

**Reference Number:** FOI/2019/418  
**From:** Private Individual  
**Date:** 22 October 2019  
**Subject:** Staffing and NHSI cap compliance

**Q1** Please can you confirm how and how regularly you confirm you and your suppliers are IR35 compliant?

**A1** All workers that go through Direct Engagement (DE) are compliant on commencement of the engagement and remain compliant whilst on DE.

Non-clinical workers have an IR35 assessment prior to starting

**Q2** Please can you confirm the percentage of agency shifts in the past financial year that were NHSI cap compliant? Please could you break this down by staff group?

- a. Nursing
- b. Doctors
- c. AHP/HSS
- d. Other clinical

**A2**  
a. 52.59%  
b. 0%  
c. 4.55%  
d. 20.30%

**Q3** Please can you confirm the number of permanent vacancies you have in the following staff groups?

- a. Nursing
- b. AHP/HSS

**A3**  
a. 74.21 FTE  
b. 7.72 FTE