



Managed Staff Banks

Contract Duration

21/03/2023 – 20/03/2026

(option to extend 1x12 months)

Contract Project Reference Number

RM6278

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2022/S 000-029585

Version Control

Contributor(s)	Date	Version	Comments
Communications team and category manager	23/05/2023	1.0	Creation of briefing document for new framework
Communications team and category manager	03/07/2023	1.1	Update information on audit process

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1 Who we are

Nobody is better placed to help you meet the challenges of NHS staffing than the NHS Workforce Alliance. As the biggest public procurement partnership in the UK, we bring together a wealth of trusted procurement and commercial expertise, and 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.

That's why we take the time to personalise our service, offer bespoke workforce solutions and use our influence to shape policy on your behalf. It's why we insist on the highest quality and compliance in every contract, and why we always demand the best value for the public purse.

Not because it's the commercial thing to do, but because it's the right thing to do.

So we promise you won't get a sales pitch from us, and we won't tie you into costly long-term contracts.

Instead, you'll get to work alongside a team of experts – your own peers – who understand the NHS inside out and share your values.

Together we will help you develop a workforce strategy fit for today and tomorrow.

Together we will get the right people placed in the right jobs, quickly and safely.

Together we will get it right for our NHS.

2 Framework overview

Managed Staff Banks is the third iteration of this framework and builds on the benefits of previous versions, Flexible Resource Pool and Workforce Management. It fully supports NHS England's policy to minimize the use of agency staff and promote a bank first approach. The framework also provides NHS organisations with an open, fair and transparent route for setting up staff banks that also deliver value for money.

The services available through this agreement are sorted into one lot: Managed Staff Banks. The framework provides access to a full range of staff bank services, including but not limited to:

- Staff bank set up, including regional and sub-regional banks as required
- Operation and management of a staff bank, including employment of the workers if required
- Management of cascade to agency suppliers
- Workforce analysis and advice services, to help you understand demand patterns and current use of substantive and flexible workforce

You cannot use the framework to purchase a standalone eRostering system or any equivalent standalone technology solution. A secure technology solution will be provided by the supplier to support management of the staff bank delivered under this framework.

Framework overview continued

The Managed Staff Bank framework covers any grade or speciality across the following staff roles:

- Doctors, Consultants, Dentists and General Practitioners (GPs)
- Allied Health Professionals (AHP), Health Science Services (HSS) and Emergency Services (ES) personnel
- Nursing and Midwifery personnel
- Non Clinical personnel

The framework cannot be used to source agency staff, with the exception of the agency cascade where the supplier may source a worker from an approved list of employment businesses to fill a vacancy that cannot be filled by the staff bank.

The NHS Workforce Alliance have other framework contracts for agency staffing, details of which can be found on our website.

3 Contract benefits

- Access to NHS England-approved route to market for managed staff banks
- Support for the procurement development programme for the NHS
- Support for NHS England's initiative to reduce agency useage and expand the use of staff banks, particularly for medical staff
- End-to-end planning and delivery solutions available
- The NHS Workforce Alliance conduct audits to ensure worker compliance checks are conducted in accordance with NHS Employers Check Standards
- Access to a mix of experienced suppliers and capable new market entrants
- Flexible solutions available to suit customer requirements
- Flexible pricing to suit individual organisational needs
- Access to management information to detail reported spend and market analysis
- Free to use - no membership required and framework fees are collected from suppliers

4 Who can access the framework?

All NHS Workforce Alliance contracts are open to use by NHS customers and all other public sector bodies including Central Government and wider public sector, including local government, universities, charities and blue light services. A full list [can be found here](#).

5 NHS Health Assurance Audit

NHS Workforce Alliance runs a robust Health Assurance Audit process. This ensures that workers provided by suppliers through our frameworks are compliant with the NHS Employers Check Standards as well as the obligations set out in the individual framework agreements. These include confirming relevant policies, processes and practices are in place to manage ongoing compliance of workers, including subcontractors.

The process is designed to identify potential issues and work with suppliers to support safer recruitment practices, help reduce risk to patient safety and improve standards across the market.

Agencies from across the whole Alliance portfolio agreements can be audited, with a focus on driving the most effective processes for managing worker vetting across the industry.

Potential audit outcomes are:

- Pass
- Requires improvement
- Fail

Audits are conducted through a third party audit provider appointed by the NHS Workforce Alliance. We support the audit provider within our internal Health Assurance Audit function and will work with framework suppliers to promptly remediate any findings and reduce potential disruption to our customers.

Suppliers receiving a Fail outcome will immediately be suspended from the relevant frameworks and will be unable to supply new workers or engage in new work whilst suspended. Suspended suppliers will need to undergo a re-audit, and will remain suspended until they have passed the re-audit and receive NHS Workforce Alliance approval of framework reinstatement.

Throughout the life of our frameworks, suppliers have an ongoing obligation to ensure worker compliance; audit inspections can be carried out on both a pre-selected and ad hoc basis. If a supplier demonstrates repeated failures and does not engage with remedial steps, they may be permanently removed from the framework.

The Health Assurance Audit process is constantly evolving and improving and is, therefore, subject to change throughout its duration.

6 Use of the contract

The Managed Staff Banks framework has been designed to provide maximum flexibility and choice to customers when deciding how to deliver their staff bank requirements.

You can also choose to either use this contract to source a supplier that meets the individual needs of your organisation, or source in collaboration with neighbouring trusts which allows you to aggregate spend and maximise volume discounts. Whichever method you choose, the Alliance is available to assist you when needed.

We understand that specific requirements for solutions will vary between customers.

The award of a contract under the framework agreement would be made in one of the following ways:

Direct award

A direct award can be made to a supplier on the condition that the customer can demonstrate the selected supplier offers the most economically advantageous supply using the framework tender information.

Careful consideration is needed to ensure that selection is transparent and fair, maintaining a clear audit trail documenting how the contract award was reached. More information on making a direct award can be found within Framework Schedule 7 - Call-off Award Procedure.

Further competition

The award of a contract would follow the output of a further competition process between all capable suppliers under the applicable framework agreement lot. In these circumstances the further competition would be used to establish the most economically advantageous tender in order to meet the specific requirements of the customer as laid down in the further competition documentation.

Each further competition invitation to tender process would reflect the precise nature of a customer's local requirement, albeit in accordance with the permitted scope of service as outlined within the over-arching framework agreement.

How to run a further competition:

1. Invite all suppliers who can meet your requirements to bid.
2. Send further competition documents to all capable suppliers, leaving reasonable time for them to return their tenders. You can choose to run this process using your internal procurement resources or get in touch with your local Alliance contact to have a discussion on what support we can offer.
3. Evaluate the tender using the fair and transparent criteria in your bidpack.
4. Award the supplier with the most economically advantageous tender on the basis of the criteria.

More information on managing a further competition can be found within Framework Schedule 7 - Call-Off Award Procedure.

Use of the contract continued

No award: : NHS Workforce Alliance customers are entitled at all times to decline to make an award. Nothing in this framework agreement shall oblige any customer to place an order.

Award criteria for further competitions under the framework agreement

The call-off award criteria under the terms of the framework agreement are fully detailed in Framework Schedule 7 - Call-Off Award Procedure. There are no limitations to the weightings that you may apply to your award.

Customers should note that NHS Workforce Alliance framework agreements are awarded in accordance with PPN 06/20, and evaluation included a social value element. Social Value criteria around Fighting Climate Change and Equal Opportunity were tested during the framework procurement. If you are required to apply social value award criteria at call-off, our framework agreements enable this for all social value criteria. More guidance on using the Social Value Model [can be found online](#).

The specific sub-criteria applicable to the further competition should reflect the nature of the contracting authority's specific requirement.

The actual criteria weightings for any further competitions shall be determined by the customer and should be communicated within the further competition invitation to tender documentation in line with the ranges outlined above.

Customers may choose to include a financial assessment of bidders as part of their award procedure. More information can be found in Joint Schedule 7 - Financial Difficulties of the Terms and Conditions.

7 Pricing and fees

All framework prices are maximums which cannot be exceeded. Actual pricing will be established at call-off stage and will be specific to your requirement.

Pricing is separated as follows:

- Bank set up where a bank does not exist
- Contract mobilisation on change of supplier
- Annual management fee
- Hourly transaction fee

Worker pay is determined between the supplier and the contracting authority.

8 Rate cards

The rate card associated with this framework details maximum prices payable and cannot be exceeded. Specific contract pricing will be determined at call-off.

If you undertake a further competition, your rate card will reflect the prices of the suppliers that have bid in your tender.

9 Terms and Conditions

The terms and conditions of contract have been agreed with all suppliers as part of their award onto the framework.

The framework agreement and each resultant call-off contract is based on the Public Sector Contract. Copies of the Core Terms and associated schedules can be obtained from your NHS Workforce Alliance contact.

The call-off terms and conditions, the specification and associated appendices together with any special requirements will form the basis of the resulting contract between a framework supplier and customers.

When preparing the call-off terms and conditions for use in a further competition process, only minor changes are permitted to be made by customers. Any changes should be highlighted clearly so all suppliers are aware of them.

Once a contract has been concluded under the framework, a fully signed copy must be executed and retained.

TUPE

Where you believe that TUPE may apply to the contract transfer, the customer should request from the incumbent supplier a list of employees who are likely to be eligible for TUPE. This should be provided as part of the further competition process. More information can be found at Call-Off Schedule 2 - Staff Transfer.

GDPR

Where the supplier is involved in the processing of personal data under or in connection with this contract, the parties shall complete Joint Schedule 11 - Processing Personal Data.

10 Awarded suppliers

Full details of the suppliers awarded to the agreement, including information on lot coverage, and full contact information, can be [found on our website](#) or via your NHS Workforce Alliance lead contact.