

Over 90% of NHS Trusts forced to break agency spend caps to ensure patient safety

Submitted by: BlueSky Public Relations Ltd

Friday, 1 April 2016

Agency staffing pay caps fail to reduce 'off-framework' spend - 96% of NHS Trusts forced to breach new guidelines

Just 4% of NHS trusts are fully compliant with government guidelines surrounding the use of agency staff, according to new research by healthcare recruitment agency MSI Group.

The research, which was obtained from Freedom of Information requests sent to every Acute and Mental Health NHS Trust in England, revealed that 79% of NHS Acute and Mental Health Trusts currently recruit staff outside of NHS approved staffing frameworks. It also revealed that 90% of Trusts have been forced to exceed the recently introduced agency pay caps.

Monitor guidelines stipulate that Trusts can only recruit from agencies that have been awarded a place on one or more NHS approved frameworks. They also specify that Trusts cannot pay locums more than 55% above substantive pay rates.

This new research indicates that Trusts are repeatedly having to use a clause which allows them to breach guidelines when patient safety will be compromised and there is no alternative. Over 70,000 shifts have been filled under this clause since the caps were introduced on November 23rd 2015.

Unregulated 'off-framework' agencies are free to set their own hourly and commission rates and are not subject to the rigorous compliance audits that 'on-framework' agencies undertake in order to retain their approved status. Of the 288 agencies currently supplying the sector, 45% do not operate within any of the government approved frameworks. This represents a positive, if slight, shift towards compliance in the sector, with previous research conducted by MSI Group last year indicating that 60% of agencies were operating 'off-framework'.

Commenting on the findings, Nick Simpson, CEO of MSI Group said;

"This research highlights the extent to which NHS Trusts are being forced to break Monitor guidelines in an effort to protect patient safety. The sector had been experiencing positive progress towards sustainable pay rates when initial guidelines - barring off framework expenditure - were introduced in October 2015. However they were not given enough of a chance to prove their worth before new pay caps were hastily rushed in shortly after."

"MSI is actively working with Trusts to help them manage cost by migrating their 'off-framework' spend to comply with current guidelines. We are doing this by helping Trusts to establish, short, medium and long term cost objectives and creating pragmatic step-by-step plans to help them to achieve them."

"Strategic workforce planning is a vital tool for coping with a staffing crisis that looks set to continue for some time to come. Agency staff are a vital asset for managing times of increased need and don't have to be associated with the crippling costs charged by 'off-framework' agencies."

“Any professional working within the healthcare arena will recognise that the staffing crisis is a sizable problem in the NHS. But what’s become increasingly clear is that these issues have been compounded rather than alleviated by new guidelines introduced by Jeremy Hunt.’

“MSI will continue to supply temporary staff at sustainable rates across all available frameworks, whilst also working to help Trusts establish a long term solution to a complex problem.”

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