



From Helen Whately MP
Minister of State for Care

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Dear all,

I would like to start this letter by thanking you for your efforts to support the COVID-19 emergency response this year. I am also grateful to our flexible health workforce for their incredible dedication, hard work and commitment during that challenging time.

You may recall the letter I sent back in March, where I asked the agency sector to provide staff efficiently and ensure that they are fully compliant and proportionally remunerated for the time they were willing to give to the NHS during this period of public need. I am delighted to see that the vast majority of agencies honoured this commitment and continued to operate within framework rules.

I want to set out clearly to you, as a sector, that one of our priorities in the NHS is to eliminate off-framework spend. Off-framework spend is not sustainable, not a cost effective use of taxpayers' money and does not create safe care for our patients. If you are committed to the same objectives and want to be part of our supplier community for the future, we look forward to working with you to eliminate off-framework spend by 2022. If this is an area you have previously relied on, now is the time to adjust your market strategies and partner with approved frameworks.

We know that winter is always a demanding time for the NHS – and with the added pressure of COVID-19, this winter will be particularly challenging. We will continue to rely on your efforts and the commitment of the flexible workforce in the coming months. We want to support Trusts to provide the best care for our patients during this time and in order to do so we want to remind you of the following:

- It is vitally important that agency workers are aware of the **coronavirus guidance for NHS staff** found on the NHS England website ¹, and that you take measures to ensure that workers provided to NHS are following government guidance regarding self-isolation.²

¹ <https://www.england.nhs.uk/coronavirus/>

² <https://www.nhsemployers.org/covid19/staff-terms-and-conditions/self-isolation>



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- It is imperative that health professionals are not placed in a setting where they might present a risk to patients or other members of staff. Therefore, **asymptomatic testing will be available for patient-facing-staff in high risk areas**. For more information on asymptomatic testing please visit https://www.nhsconfed.org/-/media/Employers/Documents/COVID19/Asymptomatic_testing_FAQs.pdf?la=en&hash=89F0B326001D31FB88E00696FDFBD83DABC6B608
- During a time where illness and self-isolation may impact many agency workers, **agencies should be mindful of their responsibility to continue to pay statutory sick pay to agency workers, where the agency is the employer.**
- **Escalation of rates during this period, for example under COVID-19 rate cards, will not be accepted** and agencies are asked to commit to managing worker pay expectations and partner with Trusts to support resourcing needs.
- NHS guidance on individual risk assessments for agency and bank workers have been shared with you previously. This assessment ensures that flexible staff can identify support in sometimes unfamiliar workplaces. This guidance is currently being updated and will be published shortly on the NHS website. **It is important to maintain a consistent approach to risk assessments and other requirements across all healthcare providers and the requirements outlined in the guidance are not optional.**
- As always, NHSEI will closely monitor flexible staffing rates across the sector and expect all providers to support the NHS in this time of uncertainty and heightened demand.
- Framework Operators, supported by NHSEI and DHSC, will be meeting Framework suppliers that are seen to be exploiting the situation to either derive excessive margins for themselves, or to offer disproportionate rates to their candidates to gain volume-based strategic advantages.

Our job is to support Trusts to be prepared for what is ahead and to have the resources they need. Our message to them is the same as to you; to ensure quality of care for patients and value for money for tax payers, the supply of staff must be through approved frameworks.

Thank you in advance for your cooperation.

HELEN WHATELY