

Freedom of Information request 452-23

Request

I will base my questions on the non-framework nursing agencies used by NHS Borders in the last three years.

1. Which department or person was responsible for recruiting/selecting such agencies? Please provide contact details, for example, the email address and the person's name.
2. Were such agencies recruited via the public advert, or did the agency representative have to contact a specific person or department with the offer?
3. What requirements did such agencies have to fulfil to be used by NHS Borders? What did the procurement/recruitment process look like? How long did the process take? What stages did the procurement/recruitment process involve? How long on average did the process to procure/recruit a single off-framework agency take?
4. Who decides which non-framework nursing agencies are used to fill a particular shift in clinical settings? For example, is it a hospital manager, a clinical nurse manager, or a charge nurse?
5. Is there any guidance stating which agencies should be used first and which should be used last? Are there any factors that impact those decisions, for example, the cost or the availability of staff?
6. Has there been any restriction on the number of non-framework nursing agencies that NHS Borders can use over a certain period, for example, over one year?
7. Did non-framework agencies have any limitations while collaborating with NHS Borders? For example, a maximum length of time that the agency could be used by the NHS Borders or a maximum amount of shifts the agency can cover in a certain period.

Response

NHS Borders employs the use of Agency Nursing Services both directly and via the Regional Nurse Bank hosted by NHS Lothian, therefore data on nursing shifts is held by this authority. Under Section 25 of the FOI(S)A 2002 this data is accessible elsewhere, please find a link to [NHS Lothian FOI](#) team who you can apply to as the responsible authority.

The NHS in Scotland operates a National Procurement Framework for agency nurses – the details and requirements are available on the Public Contracts Scotland website Therefore, please note under Section 25 of the Freedom of Information (Scotland) Act 2002 this data is accessible elsewhere. For your information, please find a link below:

[View Contract - Public Contracts Scotland](#)

There is no involvement from NHS Borders Procurement Department in the registration of new recruitment agencies, the framework contract for agency nursing is the responsibility of NHS in Scotland National Procurement Service. Therefore, please note under Section 25 of the Freedom of Information (Scotland) Act 2002 this data is accessible elsewhere. For your information, please find a link below: [National frameworks and contracts | National Services Scotland \(nhs.scot\)](#)

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **452-23** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.