

Frequently Asked Questions (FAQs)

Non Clinical Staffing



Nobody is better placed to help you meet the challenges of NHS staffing than the NHS Workforce Alliance. As a team of health workforce experts, we are motivated by a genuine desire to make the NHS better. You can trust us to act in the best interests of the NHS – always putting patient care first.

In this document you will find a list of helpful questions and answers, split into separate sections for NHS colleagues and suppliers, to help you familiarise yourself with the NHS Workforce Alliance and this specific framework and how it can support you. If by the end of the document you have any queries, please don't hesitate to [get in touch with us](#).

All customers

• Who is the NHS Workforce Alliance?

Crown Commercial Service and NHS Procurement in Partnership have been working together since 2019 as the NHS Workforce Alliance.

As the biggest public procurement partnership in the UK, we bring together a wealth of trusted procurement and commercial expertise to benefit the NHS.

NHS Procurement in Partnership is a collaboration of four procurement hubs:

- NHS Commercial Solutions
- East of England NHS Collaborative Procurement Hub
- NHS London Procurement Partnership
- NHS North of England Commercial Procurement Collaborative

Crown Commercial Service is an executive agency of the Cabinet Office, and the biggest public procurement organisation in the UK

• How can the NHS Workforce Alliance help you?

We can provide advice and support in making an award under the framework agreement, including use of the award support tool, advice on completing award and procurement documentation, and in some circumstances Assisted Procurement is available.

We also offer market insight and data to support development of your own workforce strategies, and can support in engagement with agencies under management where appropriate.

• Who can use this framework?

Any customer based within the UK or Crown dependencies can use the framework and whilst the framework is aimed at the NHS, the framework can be used by anyone within the public sector (which includes higher education, emergency services, libraries etc.), and the third sector (charities).

• What is the scope of this framework?

The Non Clinical Staffing (NCS) agreement provides access to temporary staff, interims and contractors in any white collar or blue collar role from the most junior to the most senior.

Services may be accessed transactionally or via holistic/managed models. Project works can also be conducted through the framework (Output Based Delivery). The only roles not covered by the framework are clinical roles and teachers.

• What is the lot structure of this framework?

There are 7 lots under the framework agreement:

Lot description:

- Lot 1 - Admin & Clerical (Bands 2 - 5 only)
- Lot 2 - Corporate Functions (Bands 4 - 10d only)

- Lot 3 - IT Professionals (3 - 10d only)
- Lot 4 - Legal (All pay bands)
- Lot 5 - Scientific, Technical & Clinical Coding (All pay bands)
- Lot 6 - Estates, Facilities Management & Ancillary Staff (All pay bands)
- Lot 7 - MSP - Master/Neutral Vendor (All pay bands and worker types disciplines described above under a managed model)

Note - Pay Bands here refer to NHS Payscale. For other contracting authorities equivalent pay bands are included in the respective lots.

Note - NHS Pay Band 1 is discontinued for new appointments.

• Can Statement of Works be delivered under the terms of the framework agreement?

The framework agreement enables the delivery of output based projects to be delivered across all lots. Full information on the scope of these can be found in the framework specification and guidance on awarding a compliant output based delivery project can be found in the guidance document.

• Is there any Management Charge on this agreement?

Yes - Management Charge is paid by Suppliers to NHS Workforce Alliance at a rate of 0.75% of total Charges.

• Is this framework in line with NHSE strategies and policies?

The framework agreement is approved by NHS England and supports NHS England policies including adherence to NHS Employers Check standards and Agency Price caps.

• Does each supplier have valid NHS experience?

All suppliers were required to demonstrate previous experience of supplying roles in scope of the relevant framework lots. This experience may have been from any sector, not just from NHS.

• Is this framework the most appropriate framework for my organisation's requirements?

We would encourage any contracting organisation to contact their local NHS Workforce Alliance partner to discuss their workforce requirements.

• Which providers are listed on this framework?

Please click here to find the full up to date list of providers on this framework.

<https://www.crowncommercial.gov.uk/agreements/RM6277/suppliers>.

• Is there a Rate Card and Award Support Tool?

The NHS Workforce Alliance have developed an Award Support Tool which uses criteria entered by the Contracting Authority to rank suppliers by those who have a presence within a set geographical location and have confirmed ability to provide roles in scope of the overall lot.

The tool is located within the rate card, to request a copy please email info@crowcommercial.gov.uk or contact your NHS Workforce Alliance partner hub.

• What is the benefit of using the Rate Card and Award Support Tool?

The Award Support Tool can be used to direct award to a supplier without the need for a mini competition as it runs a price competition based on the criteria input. When running a further competition, the tool can also be used to help decide which suppliers to invite to bid. For more information on this, please contact a member of the team.

• How do the Pay Bands work?

The Framework has 10 pay bands, the first 9 of which are based around the NHS Agenda for Change Pay Bands. We added a tenth band to cover roles that require a rate of pay that is higher than the Agenda for Change pay scales allow. This is usually used for senior interims. For non NHS customers, please note that each band within the rate card contains a pay range along side and to use the rate card, please select the band within which the pay rate you wish to pay your worker fits. Note that this may not correlate to your usual banding but will work for framework purposes.

For non NHS Contracting Authorities - We have created a rate card specifically for non-NHS Contracting Authorities. As a non-NHS Contracting Authority you are able to determine how much you wish to pay the workers - this will then fit in with one of the pay bands and our calculator will produce a total charge rate based on the supplier that you decide to use.

• Does the pricing take into consideration a higher rate of pay required for London based workers?

As per the Agenda for Change, workers in the London area receive an uplift in their pay. Details of the HCAS (High Cost Area Supplement) geographical boundaries can be found here: <https://www.nhsemployers.org/articles/pay-scales-202223>

Non-NHS Contracting Authorities should include any uplift they wish to pay candidates for London weighting in the 'pay to worker' rate.

• What does the framework deem to be unsociable hours?

Based on the Agenda for Change pay there is an uplift given to the worker if they work unsociable hours. Agenda for Change deems unsociable hours to be all time on Saturday (midnight to midnight) and any week day after 8 pm and before 6 am. There is a further uplift for working Sundays and Bank Holidays. Full details can be found here:

<https://www.nhsemployers.org/articles/unsocial-hours-payments>

Non-NHS Contracting Authorities should include any uplift they wish to pay candidates for unsociable hours in the 'pay to worker' rate.

• Do NCS suppliers have to adhere to NHS England agency price caps?

Yes. For NHS Customers, all suppliers were required agree to this as part of the tender process.

If patient safety is deemed to be at risk then a customer can choose to go above the capped rate, this is called "breaking glass" and can only be done with written permission from a trust.

If framework rates are below the capped rates this is not a licence for suppliers to increase their fees. It should always be the cheaper option out of the cap rate or the framework rate that is offered to Contracting Authorities. The price caps are incorporated into an NHS specific rate card.

• How do I decide between Direct Award and Further Competition?

Both Direct Award and Further Competition are enabled via this framework agreement.

Direct Award is the recommended route for hiring single or small groups of workers. You should direct award if it is clear from the contract documents that there is one supplier who can meet your needs and provide you with the best value for money. Your requirements need to be fully covered by the framework specification.

You should use Further Competition if you want to make adjustments to the specification or terms. You may also achieve better value for money through running a further competition. We also recommend this as the best route when arranging a project through Output Based Delivery. We do not recommend using further competition for single or small groups of workers. Suppliers may choose to not take part in competitions for smaller requirements.

• How do I Direct Award?

You can direct award on all lots. You can do this in line with your local and Public Contract Regulations compliant sourcing process.

- Develop a clear Statement of Requirements.
- Apply the direct award criteria to the Suppliers' maximum rates and Deliverables as set out in Framework Schedule 1 (Specification) and Framework Schedule 2 (Framework Tender) for all Suppliers capable of meeting the Statement of Requirements in order to establish which Supplier provides the most economically advantageous solution; and
- On the basis set out above, award the Call-Off Contract with the successful Supplier.

We recommend that you use the Award Support Tool to identify the supplier with the most economically advantageous offering, however the ultimate decision to award remains with the contracting authority.

• How do I run a Further Competition?

You can run a further competition on all lots. This is the recommended approach for awards under lot 7. You can do this in line with your local and Public Contract Regulations compliant sourcing process.

- Identify which suppliers are capable of meeting your requirements.
- Issue written/electronic tender documentation to all capable suppliers, with a reasonable time limit for return of tenders. You can modify award criteria, providing they derive from the original award criteria and the capable suppliers are notified of this. Award criteria that are completely new cannot be introduced in a further competition. Transparently state your award criteria including percentage weightings.
- Evaluate the returned tenders against your stated award criteria.

Award to the supplier(s) with the most economically advantageous offer, represented by the highest score.

• Can the customer use their own procurement or tendering portal documents?

Contracting authorities may use their own procurement documents, procurement portal and/or their own local sourcing processes, provided the award made is compliant with Public Contract Regulations and the award procedure under the framework agreement.

• What documentation do I need to complete?

Contracting Authorities should complete an order form that can be found on our website. Within the order form, Contracting Authorities should clearly state all the requirements needed from the supplier and the candidate including any training, the level of disclosure and immunisations. The order form can also be used to award holistic/managed models and agree rates and SLAs applicable to order for an agreed period of time.

Suppliers are expected to return an Assignment Checklist to confirm all of the relevant candidate details pre placement. All documents needed are located on our website.

• Can I award multiple suppliers?

Yes - you should make the scope of each awarded contract clear and make clear that individual suppliers do not have exclusivity.

• Is there an option to extend the call off contract?

There are no limitations on the length of a call off contract or extensions that you can use, and these should be in line with your local policy best practices. If you think you may need to extend a contract it is recommended to make this known at the outset.

• What employment checks are carried out on workers?

The Framework states that employment checks should be in line with the NHS Employment Check Standards. Details of the checks can be found below.

<https://www.nhsemployers.org/topics-0/employment-standards-and-regulation>

or if in Scotland

<https://www.staffgovernance.scot.nhs.uk/media/1412/safer-pre-and-post-employment-checks-in-nhsscotland-pin-policy-v2.pdf>

Non-NHS Contracting Authorities can agree levels of checks within a signed SLA with the supplier.

• Does the NHS Workforce Alliance assure that checks are conducted?

Suppliers under this framework are subject to Health Assurance Audit. This audit seeks to assure that framework agencies administer their framework duties with respect to worker compliance checks in accordance with the terms of the framework agreement and in particular with the NHS Employers Check Standards.

• Can a Contracting Authority inspect suppliers?

Contracting Authorities may conduct worker compliance checks with respect to their own call off contracts.

• Can I make a worker permanent, or move them to a different agency, and what are the fees involved?

RM6277 is for the supply of temporary and fixed term workers and should not be used as a tool to fill permanent positions. However, if you do wish to make a worker permanent, or transfer to another agency, then you can agree to an extended hire period to avoid paying fees.

There is a 12 week minimum period to be worked, from week 8 onwards, you are able to provide the agency with 4 weeks notice in writing that you wish to make the worker

permanent or transfer them, if you are unable to provide this notice, then a fee will be payable. There is a tab within the rate card that can help you calculate what this fee will be.

- **Can a Contracting Authority inspect suppliers?**

Non-NHS Contracting Authorities

- **How do I understand the Agenda for Change pay bands?**

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- **Some of the framework requirements aren't relevant to my department, what should I do?**

If there are requirements that aren't relevant to you such as NHS Employers employment checks you can stipulate your exact requirements within a call-off contract and put into writing what services you do or do not require from the supplier.

- **Do patient facing/non-patient facing fees apply to me?**

For non-NHS Contracting Authorities fees would usually be Fee Type 3 – Non Patient Facing, No DBS required. If you require security clearance or DBS checks for your candidates you may be charged Fee Type 2 - Non Patient Facing, DBS required, which would cover an agency's additional costs of obtaining extra checks.

Suppliers

- **Can suppliers supply workers under Lots that they have not been awarded to?**

Suppliers may engage with customer directly under the lots to which they are appointed. Sub-contracting is enabled under the framework agreement.

- **Can suppliers be terminated from the framework?**

Yes, we can terminate for a number of reasons. Please see the framework terms and conditions for more information. Most reasons for termination from the framework agreement also apply to termination of a call off contract.

- **Can suppliers who have not been awarded a place on the framework supply?**

Suppliers may sub-contract their obligations under the terms of this framework agreement, provided it has the Contracting Authorities consent to do so.

The terms of the sub-contract may be no less onerous than the terms of the framework agreement/call off contract, and framework supplier ultimately remains responsible for

ensuring its obligations under the terms of the framework agreement/call off contract are met.

• **Who is responsible for employment checks if a supply chain is used to fill a position?**

The lead supplier on the framework is responsible for ensuring all candidate employment checks are carried out to the required standards, whether they are using their own workers or using their approved supply chain.

• **Can suppliers offer discounted rates to Contracting Authorities?**

The rates recorded in the tender against pay bands are the maximum that the supplier can charge for that band, however, suppliers are able to offer reductions to Contracting Authorities.

• **Is it mandatory to offer a +12 weeks discount as recorded during the tender?**

Yes. Suppliers must offer Contracting Authorities the discount they included within their bid after candidates have been in position for 12 weeks.

• **Do suppliers need to provide the NHS Workforce Alliance with any information?**

Suppliers are required to provide and maintain the required insurances and accreditations made known in the framework agreement and procurement documents. These include:

All Lots

- Cyber Essentials Certificate
- Employer's (Compulsory) Liability Insurance = £10,000,000
- Public Liability Insurance = £10,000,000
- Professional Indemnity Insurance = £5,000,000

Lot 7 only

- Carbon Reduction Plan

Suppliers are required under the Framework to provide full and correct Management Information for the previous months' spend by the 5th working day of each month. Information on how this will be done will be provided at framework award.

You are also required to respond to ad hoc requests for information from us. This may include exceptional requests for management information (detailed in the framework specification).

Full obligations are detailed in your framework agreement.

• **Will suppliers be inspected?**

Suppliers are subject to Health Assurance Audit. You may also be subject to an income to ensure you are declaring all spend won under the framework agreement in your Management Information returns.

• **What training is required for new starters?**

The supplier shall provide workers that are suitably trained and experienced for the duties required of them. The framework training is based around the NHS core skills training framework.

Details of the modules covered under the core skills can be found below:

<http://www.skillsforhealth.org.uk/services/item/146-core-skills-training-framework>

• **Do all workers require immunisation?**

Any immunisations required must be stated within the order form for the assignment. Contracting Authorities should work with their Occupational Health department/provider to determine requirements.

• **Can suppliers add, change or amend their products, services or description of services? If so how?**

The scope of the framework lots is fixed. If a supplier wishes to adjust their regions of supply, branch details, and the details of specialisms they have capability to deliver, then an opportunity will be provided for this through contract management and will be dealt with via the category team.

• **I have been successful in getting onto the agreement and want to amend my pricing. How do I do this?**

The Framework Prices will be fixed for the first 2 years following the Framework Contract Commencement Date. After this, they may be reviewed on each following yearly anniversary. Full details can be found in Framework Schedule 3.

A supplier can request to decrease the prices at any time.

• **I want to amend terms and conditions. How do I do this?**

The terms and conditions are set by the framework agreement for all suppliers and suppliers may not amend these. Special terms may be included as part of a further competition.