



Crown
Commercial
Service

Non Medical Non Clinical Framework

for the provision of temporary and fixed term staff

Customer guidance document (RM971)



Framework reference: RM971

Start date: 1 July 2015

End date: 30 June 2019

Contents

Introduction to the framework	04
Why use the framework?	04
NHS Improvement maximum wage and price caps	04
Job profiles	04
Supply route	05
Benefits	06
Who can access the framework	07
Methods of sourcing supply	07
Framework suppliers	07
Rate cards	07
Framework pricing	07
• Working Time Regulations	08
• Employers National Insurance Contributions	08
• Agency fee	08
• Costs and expenses	08
• Unsocial hours and high cost area supplements	08
• Volume based level discounts	08
• Further discounts	08
Accessing the framework	09
• Direct award	09
• Further competition	09
Further information	10

Introduction to the framework

The Non Medical Non Clinical (NMNC) 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 June 2019. Through this agreement you can access temporary staff, interims and contractors to fill any white collar or blue collar role from the most junior to the most senior including board level roles.

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.

Suppliers are actively managed and inspected by us to ensure full compliance with NHS Employment Check Standards.

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 Improvement (NHSI) introduced caps on the total amount NHS providers can pay per hour for an agency worker. In addition, NHSI required all framework owners to seek approval for current frameworks.

NMNC, as well as all the other CCS clinical agency frameworks, has NHSI approved status, and comply with the price caps. NHSI 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 NHSI 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 include:

- a) Admin & Clerical
- b) Corporate Services
- c) IT
- d) Legal
- e) Clinical Coders
- f) Ancillary Staff

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

The framework agreement is split into 8 lots as described below:

Lot	Model	Description
1	Neutral Vendor Supply	A neutral vendor does not supply temporary workers directly from their own resource pool. They use an approved supply chain to complete the call-off agreement. As a customer the provision is seamless as you contract only with the neutral vendor and not with the supply chain directly.
2	Master Vendor Supply	A master vendor takes overall responsibility for fulfilling your temporary worker needs. They will provide temporary workers directly from their own resource pool and may make up any shortfall by managing supplementary supply from an approved subcontractor supply chain
3	Admin & Clerical Supply	These lots are for the direct award or further competition of temporary workers.
4	Corporate Functions Supply	
5	IT Professionals Supply	
6	Legal Supply	
7	Clinical Coding Supply	
8	Ancillary Staff Supply	

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 (lot 1), Master Vendor (lot 2) and Managed Service Providers.



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 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 150 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:** NHSI 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



Who can access the framework?

This framework was predominantly created as a solution for sourcing non clinical staff into the NHS, however, the framework can be used by any UK public sector body (central government, local authorities, education, police forces, not-for-profit organisations etc.) 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 CCS.

Methods of sourcing supply

Sourcing individually

Source your own requirements to meet your particular trust's needs. CCS is available to assist with your requirements if required.

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 NHSI 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: <http://ccs-agreements.cabinetoffice.gov.uk/contracts/rm971>

Rate cards

Please email nmnc@crowcommercial.gov.uk to request a rate card.

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 90% of NMNC rates are below the current NHSI capped rates.

If a framework rate is above the NHSI cap rate this can only be used to secure a worker if patient safety is at risk. However, this should be reported to NHSI 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 5 components:

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

For non-NHS customers please refer to the pay rates document – you can cross reference the rate you wish to pay the worker with the pay band it would fall under the framework.

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 agency fee tendered under the framework. Suppliers are, however, permitted to reduce their agency fees. A pension cost of 3% is built into the capped agency fee, this is not an additional cost you. 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 the bank or another supplier. Transfer fees can be avoided by providing 8 weeks notice to the supplier.

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 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. Whether you want to hire temporary work-seekers (employment business) or to employ fixed-term candidates (employment agency)
 - b. Which lot you are interested in
 - c. Which pay bands/ pay ranges you are interested in
 - d. Which regions you are in
4. The tool will identify the name and branch information of the suitable suppliers. You should then rank the supplier with the most economically advantageous offer

5. Go in turn to each of the next highest ranking suppliers until the requirement is met
6. You should award for a defined period of time (e.g. a year) providing the period starts within the duration of the framework agreement.

Please email nmnc@crowncommercial.gov.uk for a copy of the award support tool

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 'NMNC Short Form Contract' - and call-off terms to reflect the services required. Include these in the invitation to tender pack, along with the award criteria
3. 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 the 'Further Competition and Bidding Guide Process'.

Further information


For further information please contact **Tamsin Fendley**, your framework manager, by

 nmnc@crowcommercial.gov.uk

 0345 410 2222

Or a member of the health workforce team at:

 healthdo@crowcommercial.gov.uk

 0345 410 2222

You can also learn more about what we offer online:

 www.gov.uk/ccs

 [@gov_procurement](https://twitter.com/gov_procurement)

 [Crown Commercial Service](https://www.linkedin.com/company/crown-commercial-service)

Liverpool 9th Floor
Capital Building
Old Hall Street
Liverpool L3 9PP

London
Aviation House
125 Kingsway
London WC2B 6SE

Newport
Concept House
Cardiff Road
Newport NP10 8QQ

Norwich
Rosebery Court
St Andrews Business Park
Norwich NR7 0HS