

**Framework approvals application**

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| **Framework operator** |   |
| **Registered address** |   |
| **Company registration number (if applicable)** |   |
| **Contracting authority** |   |
| **Website address** |   |
| **Framework name** |   |
| **Staff group provision** |   |
| **Self-assessment authorised by:** |  |
| **Point of contact** |   |
| **Job title** |  |
| **Telephone number** |   |
| **Email address** |   |

**Completing the form**

The applicant should complete each section of this application form and supply evidence for each requirement as required.

Applicants should use this form to demonstrate how they meet the conditions. Please embed or hyperlink any supporting evidence in the document and clearly label any accompanying files.

Where supporting evidence cannot be embedded or provided through a hyperlink, documents should be provided electronically and named as follows:

**(date)MMYY-(framework name)-(evidence name)**

Any data required (eg rates cards) should be supplied in an Excel document, and where the applicant has the information stored on several documents they must merge it into one document before sending to NHS Improvement.

Send completed application forms and supporting evidence to NHSI.agencyrules@nhs.net

Framework operators are asked to seek approval from NHS Improvement for all framework agreements that supply agency staff to the NHS.

Framework operators are encouraged to apply using this application form. We have a list of approved framework agreements available on our website which we will keep up to date as approval is given and withdrawn.

We will review applications on an ongoing basis.

Framework operators are required to seek approval for each of their framework agreements that provide agency staff to NHS trusts and foundation trusts and should submit one application form per framework agreement.

We recognise that framework operators may be submitting applications for more than one framework agreement. Evidence of requirements in Table 2 (requirements on framework operators) can be cross-referenced between application forms.

Please see the [framework approvals guidance](https://www.gov.uk/guidance/rules-for-all-agency-staff-working-in-the-nhs) before completing this application form. It sets out the conditions and evidence required for approval.

Framework agreements will be approved where NHS Improvement is satisfied that the framework agreement meets all the conditions set out.

**Authorisation process**

NHS Improvement may contact applicants and request further information or in certain circumstances invite the applicant for teleconference or interview.

Where the applicant fails to provide the further information required either through submission or interview within the required timescales, the application will be considered purely on the information originally provided.

**Table 1: Requirements of the framework agreement**

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| --- | --- |
| Requirements | Evidence |
| Framework agreements must be live and procured in accordance with the EU Public Contracts Directives as implemented by the Public Contracts Regulations 2006 or the Public Contracts Regulations 2015 (the ‘Regulations’) |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| There are transparent and value-for-money rates of pay to the worker and agency fee, with no hidden charges or fees, and with pay to worker identified separately  |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Maximum worker pay rates, at rates specified by NHS Improvement, are contractually embedded into the framework agreements so that the framework agreement (and any call-off terms therein) does not permit any amount paid in excess of these maximum worker rates, other than through the override process.Details of the mechanism for trusts to stay on framework where trusts have to override the NHS Improvement caps to secure a worker on exceptional patient safety grounds, on a shift basis.  |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Framework agreements ensure that the total trust charge for an agency worker per hour is no more than the corresponding NHS Improvement price cap rate throughout the life of the framework. This requirement should also be contractually embedded in the framework agreement (and any call-off terms therein) |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| There is transparency of agencies on the framework, including key subcontractors |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| There is assurance on quality of supply under the framework agreement and control on cost of agency supply under the framework agreement |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Agencies have capability to supply high quality, trained and fully vetted temporary staff and effective framework processes to ensure they maintain NHS-required standards for workers.  |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Framework operators must ensure that agencies on the framework agreements are seeking regular assurances from workers that workers are complying with IR35 legislation when engaging with a trust via a personal service company. Agencies should seek these assurances to be eligible for a place on the framework agreement |  |
| Self-assessment: do you meet the conditions? | Yes/No |

**Table 2: Requirements of framework operators**

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| --- | --- |
| Requirements | Evidence |
| Support trust negotiations with framework agencies and therefore play an important role in promoting trusts and agencies to meet NHS Improvement’s caps as far as possible within the terms and conditions of the framework and more widely, help trusts deliver actual savings on their agency expenditure |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Communicate to trusts the agencies where standard rates are equal to or below the price caps set by NHS Improvement |  |
| Self-assessment: do you meet the conditions? | Yes/No |
| Develop agency comparison tables to ensure trusts can easily understand the rates payable on the framework with different agencies |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |
| Hold agencies to account if they are not meeting the framework rates  |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |
| Have processes for ensuring accessibility, and provide fair and open competition for agencies that wish to join the framework at the point of tender |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |
| Audits/review of invoicing, ensuring management information is high quality and fit for purpose, and separately identifies worker pay and agency fee |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |
| There is robust performance management and monitoring of agencies |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |
| You are willing to work with NHS Improvement to improve transparency and the quality of data on compliance to the agency rules, for instance sharing management information where appropriate. |  |
| Self-assessment: do you meet the conditions? | Yes/No |  |