

Freedom of Information Request

Reference Number: EPUT.FOI.23.3231
Date Received: 10th of November 2023

Information Requested:

I hope this message finds you well. I am writing to request information under the Freedom of Information Act 2000 for the period August 2022 - August 2023 regarding the employment and related details of Physician Associates (PAs) within your trust. I believe this information is essential for public interest, transparency, and to better understand the role of PAs within the healthcare system. Please provide the information in digital media, specifically PDF, Excel, or Word documents.

To facilitate the processing of my request, please provide the following details:

1. Number of Physician Associates (PAs) Employed:

Please provide the total number of Physician Associates employed in your trust for the stated time period.

≤5

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data.

The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

2. Average Annual Salary of PAs:

Please disclose the average annual salary, or salary range, for Physician Associates employed in your trust for the stated time period, and a breakdown of how many PAs are on each Agenda for Change pay band.

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data.

We have provided the bands below that we have for our Physician Associates but not the breakdown as we believe this would potentially allow identification of individuals, for salary information The Trust believes that this information is publicly available on the <https://www.nhsemployers.org/articles/pay-scales-202324> website and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means):

Band 8a

Band 7

Band 6

3. Average Weekly Working Hours:

Specify the average number of hours worked per week by Physician Associates employed at your trust for the stated time period, and the average number of hours worked outside of the 9am-5pm time range.

WTE 1=37.5 and usual 9-5

4. Job Duties and Responsibilities:

Provide a detailed description of the job duties and responsibilities of Physician Associates within your trust for the stated time period.

Please see attached document

5. Supervision and Accessibility:

Clarify what profession and grade are supervising Physician Associates and whether PAs at your trust are able to attend work if their supervising clinician is not immediately contactable by them.

At the Trust this does vary from a Band 8a /Consultant

6. Role in Filling Rota Gaps:

Indicate whether Physician Associates at your trust are permitted to fill rota gaps left by GMC Registered Medical Doctors. If so, specify the grade of doctors they are authorised to cover for.

N/A

7. Hourly Rates for Bank Shifts:

Please provide the hourly rate range paid to Physician Associates working bank shifts at your trust for the stated time period. Break down this range according to years of service if applicable.

N/A

8. Prospective Employment:

Please disclose the number of Physician Associates your trust plans to employ in the next 5 years, or business cases out for employing PAs in the next 5 years.

At the moment this is not identified at current time.

Applied Exemption:

Section 40 (Personal information):

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

- (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).
- (5) The duty to confirm or deny—
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either—
 - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 2018 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
 - (ii) by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.
- (7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;
 - “data subject” has the same meaning as in section 1(1) of that Act;
 - “personal data” has the same meaning as in section 1(1) of that Act.
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- **Section 21: Information accessible to applicant by other means.**
- (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
- (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information

available for inspection) to members of the public on request, whether free of charge or on payment.

- (3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>