# RM6160 Non Clinical Temporary and Fixed Term Staff Frequently asked Questions

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**Who are the Workforce Alliance?**

Crown Commercial Service (CCS) and NHS Procurement in Partnership 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.

NHS Procurement in Partnership is a four hub collaboration between NHS Commercial

Solutions, East of England NHS Collaborative Procurement Hub, NHS North of England Commercial Procurement Collaborative and NHS London Procurement Partnership, previously known as NHS Collaborative Procurement Partnership (CPP).

**How can the Workforce Alliance help?**

The Workforce Alliance is able to visit Contracting Authorities and determine requirements and best routes to market via the framework. We can offer advice and help to put together a further competition based on your needs. Please get in touch if this is something you are interested in.

**What is the scope of the framework?**

The Non Clinical Temporary and Fixed Term Staff (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, including board level roles across six lots. Statements of Work can also be conducted through the framework.

The only roles not covered by the framework are clinical roles and teachers.

**How long will the Framework run for?**

The framework expires 25/07/2023, call off contracts do not expire with the framework and may run past the end date.



**Who do I contact if I have an issue?**

Please email or call the Workforce Alliance framework manager with any enquiries, contact information can be found at the end of this document.

Further Information on the framework can be found on the CCS website:

<https://www.crowncommercial.gov.uk/agreements/RM616>[0](https://www.crowncommercial.gov.uk/agreements/RM6160)

**What is the Lot Structure of RM6160?**

There are 6 specialist lots under the Framework:

* Lot 1 Admin & Clerical – Bands 1 – 5
* Lot 2 Corporate Services – Bands 5 – 10D
* Lot 3 IT bands 3 – 10D
* Lot 4 Legal – Bands 1 – 10D
* Lot 5 Clinical Coding – Bands 1 – 10D
* Lot 6 Ancillary Staff – Bands 1 – 10D

Details of suppliers awarded to each lot and the roles covered within each lot are available on the web page.

**What roles can be filled through RM6160?**

RM6160 covers a wide range of roles across the six Lots. Full details of common jobs that can be filled using RM6160 can be found within the Framework documents on the CCS [web page.](https://www.crowncommercial.gov.uk/agreements/RM6160)

The only roles not covered are clinical and Teaching.

**What are the Pay Bands?**

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.

**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/pay-pensions-and-reward/agenda-for-change/payscales/including-](https://www.nhsemployers.org/pay-pensions-and-reward/agenda-for-change/pay-scales/including-hcas)

[hcas](https://www.nhsemployers.org/pay-pensions-and-reward/agenda-for-change/pay-scales/including-hcas)

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 which is between 8pm and 6am and Saturdays. There is a further uplift for working Sundays and Bank Holidays.

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 and NHS Improvement (NHS E/I) caps?**

Yes. 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.

**Who can use the 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).

**Is there an Award Support Tool?**

The 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

The tool is located within the rate card, to request a copy please email info@crowncommercial.gov.uk

**What is the benefit of using the 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 I decide between Direct Award and Further Competition?**

You can award a call-off contract directly where the terms are sufficiently precise and complete to allow you to identify the most economically advantageous offer. This will be the case where the commercial and technical specifications and all the other contract documents define the services, the supply of services and the application of the prices with sufficient precision and completeness.

If the T&Cs, pricing, specifications etc. do not sufficiently cover the service requirements, then a further competition should be conducted.

**How do I Direct Award?**

The Workforce Alliance’s advice would be to use the Award Support Tool to identify the most economically advantageous supplier. However, the framework leaves decisions on award to Contracting Authorities and awards can be made on the basis of a Contracting Authorities own internal justifications.

When using the tool you should go in turn to each of the next highest ranking suppliers until the requirement is met, if the top ranked supplier is unable on occasion to supply suitable temporary workers.

You could award for a defined period of time (e.g. a year), providing the period starts within the duration of the framework agreement.

**How do I run a Further Competition?**

1. Identify which suppliers are capable of meeting your requirements. Unless it is clear how to objectively determine which suppliers are capable of meeting the requirements of the particular supply contract, then you should invite all suppliers to participate in the further competition.
2. 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.
3. Evaluate the returned tenders against the award criteria, using an evaluation plan and the weighting (totalling 100%) that best reflects your circumstances and requirements, within the range limits.
4. Award to the supplier with the most economically advantageous offer, represented by the highest score.
5. If the supplier awarded the call-off of service is unable on occasion to supply suitable workseekers then you should go in turn to each of the next highest scoring suppliers until the requirement is met.

For more information on how to run a mini competition please click [here.](https://assets.crowncommercial.gov.uk/wp-content/uploads/RM6160-How-to-run-a-mini-competition-1.pdf)

**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

<http://www.nhsemployers.org/your-workforce/recruit/employment-checks>or if in Scotlan[d https://www.gov.scot/publications/safer-pre-post-employment-checks- nhsscotland-pin-policy/pages/0/](https://www.gov.scot/publications/safer-pre-post-employment-checks-nhsscotland-pin-policy/pages/0/)

Non-NHS Contracting Authorities can agree levels of checks within a signed SLA with the supplier. [https://www.gov.uk/government/publications/government-baseline-personnelsecurity-standard](https://www.gov.uk/government/publications/government-baseline-personnel-security-standard)

**What documentation do I need to complete?**

Contracting Authorities should complete an **order form** that can be found on the CCS [website.](https://www.crowncommercial.gov.uk/agreements/RM6160) 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. Contracting Authorities can also put in place their own call off agreements.

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

**Can I make a worker permanent and what are the fees involved?**  RM6160 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 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, 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?**

Contracting Authorities are able to inspect suppliers if they wish. The Workforce Alliance also carries out thorough financial and compliance inspections of suppliers.

# Non-NHS Contracting Authorities

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

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.

**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?**

No. Suppliers can only provide workers that come under the Lots that they have been Awarded, however you are able to set up a subcontracting agreement to a supplier on a lot to which you are not awarded.

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

Yes, the Workforce Alliance has the right to terminate for a number of reasons, please see the framework terms and conditions for more information.

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

Suppliers who have not been awarded a place on the framework can only provide workers through the framework if they become part of an awarded supplier’s approved supply chain.

The framework supplier must ensure the framework fees and T&Cs are adhered to, and will take full responsibility for the sub-contracting supplier. The lead supplier must gain approval from the Workforce Alliance prior to setting up any subcontracting arrangement.

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

The lead supplier on the framework is responsible for 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.

**What is Pre & Post AWR**

Once a worker has been in place for 12 weeks or more, under the [Agency Worker Regulations](https://www.gov.uk/government/publications/agency-workers-regulations-2010-guidance-for-recruiters), they are entitled to the same basic pay and working conditions as permanent members of staff. Therefore, if the worker is on less than a permanent staff member would earn, they are entitled to a pay uplift to bring them in line. If the worker is already on equal or better pay, no uplift is due.

From week 13 onwards the worker is also entitled to Increased Holiday pay so you will see an increase in the WTR (working time regulation) charges; this is because the holidays have increased from 20 days plus bank holidays to 27 days plus bank holidays.

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

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.

**Will suppliers be inspected?**

Suppliers will complete an annual self-audit certificate and submit to the Workforce Alliance. The supplier will also be inspected by an independent party on a yearly basis, or ad-hoc basis if deemed necessary. The Assurance Team monitor each supplier’s adherence to core

operational policies and procedures detailed within the conditions of contract, to which each supplier has agreed to supply.

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

The supplier shall provide work-seekers that are suitably trained and experienced for the duties required of them. The framework training is based around the NHS core skills framework. Contracting Authorities must outline what specific training is required for the role in their order form, including details of the mandatory training required. 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.

# We’re here to help

The Non Clinical Staffing deal can help ensure:

* full transparency of all costs, including the mark-up rate
* fair terms and conditions
* compliance with employment check standards

Find out more about getting started:

W [Non Clinical Temporary and Fixed Term Staff](https://www.crowncommercial.gov.uk/agreements/RM6160)

T 0345 410 2222

E *info@crowncommercial.gov.uk*

NHS Commercial Solutions (NHSCS) *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*

[*www.eoecph.nhs.uk*](http://www.eoecph.nhs.uk/)

NHS London Procurement Partnership (LPP) *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*

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