

10 April 2019

Information Rights & Compliance Team  
99 Waverley Road  
St Albans  
Hertfordshire  
AL3 5TL

Tel: 01727 804954  
Email: [Hpkt.foi@nhs.net](mailto:Hpkt.foi@nhs.net)

Our Ref: FOI/03219

Thank you for your request concerning Direct Engagement.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

**1. Have you used a Direct Engagement firm?**

This information is already in the public domain<sup>1</sup>. Please follow this [link](#) to a previously published response.

**2. If so please list all you have used with dates.**

Please follow the link provided under question 1.

**3. For the purposes of IR35 assessments, do you claim to supervise direct and control (SDC) your temporary workforce (temporary staffing/finance will know) – and have policy relating to this?**

Yes for agency/direct engagement staff that are filling a substantive role. There is no policy.

**4. If you have outsourced this IR35 assessment function, did you claim to supervise, direct and control your temporary workforce prior to doing so?**

Yes for agency/direct engagement staff that are filling a substantive role.

**5. What are the job titles of the designated points of contact in your organisation with any direct engagement firms you may use, or have used?**

Head of Financial Services and Head of Medical Workforce.

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<sup>1</sup> Section 21 – Information is available through other means has been applied

We were notified by HMRC that it has changed its view regarding the VAT treatment of the services provided by Plus Us Medical Care Services Ltd (PUMCSL). HMRC's most recent view is that the direct engagement services provided by PUMCSL should now be standard rated for VAT purposes.

6. Could you please confirm:

- a. Have board-members, and/or, if different, the points of contact within your Trust for your Direct Engagement firm received this email?

We do not engage with Plus Medical Care Services Limited.

- b. If so please disclose a copy (please search only as far back as 30th January 2019 – likely received on 5th February 2019).

Not applicable.

- c. Please disclose all correspondence with any direct engagement firms since 30th January 2019 to these points of contact and the board until the date of response to this FOI.

Please see attached.

- d. Please disclose all minutes discussing Direct Engagement/VAT on locums since 30th January 2019 until the date of response to this FOI (by the board, finance team, temporary staffing, or other committee likely to discuss this matter). None to my knowledge.

Please follow this [link](#) to our board papers. Direct Engagement/VAT has not been an agenda item.

- e. Please disclose a copy of the letter sent by IHPA to your CEO at the beginning of May 2018 regarding Direct Engagement schemes. (link to notice of permission from the IHPA/commercial interest waiver - <https://ihpa.org.uk/uncategorized/ihpa-a...>

We do not hold this information<sup>2</sup>.

- f. Please disclose any due diligence pursuant to the Criminal Finance Act 2017, you may have conducted as a result of the letter from IHPA, and the subsequent email reproduced above from a direct engagement provider if you received it.

We do not hold this information<sup>2</sup>.

- g. For the avoidance of doubt, all communications/discussion with alternative direct engagement providers are to be considered within the scope of this request.

We do not hold this information<sup>2</sup>.

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<sup>2</sup> Section 1(1) 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 him.

- h. Please disclose all email or written discussion of this matter with any frameworks you may use, and identify the framework in question.**

We do not hold this information<sup>2</sup>.

Should you require further clarification, please do not hesitate to contact me.

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

*Sue Smith*

**Sue Smith  
Information Rights Officer**

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

If you would like to complete a short survey in relation to your Freedom of Information request please scan the QR code below or click [here](#).

