

NHS England

Framework Agreement for Staff Survey Services

Instructions to Participating Authority

June 2015

Prepared by NHS Business Services Authority acting on behalf of NHS England

NOTICE

This guidance note has been prepared by NHS England for which the National Health Service Commissioning Board is the legal entity.

NHS England has taken reasonable care to ensure that the information provided is accurate in all material respects. However, the Participating Authority's attention is drawn to the fact that no representation, warranty or undertaking is given by NHS England in respect of the information provided. NHS England does not accept any responsibility for the accuracy or completeness of the information provided and shall not be liable for any loss or damage arising directly or indirectly as a result of reliance on this guidance document or any subsequent communication.

No warranties or opinions as to the accuracy of any information provided in this document or otherwise or as to the powers and/or status of NHS England shall be given at any stage by NHS England.

Any person considering making a decision to enter into contractual relationships with a supplier on the Framework on the basis of the information provided should make their own investigations and form their own opinion of the supplier in accordance with the guidance.

This process has been carried out and awarded under the Public Contracts Regulations 2006, as amended.

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This document provides a Participating Authority with clear and concise instructions for awarding contracts in accordance with the terms of the Framework.

Participating Authority should note that this document should be read in conjunction with the other documents as set out in section 5 herein and any other information provided by NHS England.

The following references shall have the following meanings:

- **“Call-off Contract”** means a contract awarded by a Participating Authority to a Supplier following a further competition.
- **“Framework Agreement”** the multi-operator framework agreement to be awarded under this procurement process and in the form of framework agreement at Document 2 and all schedules and appendices attached to the form of framework agreement;
- **“Supplier”** means a Bidder awarded a place on the framework agreement.
- **“Further Competition”** a competition held in accordance with rules established by the framework agreement to select which Supplier is selected by a Participating Authority to perform a call-off contract.
- **“ITT”** means “Invitation to Tender” this ITT which has been issued following the PQQ under which Bidders were shortlisted and invited to submit bids to secure a place upon the framework agreement.
- **“Participating Authority”** means a Contracting Authority entitled to place Orders under this Framework Agreement including the Authority and any other Contracting Authority as set out in the Key Provisions of NHS Framework Agreement for the Provision of Services and as listed in the OJEU contract notice 2015/S 029-049099.
- **“OJEU Contract Notice”** means the notice issued to the Official Journal of the European Union for publication dated 11th February 2015.
- **“NHS England”** means the statutory corporation established by the Health and Social Care Act 2012 as the National Health Service Commissioning Board and shall, for the purposes of this procurement only, include agents and individuals supporting NHS England during the procurement process including the NHS Business Services Authority in their capacity as procurement agent, and individuals supporting the evaluation process.

1 Introduction to the NHS Staff Survey Framework

1.1 *Tender process*

- 1.1.1 NHS England has completed a procurement exercise under Contract Notice (2015/S 029-049099) for the provision of NHS staff survey services.
- 1.1.2 All the providers selected for this framework have met the requirements set out during the tender process and have agreed the maximum rates they can charge under the framework for the provision of their services.
- 1.1.3 NHS England established the Framework Agreements with the successful Bidders and is making the Framework Agreements available for use by or on behalf of NHS organisations and other organisations providing NHS services (as set out in the Contract Notice and herein).
- 1.1.4 Whilst it is NHS England's intention to direct NHS Bodies required to participate in the National HNS Staff Survey to utilise this Framework **it is not a mandated Framework** and NHS Bodies can choose to contract with another provider. Suppliers are aware that appointment to the Framework does not confer any exclusivity.

1.2 *NHS England*

- 1.2.1 NHS England is the operating name of the NHS Commissioning Board for which the National Health Service Commissioning Board is the legal entity.
- 1.2.2 The work of NHS England is monitored and held accountable for the delivery of agreed goals and objectives contained in a range of governing frameworks including: the NHS Constitution, the NHS outcomes framework, and the NHS Mandate (for further information: <http://www.england.nhs.uk>).

2 Background

2.1 *National NHS Staff Survey*

- 2.1.1 NHS England took on the responsibility for commissioning the national NHS Staff Survey from April 2013. The survey was previously owned by the Care Quality Commission and its predecessor organisations from 2003 until 2009 and by the Department of Health from 2009 to 2012.
- 2.1.2 The purpose of the NHS Staff Survey is to collect staff views and experiences of working in their local NHS organisation and to provide information for deriving national and local performance indicators.
- 2.1.3 The NHS Staff Survey provides an opportunity for organisations to survey their staff in a consistent and systematic way. This makes it possible to build up a picture of staff experience and, with care, to compare and monitor change over time and to identify variations between different staff groups. Obtaining feedback from staff, and taking account of their views and priorities, is vital for driving real service improvements in the NHS.

- 2.1.4 The results are primarily intended for use by NHS organisations to help them review and improve staff experience so that staff can provide better patient care. The Care Quality Commission will use the results from the survey to monitor ongoing compliance with essential standards of quality and safety. The survey will also support accountability of the Secretary of State for Health to Parliament for delivery of the NHS Constitution.

3 How to use the framework

3.1 General

- 3.1.1 This guidance is designed to ensure that all Participating Authorities ensure Suppliers are given equal and fair consideration when placing contracts through the Framework.
- 3.1.2 Participating Authorities should read these instructions carefully before commencing a call off process.
- 3.1.3 All standard templates and documents provided shall remain the property of NHS England and shall be used only for the purpose of calling off services under the Framework.
- 3.1.4 NHS England is subject to the greater requirements for transparency across Government operations as updated from time to time. You are hereby formally notified that NHS England may be obliged to publish details of the contracts awarded via the Framework Agreement and will also comply in accordance with the provisions of the Freedom of Information Act 2000 (FOIA), where applicable.

3.2 Your Procurement

- 3.2.1 The full guidance on the call off ordering process is set out in the appended Schedule 7.
- 3.2.2 Direct award or Multi -
- 3.2.3 Define a procurement strategy and scope. Consider whether your requirement is a one off annual requirement or you can set out your on-going requirements over a period of time. Also consider whether it is appropriate to combine your requirement with another Participating Authority to aggregate the same requirement. Suppliers are able to offer a volume discount where it is delivering the same services across a number of Participating Authority's.
- 3.2.4 Plan your time accordingly. Set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the contract and the time needed to submit tenders. You must also factor in an appropriate amount of time to evaluate the responses and prepare the call off contract.
- 3.2.5 Draft your requirements and criteria into a specification proportionate to the value and complexity of your project. Within this document you should set out the procurement timescales and ensure the evaluation procedure (i.e. the criteria, criteria weightings and how it will be scored (i.e. provide a scoring

key) and applied to the questions asked to the suppliers) must be defined prior to the issue of the Further Competition.

3.2.5.1 Example of a Scoring Key:

Assessment	Score	Interpretation
Excellent	5	Exceeds the requirement. Exceptional demonstration by the Bidder of the relevant ability, understanding, resource & quality measures required to provide the services. Response identifies factors that will offer potential added value, with evidence to support the response.
Good	4	Satisfies the requirement with minor additional benefits. Above average demonstration by the Bidder of the relevant ability, understanding, resource & quality measures required to provide the services. Response identifies factors that will offer potential added value, with evidence to support the response.
Acceptable	3	Satisfies the requirement. Demonstration by the Bidder of the relevant ability, understanding, resource & quality measures required to provide the services, with evidence to support the response.
Minor Reservations	2	Satisfies the requirement with minor reservations. Some minor reservations of the Bidder's relevant ability, understanding, resource & quality measures required to provide the services, with little or no evidence to support the response.
Serious Reservations	1	Satisfies the requirement with major reservations. Considerable reservations of the Bidder's relevant ability, understanding, resource & quality measures required to provide the services, with little or no evidence to support the response.
Unacceptable	0	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Bidder has the ability, understanding, resource & quality measures required to provide the services, with little or no evidence to support the response.

3.2.6 Evaluate the Supplier responses in accordance with the criteria issued as part of the specification. The Further Competition Procedure must be conducted to ensure that tenders are evaluated fairly to ascertain the most economically advantageous tender using the Criteria established in accordance with Schedule 7.

3.2.7 The Commercial Evaluation – The Commercial Schedules 6 is available directly from the Suppliers. This will provide details of:

3.2.7.1 The hourly and day rates which are capped through the term of the Framework. Prices provided by the Suppliers must be in line with these rates.

3.2.7.2 The commercial schedule also provides the costs for a standard survey sample size of 850 across (a) Paper Questionnaire (b) Online and (c) mixed mode.

- 3.2.7.3 Details of the volume discount that can be applied when delivering the services across a number of Participating Authorities.
- 3.2.8 Bidders may be requested to clarify aspects of their proposal following the submission of tenders. This may be done using further Q&A or in the form of supplier presentations to clarify aspects of their proposal. In both cases any resulting points of clarification will be used to adjust scores which have been applied prior to clarification.
- 3.2.9 Maintain an audit trail for the call off process. Maintaining an audit trail of the procurement process, evaluation and decision to award a contract is required to respond to any challenges that may occur around the selection of a supplier.
- 3.2.10 The call off process must not be used to establish a mini framework arrangement where services are called off from a retained Supplier. The end result must be a concluded contract which delivers the stated requirements.

4 Supplier Details

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5 Supporting documents:

The following documents can be accessed via the NHS England and Co-ordination websites:

5.1 *Guidance Documents to Award via Framework*

The Participating Authorities must follow this guidance when awarding a contract through the Framework:

- Schedule 7 Ordering Procedure and Award Criteria
- Schedule 7 Annex 1 - Order Form
- Appendix A -Call-off Terms and Conditions for the Provision of Services

5.2 *Background Information on the NHS England procurement Process*

These documents set out the procurement process when establishing the Framework:

- **Contract Notice** 2015/S 029-049099
- **ITT Document 3** 'Statement of Requirements': This contains the specification for the contract, which sets out the scope required of and minimum standards that Bidders will be expected to meet in their tenders.
- **Contract Award Notice**

6 Organisations Accessing the Agreement

As set out in the Contract Notice and the Tender Documents the following Contracting Authorities are entitled to place Orders under the Framework:

- NHS organisations (i.e. Acute Trusts, Ambulance Trusts, Care Trusts, Community Trusts, NHS Hospital Trusts, Mental Health Trusts, Foundation Trusts, Clinical Commissioning Groups, Commissioning Support Units) and other NHS bodies and organisations delivering NHS services (e.g. Social Enterprises) (and their statutory successors and organisations as a result of re-organisation or organisational changes).
- <http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>
- <http://www.nhs.uk/servicedirectories/Pages/PrimaryCareTrustListing.aspx>
- <http://www.nhs.uk/ServiceDirectories/Pages/MentalHealthTrustListing.aspx>
- <http://www.nhs.uk/ServiceDirectories/Pages/CareTrustListing.aspx>
- <http://www.nhs.uk/ServiceDirectories/Pages/AmbulanceTrustListing.aspx>
- <http://www.nhs.uk/ServiceDirectories/Pages/StrategicHealthAuthorityListing.aspx>

- <http://www.nhs.uk/ServiceDirectories/Pages/SpecialHealthAuthorityListing.aspx>
- <http://www.nhs.uk/servicedirectories/pages/ccglisting.aspx>
- <http://www.nhs.uk/ServiceDirectories/Pages/OtherListing.aspx>
- NHS North of England Commissioning Support Unit;
- NHS Cheshire and Merseyside Commissioning Support Unit;
- NHS Greater Manchester Commissioning Support Unit;
- NHS Staffordshire and Lancashire Commissioning Support Unit;
- NHS North Yorkshire and Humber Commissioning Support Unit;
- NHS West and South Yorkshire and Bassetlaw Commissioning Support Unit;
- NHS Arden Commissioning Support Unit;
- NHS Central Midlands Commissioning Support Unit;
- NHS Greater East Midlands Commissioning Support Unit;
- NHS Norfolk and Waveney Commissioning Support Unit;
- NHS Hertfordshire and Essex Commissioning Support Unit;
- NHS North & East London Commissioning Support Unit;
- NHS North West London Commissioning Support Unit;
- NHS South London Commissioning Support Unit;
- NHS South West Commissioning Support Unit;
- NHS Kent and Medway Commissioning Support Unit;
- NHS Surrey & Sussex Commissioning Support Unit;
- NHS South Commissioning Support Unit;
- NHS Central Southern Commissioning Support Unit;
- NHS Business Services Authority.

For the avoidance of doubt, any successor bodies of any of the above entities shall be entitled to place Orders and shall be deemed Participating Authorities for the purposes of this Framework Agreement.

Document ends.