

Freedom of Information Request

Ref: 24-703

4 October 2024

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

I am writing to submit a Freedom of Information (FOI) request concerning the procurement and award of contracts under Lot 1 of the Workforce Alliance RM6281 framework for temporary clinical and healthcare staffing. I would appreciate your assistance in providing the following information:

1. Direct Award Method:

o Has your Trust employed the direct award method for sourcing workers or small groups of workers under the RM6281 framework? No If so, please provide evidence demonstrating that the selected suppliers offered the most economically advantageous terms in accordance with the framework's guidelines.

Not applicable

o What measures does your Trust implement to ensure transparency and fairness in direct award decisions, including maintaining a clear audit trail?

RM6281 has not been utilised by the Trust and therefore this is not applicable.

2. Further Competition:

o Has your Trust used the further competition process for awarding contracts where adjustments to the framework terms were necessary or where commercial benefits could be achieved?

We utilise Framework Agreements via further competition to award contracts. In all instances the Framework terms are never adjusted, which maintains compliance both to the Framework rules and also PCR2015 Regulation 33.

Please provide documentation detailing:

RM6281 has not been utilised by the Trust and therefore this is not applicable.

- ☐ **The identification of the relevant lot.**
- ☐ **Invitations sent to all capable suppliers.**
- ☐ **Evaluation criteria used to determine the most economically advantageous tender.**
- ☐ **Evidence of a fair and transparent evaluation process.**

Not applicable

3. Neutral or Master Vendor:

o If your Trust utilizes a neutral or master vendor to manage temporary staffing, how do you ensure these vendors comply with the framework's requirements, including the Public Contracts Regulations 2015?

The Framework Agreements that have historically been utilised by the Trust where contract award has in all instances followed a further competition; the Framework provider audits the suppliers as part of the Framework registration rules. However, Trusts have the option to request further audits of suppliers, where this has been invoked by the Trusts on occasions.

Please provide evidence of compliance with the framework's rules for transparency, fairness, and economic advantage.

We have not utilised RM6281 and therefore no evidence can be provided.

o What processes are in place to monitor and audit the actions of neutral or master vendors?

As above, the Framework provider shall have its own processes in place under the relevant Framework Agreements. However, Trusts have the right to request further audits.

Nevertheless, the suppliers' performance are managed against the contract terms and conditions across the contract term, to ensure they consistently meet the requirements of the Trust in line with KPI's etc. Regardless, RM6281 has not been utilised by the Trust and thus the Trust can not provide any specific feedback relating to RM6281.

4. Supplier Selection and Exclusion:

o Please explain how your Trust lawfully selects certain suppliers while excluding others under the RM6281 framework. What justifications are used for these decisions, and how do you ensure compliance with the framework and procurement regulations?

RM6281 has not been utilised by the Trust and therefore no feedback can be provided.

5. Processes for Supplier Selection:

o Could you outline the process your Trust follows when selecting suppliers for temporary clinical and healthcare staff under RM6281? This should include the decision-making steps for choosing between direct award, further competition, or engaging a neutral/master vendor.

RM6281 has not been utilised by the Trust and therefore no feedback can be provided.

o Please provide contact details for the department responsible for handling legal queries related to procurement under the framework.

Any queries should be submitted to Procurement@nbt.nhs.uk

6. Additional Information:

o The total number of agencies listed under Lot 1 and the rates at which they supply their services.

We do not hold this information. We are not the owner of the Framework. We recommend that the requester instead seeks guidance from the relevant Framework provider – where against RM6281 it would be CCS.

o The name of the master or neutral vendor managing shift allocation.

The Trust is currently in contract with Retinue under a Neutral Vendor basis, where the Trust has compliantly tendered under the HTE Total Workforce Solutions Framework Agreement and not RM6281.

o If your Trust is not using the Workforce Alliance RM6281 framework, please specify which framework is currently in use.

We currently utilise the HTE Total Workforce Solutions Framework Agreement for Nursing and Midwifery; CCS Multidisciplinary Temporary Healthcare Personnel Framework Ref RM3711 for AHP's; and, HTE Total Workforce Solutions Framework for its Medical requirements. However, the Trust is currently out to tender for a Master Vendor solution where the CCS Workforce Improvement Services Framework RM6163 is being utilised.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer
University Hospitals Bristol and Weston NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

Freedom of Information Team
University Hospitals Bristol and Weston NHS Foundation Trust