



# Crown Commercial Service

## **Workforce Management frequently asked questions**

### **Is the framework compliant with NHS Improvement agency rules?**

This framework is not impacted by NHS Improvement capped rates, as it is not for the supply of agency staff.

### **Can the framework be used to purchase an eRostering system?**

The standalone supply of eRostering systems or equivalent technology solution is excluded from the scope of this framework if it is not being supplied alongside other workforce management services. eRostering systems can be bought via our technology frameworks. For further advice please email [ict\\_services@crownccommercial.gov.uk](mailto:ict_services@crownccommercial.gov.uk)

### **Can the framework be used to award directly to an incumbent supplier?**

If the supplier is on the framework, it is possible to direct award to an incumbent supplier provided that they offer the most economically advantageous bid, and you have followed the direct award process outlined in our framework guidance.

### **Can I select which of the suppliers to invite to a further competition?**

As part of the framework evaluation process all suppliers awarded a place on the framework are capable of meeting your defined service requirements, and therefore must be invited to a further competition. However, suppliers are not obliged to bid for opportunities under the framework.

### **Can prices be negotiated down from those provided in the framework?**

Yes, prices may be varied subject to the specific requirements of your further competition. The prices provided in the framework are the maximum prices payable and will apply when a direct awarded is used.

### **Can the framework be used to source agency staff?**

No, the framework cannot be used to source agency staff. The primary focus of the framework is the operation and management of a flexible resource pool. However, there may

be occasions where the supplier may be required to act as the customer's agent in the control and management of the provision of agency staff as per section 4.2 of the specification. This scenario is covered below.

**Is there any guidance relating to the 2017 change in IR35 regulations in the framework?**

We can support customers to ensure compliance with IR35 legislation. The framework is fully compliant with HMRC regulatory requirements. For any questions on the legislation please use the HMRC guidance:

<https://www.gov.uk/guidance/off-payroll-working-in-the-public-sector-reform-of-intermediaries-legislation>.