

Date: Friday, 07th August 2020  
Our Ref: MB/SS FOI 4396

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**Re: Freedom of Information Request FOI 4396**

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 22nd July 2020.

Your request was as follows:

I write to request information about your policy and practice on zero hours contracts and other associated statistics under the Freedom of Information Act 2000.

For clarification:

- By zero hours contract, I mean a contract where no work is guaranteed and the employee/worker has the right to turn down work
- By minimum hours contract, I mean a contract where the employer guarantees a small number of hours work, say 1 to 10 hours a week.

1. What is your policy on zero hours contracts?

Here at The Walton Centre NHS Foundation Trust (WCFT) we have an internal administrative and clerical bank who we offer bank contracts to.

2. How many workers/employees do you currently directly employ on zero hours contracts? What is the breakdown of these figure according to (a) sex, (b) race and (c) age?

Please see attached spreadsheet. Please note the figures provided are for staff on bank contracts.

\*I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

**Section 40 (2) - Third Party Data**

This information is exempt from disclosure under Section 40(2) of the Freedom of Information Act 2000 (FOIA), due to the minimal number of patients identified, and in answering your query may lead to the undue stress of families and patients as this information may still lead to patients being identified. Therefore this information has not been released for reasons of confidentiality.

This exemption is not subject to the public interest test.

This response therefore acts as a refusal notice under section 17 of the FOIA.

3. How many workers/employees do you currently indirectly employ on zero hours contracts via agencies, contractors or sub-contractors? If this data is not available, please provide the names of the agencies, contractors or sub-contractors that you use to employ workers indirectly.

I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 (FOIA) that the WCFT does not hold this information if a member of staff had a zero hours contract or a minimum hours contract as we do not have the contracts they would sign.

However, Section 16 of the FOIA places a duty on us to provide help and assistance where possible and I am able to advise you that below is a list of suppliers (agencies, contractors or sub-contractors) we used (or have invoices in the system) in July 2020. These agencies may include both people with zero hour and minimum hour contracts:

- TempRE - Liaison Workforce
- The Placement Group
- Max 20 Limited
- Pulse Healthcare Ltd
- NHS Professionals
- Crg Healthcare Ltd
- Bluestones Medical Limited
- Medicspro
- Medacs
- Blackstone Recruitment

4. How many workers/employees do you currently directly employ on minimum hours contracts or via agencies, contractors or sub-contractors?

As above.

5. How many workers/employees in total do you currently employ? What is the breakdown of these figure according to (a) sex, (b) race and (c) age?

Please see attached spreadsheet. Please note the below:

\*I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

#### Section 40 (2) - Third Party Data

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patients as this information may still lead to patients being identified. Therefore this information has not been released for reasons of confidentiality.

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Please see our response above in [blue](#).

### **Re-Use of Public Sector Information**

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk) where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at [www.opsi.gov.uk/advice/psi-regulations/index.htm](http://www.opsi.gov.uk/advice/psi-regulations/index.htm)

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

**Please remember to quote the reference number, FOI 4396 in any future communications.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Mike Burns*

**Mr. Mike Burns, Executive Lead for Freedom of Information**