potential to identify weaknesses within the Trusts digital infrastructure, leaving it open to cyber threat.] For this reason an exemption has been applied.

Section 40 – personal information

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

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

Section 40 for the FOI Act states:

(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.

The information you have requested relates to less than five individuals and therefore has the potential for those individuals to be identified. We can therefore not provide this information which could contravene The Data Protection Act 2018 / UK GDPR.



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