



**Workforce  
Alliance**

Collaborating for a sustainable workforce

# Non Clinical Temporary and Fixed Term Staff Framework

Customer guidance document

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**End date:** 29/07/2023



**Crown  
Commercial  
Service**



**Procurement in Partnership**  
The Collaboration of NHS Procurement Hubs

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



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## The Workforce Alliance

NHS Procurement in Partnership and Crown Commercial Service (CCS) are two public sector organisations that have come together in collaboration with the intent to explore the whole portfolio of health workforce services as part of a new [Workforce Alliance](#). Workforce Alliance is pleased to announce the launch of new framework agreement RM6160 Non Medical Temporary and Fixed Term Staff (NCS). Customers and suppliers will benefit from a strong partnership that brings together CCS, as the biggest public procurement organisation in the UK, combined with the extensive expertise and experience that NHS Procurement in Partnership has in the NHS. We have worked closely together on the procurement, delivery and management of this service.

## Introduction to the framework

The Non Clinical (NCS) framework offers you a route to market for all temporary, non-clinical job profiles. The framework was awarded on a 2-year basis with the option to extend for a further 2 years until 25/07/2023.

Lots 1-6 of this agreement give NHS Contracting Authorities and all UK Public Sector bodies, such as Local Government, Universities, Charities and Blue Light Services the ability to secure quality candidates regionally and nationally across the UK under a variety of specialisms, from the most junior to the most senior roles including board level.

## Why use the framework?

It is a national agreement, available for use by any public sector contracting body in the UK. It also has approved status with NHS Improvement, in line with their agency rules. You can use this agreement to hire employees on a temporary or fixed-term appointment.

Suppliers are actively managed and robust inspections are conducted by us to ensure full compliance with [NHS Employment Check Standards](#) and [Skills for Health](#).

Patient safety and governance are high priority drivers as is the ongoing review of supplier's adherence to these standards.





## NHS Improvement maximum wage and price caps

In November 2015 NHS England and NHS Improvement (NHS E/I) introduced caps on the total amount NHS providers can pay per hour for an agency worker.

In addition, NHS E/I required all framework owners to seek approval for current frameworks.

NCS, as well as all the other CCS clinical agency frameworks, has NHS E/I approved status, and comply with the price caps. NHS E/I capped rates are now the default position,

with maximum framework rates provided to control the override position in cases where patient safety is at risk, and staff cannot be sourced within NHS E/I capped rates.

Suppliers must always offer whichever is lower of either the price cap or the framework rate.

## Job profiles

The job profiles available under the framework are described in the table below:

Further details of roles that fall under each of the lots can be found on the “Job Categories by Lot” document on the NCS web page.

The framework agreement is split into 6 lots as described below:

Lot Model		These lots are for the direct award or further competition of temporary or fixed term workers
Lot 1	Admin & Clerical Supply	Administration and Clinical Secretarial, Finance, Accounts and Audit, HR, IM&T Information and Communication Technology, Health Informatics, Library Services, Medical Secretaries, Procurement and Suppliers, Project Management and PR
Lot 2	Corporate Functions Supply	Finance, Accounts and Audit, HR, Library services, Procurement and Suppliers, Project Management, PR, Senior Business/ Administration Management, Media Services
Lot 3	IT Professionals Supply	IM&T, Information and Communication Technology, Health Informatics
Lot 4	Legal Supply	Legal Secretary, Solicitor Consultant, Legal Assistant, Lawyer, Principle Lawyer, Senior Lawyer
Lot 5	Clinical Coding Supply	Health Records Assistant, Clinical Coding Officer Entry Level, Health Records Assistant Higher Level, Clinical Coding Officer, Health Records Officer
Lot 6	Ancillary Staff Supply	Catering, Drivers, Estates i.e. Labourer, electrician, plumber. Hospitality, Security, Sterile Services, Stores (and logistics) and Environment and Scientific Services





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## Supply route

The framework has been designed to provide maximum flexibility and choice to customers when deciding how to deliver their temporary workforce requirements. This flexibility also enables customers to work collaboratively without the constraints of geographical lots. Customers can choose Neutral Vendor options, Master Vendor, Managed Service Providers, Statement of Work, Fixed Term Appointment or general Agency Supply.

## Benefits

- **A clear charge rate:** straightforward rate card showing charge rates for both PAYE and limited company temporary workers, including provision for compliance with Agency Worker Regulations
- **Risk management:** focus on managing the risks associated with engaging interim workers e.g. Agency Worker Regulations and stakeholder pensions
- **Management information:** available on demand for all customers to detail reported spend
- **Additional savings:** through a range of discounts including nominated worker, volume-based level, prompt payment and length of placement discounts
- **Consistency:** standardised terms, specification and assurance
- **Efficiency:** through the use of technology and rationalisation of suppliers resulting in a single point of contact, access to a centralised booking system and procedure, providing consolidated invoicing and usage information
- **Flexible:** tailor the agreement with suppliers to meet local requirements, fixed term assignments and international recruitment





- **Compliance:** with all HMRC regulatory requirements, including IR35 arrangements for deemed PAYE staff. Suppliers are also contractually obliged to provide clear and transparent timesheets and invoices, along with beneficial payment terms
- **Over 200 suppliers:** with a range of specialisms

- **Free of charge:** no membership is required. There are no hidden or additional charges.

**Additionally for NHS Trusts:**

- **Compliance:** NHS E/I price caps are the default pricing position providing compliance with agency rules
- **Flexibility:** an override mechanism allows trusts to stay “on framework” if they need to go over the price cap to get the right staff to ensure patient safety
- **Audits:** to ensure compliance with NHS Employers Employment Check Standards





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## Who can access the framework?

This framework was created as a solution for sourcing non clinical staff into the NHS but can be used by any UK public sector body (local authorities, education, police forces, not-for profit organisations etc.) and has a tailored compliance process to suit all organisations. Access can be managed via an individual organisation, a consortium of public sector bodies or a collaborative procurement organisation such as a procurement hub, and will be supported by the Workforce Alliance

## Methods of sourcing supply

### Sourcing individually

Source your own requirements to meet your particular needs. The Workforce Alliance is available to assist with your requirements if required, please do not hesitate to contact the Workforce Alliance framework manager.

### Collaboration

Collaboration is a strategic option in order to help control agency spend, so you may want to think about collaboration with neighbouring trusts. This can help you align policies on when to override the NHS E/I caps to secure a worker on exceptional patient safety grounds, and ensures no single trust in a geographical area is escalating rates higher than its neighbours. It is also possible to collaboratively call-off from the framework agreement, which allows you to aggregate spend and maximise volume discounts.

## Framework suppliers

A list of the awarded suppliers on the framework can be found on the website:

<https://www.crowncommercial.gov.uk/agreements/RM6160>

## Rate cards

There are two different rate cards for customers, both give the same values but one is personalised for NHS customers to account for NHS E/I caps while the other is for the rest of the public sector to use. As part of these rate cards the Workforce Alliance have included an award support tool which will enable customers to locate which suppliers can provide different roles in different regions and specialisms. This will rank the eligible suppliers that fulfil the criteria in price order to enable customers to select the most economically advantageous tender. This rate card and tool document can be requested by contacting the Workforce Alliance framework manager.

## Framework pricing

The pricing is built around the NHS Agenda for Change Pay Bands with all suppliers quoting a fixed fee against the pay bands.

As previously stated, since the introduction of Agency Rules in November 2015, any trust using the framework must be offered the lowest rate between either the cap rate or the framework rate. Over 85% of NMNC rates are below the current NHS E/I capped rates.



If a framework rate is above the NHS E/I cap rate this can only be used to secure a worker if patient safety is at risk. However, this should be reported to NHS E/I by the trust as an override of the price caps. Such a mechanism must be on a shift basis. There is no other means of escalation within the framework.

The total charge rate under the framework is transparent and broken down into the following 7 components:

- Worker's pay rate
- Working Time Regulations
- Pension contributions
- Employers National Insurance Contributions
- Agency fee
- Apprenticeship Levy
- Discounts

### Working Time Regulations

Working Time Regulations (WTR) is charged at nationally agreed levels for the NHS (12.07% pre 12 weeks and 15.56% post 12 weeks).

### Employers National Insurance Contributions

Employers National Insurance Contributions (ENIC) charged at 13.8%.

### Agency fee

The supplier will not charge more than the capped rate under the framework. Suppliers are, however, permitted to reduce their agency fees. There are three levels of fees to account for costs of additional health screenings and DBS

### Fee Type 1 Patient

Facing DBS Required

### Fee Type 2 Non Patient Facing, DBS Required

**Fee Type 3 Non Patient Facing, No DBS Required**

Fees will also be charged for fixed term placements (worked out as a percentage of the workers first 12 month salary) and transfer fees to take a worker on permanently, via another agency or a third party. Transfer fees can be avoided after 12 weeks in post, subject to 4 weeks' notice.

### Costs and expenses

The framework prices include all costs and expenses relating to the services provided to you and no further amount is payable by you.

### Unsocial hours and high cost area

supplements Suppliers provided unsocial hours and high cost area supplements to pay rates as part of their tender response. Maximum levels were set at Agenda for Change (AfC) rates. Please refer to the rate cards for further details.







**Volume based level discounts** Volume based level (VBL) discounts are offered by all suppliers. Please refer to the rate cards for further details. The VBL thresholds are:

Volume of business level	Total annual value of business excl. VAT
0	< £100,000
1	£100,000 - £499,999
2	£500,000 - £999,999
3	£1,000,000 - £2,999,999
4	£3,000,000 - £4,999,999
5	£5,000,000 - £9,999,999
6	> £10,000,000

The supplier will apply the VBL discounts to their agency fee only. If the expected total expenditure is not reached, there will be no rebate paid to the supplier; similarly, if the expected total expenditure is surpassed there will be no credit from the supplier to the customer, unless otherwise agreed in writing by the customer.

### Further discounts

Further discounts available to customers include nominated worker, prompt payment discounts and over 12 weeks discount. Please refer to the rate card for further information.

## Accessing the framework

### Direct award

You can award a call-off contract directly where the terms (meaning the information on award of call-off contained in the framework agreement and the call-off T&Cs) are sufficiently precise and complete to allow you to identify the most economically advantageous offer.

If you want to direct award without holding a further competition you should:

1. Develop a statement of requirements and determine whether this can be met by a supplier
2. Confirm that all of the terms of the framework agreement and the call-off terms do not require amendment or any supplementary terms and conditions
3. Identify all suitable suppliers by using the lot descriptions and regions supplied with services. We provide a simple award support tool which asks you to input:
  - a. Which lot you are interested in
  - b. Which pay bands you are interested in
  - c. Which regions you are in
  - d. Which specialisms you are interested in
4. The tool will identify the names of the suitable suppliers. It will rank the supplier with the most economically advantageous offer at number 1

Please contact the Workforce Alliance framework manager for a copy of the award support tool (incorporated within the rate card)





## Further competition

To award a call-off contract via further competition you should:

1. Develop a statement of requirements identifying the suppliers capable of providing the services you require through a process of shortlisting
2. Amend or refine the template call-off form - the 'NCS Short Form Contract' - and call-off terms to reflect the services required.
3. Include these in the invitation to tender pack, along with the award criteria
4. Invite tenders by conducting a further competition in accordance with the regulations and guidance.

For a comprehensive guide on running a further competition please refer to ['How to run a mini competition'](#).





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## Get started

For more information, and for support in accessing the agreement, please contact:

**Crown Commercial Service**

0345 410 2222 [info@crowcommercial.gov.uk](mailto:info@crowcommercial.gov.uk)

[www.crowcommercial.gov.uk](http://www.crowcommercial.gov.uk)

**NHS Commercial Solutions (NHSCS)**

[NHSCS.agency@nhs.net](mailto:NHSCS.agency@nhs.net)

[www.commercialsolutions-sec.nhs.uk](http://www.commercialsolutions-sec.nhs.uk)

**East of England NHS Collaborative Procurement Hub (EoE CPH)**

[workforce@eoecph.nhs.uk](mailto:workforce@eoecph.nhs.uk) [www.eoecph.nhs.uk](http://www.eoecph.nhs.uk)

**NHS London Procurement Partnership (LPP)**

[lppagency@lpp.nhs.uk](mailto:lppagency@lpp.nhs.uk) [www.lpp.nhs.uk](http://www.lpp.nhs.uk)

**NHS North of England Commercial Procurement Collaborative (NOE CPC)**

[enquiries@noecpc.nhs.uk](mailto:enquiries@noecpc.nhs.uk)

[www.noecpc.nhs.uk](http://www.noecpc.nhs.uk)

