

Salisbury Managed Procurement Services

S/10353

Framework for the Provision of Apprenticeship Training and
End Point Assessment

October 2023 Opening Framework Response Guide and
Requirements v2.1



Background

Salisbury NHS Foundation Trust's Managed Procurement Services are a long established provider of education and other procurement services across the public and third sectors, assisting over 300 employer organisations, as well as working through national and regional strategic partnerships, delivering specialist knowledge to assist employers in sourcing high quality apprenticeship and end point assessment provision.

Salisbury frequently work in partnership with professional bodies, and NHS trusts, STPs / ICSs, and wider regional systems, as well as organisations such as London Councils, the Association of Directors of Social Services, the Ambulance Chief Executives Association, Public Health England, NHS Leadership Academy and NHS England.

Salisbury also work outside education in areas such as energy, professional services and commercial retail.

Salisbury NHS Foundation Trust are therefore a Contracting Authority within the meaning of the Public Contract Regulations 2015, and are able to make this Framework available to other public organisations listed in the relevant section of this document. Salisbury Managed Procurement Services is a trading name of Salisbury NHS Foundation Trust for the delivery of this Framework and associated services.

This Requirement

This Framework was established in February 2021 to replace the previous Dynamic Purchasing System operated by Salisbury NHSFT.

This Framework operates at two levels - Level One, where any suitably qualified and eligible provider can submit details of all the apprenticeships they offer, and employers can then either direct award or, via Salisbury, conduct a further competition against their local needs. Level Two will be a smaller number of providers for a specific standard, appointed via a Further Competition, using a higher selection criteria published with each ITT.

Both levels of listing are open across all our eligible public and third sector organisations. Level Two listed providers can be selected either by employer direct award or a further competition amongst those listed.

This Requirement document covers the October 2023 opening of the Framework and constitutes Instructions to Suppliers including mandatory requirements.

All Providers must agree to the Framework terms and conditions published as part of the Invitation to Tender (ITT) - amendments to those Terms will not be made for specific providers.

Please note the final selection of providers to award for a specific requirement is a decision for employers and this Framework does not represent a spend commitment by any organisation.

Incorrectly submitted responses will be rejected and the Trust is not obliged to offer an opportunity for suppliers to resubmit correctly.

The framework opens twice a year to allow for the following :

1 - Existing providers to update their course listing (using the Excel document issued, previous framework documents will not be considered)

2 - New providers to apply to join the Framework

3 - Existing providers to advise of changes in their status, e.g. contact details or Ofsted rating.

4 - To allow for new standards approved by IfATE to be added to listings, or IfATE amended maximum funding bands to be reflected.

Supplier Eligibility

In order to be approved onto the Framework, providers must :

- Be fully registered on the Register of Approved Training Providers (where offering apprenticeship training provision) and/or the Register of End Point Assessment Organisations (where offering end point assessment).
- Provide (for all programmes) at least one resit for **every** exam, assessment, or module (including repeated years) free of charge, and one retake at End Point Assessment (regardless of appointed EPAO where not integrated)
- Where an Ofsted rating has been issued, this must be Grade 1 (Outstanding) or Grade 2 (Good). Where an Ofsted Monitoring Report has been issued, this must be either for Significant Progress or Reasonable Progress. Organisations with a current rating of "Requires Improvement" or "Inadequate" may not apply.
- Organisations experiencing a reduction in their Ofsted rating / visit to a rating below the above criteria **must notify Salisbury immediately**, and will be suspended from the Framework until their Ofsted rating meets the criteria above. Employers with existing contracts with such providers may continue to order through Salisbury.
- Organisations without a current Ofsted rating / visit may still apply but must meet all other quality criteria.
- Providers must, for each Apprenticeship they are wishing to be listed for, provide details of starts / completions / success and attrition on their Framework Response form. Any provider with more than 50% of their starts on an Apprenticeship who fail to complete that Apprenticeship will not be listed for that standard.
- No Providers offering a cost above the ESFA funding band for the apprenticeship will be listed for that Apprenticeship.
- Where a Standard requires Professional Body approval to deliver, the Provider must either (a) have that approval in place at the time of submitting that Standard onto the framework, or (b) be reasonably expecting to gain that approval before the next scheduled opening of the Framework (and must provide evidence to support this). Where neither of these criteria can be fulfilled, the Provider must wait until the next opening of the Framework to submit that Standard. Where employers / regions run a Further Competition for that standard, providers may respond with a roadmap to professional body accreditation acceptable to the Employers.
- University providers must agree not to use UCAS points or other academic criteria above any listed in the Apprenticeship Standard as selection criteria for any programme, and

must work with employers to accept prior or experiential learning, including bridging programmes, in order to accept learners onto programme.

- Where a qualification/exam is included by the Provider but not mandated in the standard (e.g. accounting membership) the requirement for the Provider to include free resits still applies, and the Provider must also offer the apprenticeship without additional content (meeting the full requirement of the Apprenticeship Standard) should the Employer wish.
- The Provider will always deliver the most recent version of the Apprenticeship Standard as defined by the Institute for Apprenticeships and Technical Education.

Regional / National Delivery

The Framework Response document asks for delivery locations of any face to face / physical delivery of training. Two criteria apply for selection onto the Framework :

- "National" delivery may only be selected by a Provider where they either have a physical location in all of the seven regions listed, or where they will deliver training within every region (e.g. at employer location) without requiring the learner to travel to a location outside of the region in which they are employed, or where the delivery is fully online including online face-to-face teaching (e.g. via MS Teams)
- If a provider requires learners to travel to any location, for any part of the Apprenticeship training, then the provider will only be listed as delivering in that location.
- This does not affect the ability of Employers to select those providers, regardless of where the Employer is based, if they are able to support their learners travelling to the Provider's location.

Award Criteria - Employers

Employers will be able to award to providers either via Direct Award providing all the Framework eligibility criteria are current for that Provider/Standard, or by Further Competition usually supported through the team at Salisbury.

Responding to this Opportunity

The timetable for this opportunity is as follows :

ITT open to Providers and published on Contract Finder	Wednesday 4 th October 2023
Last date for submission of clarification questions	Wednesday 25 th October 2023 at 17:00
Close date for submitted responses	Monday 6 th November 2023 at 17:00
Bidders advised of Outcome	Target within 10 days of submitting response, subject to extension at the Authority's discretion

Opportunities are also advertised on the .gov **Contracts Finder** (<https://www.contractsfinder.service.gov.uk/Search>) We do not notify providers directly of opening dates except where they are already on the Framework, but will not change opening dates, or extend close dates, where suppliers have not received such notification.

Method of Response Submission

Fully completed responses MUST be submitted in accordance with the following :

- Submitted by the close date via email to **BOTH** sft.commercial@nhs.net **AND** simon.dennis@nhs.net
- Submissions MUST be fully completed - the Excel response document MUST have the Completion Instructions, Mandatory, and Bidder Response Apprenticeships (or EPAO tab for End Point Assessment Organisations) tabs completed
- Suppliers not currently on the Framework MUST supply a fully completed Supplier Questionnaire document
- For the Bidder Response Apprenticeships worksheet, bidders MUST use the dropdown "Bidding to Provide" column to indicate where they are offering a standard, and MUST complete all of the required information on each line.
- Bids where the Bidder has applied filters, changed the sort order, or otherwise altered the original content or format, will be rejected.
- The Response **MUST** be saved with a filename in the following convention **only** :
 - S10353_SupplierName_October2023 Response - replacing SupplierName with your organisation name.

Information for Providers

Please note the following conditions apply to this Framework:

1. Contracting Authority - The Contracting Authority will be the organisation(s) listed in the Requirements summary above, depending on the employing Trust for the Learner.
2. Responses and Questions - All responses, bids and questions must **ONLY** be submitted to Salisbury NHSFT via email to simon.dennis@nhs.net and sft.commercial@nhs.net
3. Bidders must not, under any circumstances, approach NHS organisations or other employers with questions or requesting advice during the tender period. This is to ensure all bidders have equality of opportunity. Bidders found to be doing so will be removed from the ITT concerned, and may be removed from the Framework.
4. Terms & Conditions - The successful bidder(s) will be awarded contracts under standard NHS Terms & Conditions issued with the ITT. Bidders' own terms or conditions will not be accepted by the Contracting Authority.
5. Award of Business - All offers on any Procurement are made in good faith and reasonable expectation, however the Contracting Authority retains the right to change indicated student numbers. The Contracting Authority retains the right to make a reduced, or no, award following the outcome of the Competition.
6. Payment for Apprenticeship Training is from the Apprenticeship Digital Account to the Provider. Salisbury NHSFT shall not be liable for any financial sums or values under any circumstances, and the Contracting Authority shall only be liable for additional student fees if agreed and included in the Commercial Schedule of the final contract.
7. Supplier Fee - There is no fee to join, or participate in further Competitions under the Framework. By submitting a bid, suppliers agree to pay Salisbury NHSFT the sum of 1% (one percent) of the value of all business they are awarded following a Competition, excluding VAT. Please note this fee CANNOT be included in training course costs, and CANNOT be deducted from the training value paid from the student Digital Account.

The full value of training given in the supplier's bid MUST be the value they deliver to the student. The Activity Based Charge is payable in full following the commencement of the learner(s) on programme.

Framework Scope & Eligible Organisations

The Contracting Authority expressly reserved the right (i) not to award any contract as a result of the procurement process commenced by publication of this notice; and (ii) to make whatever changes it saw fit to the content and structure of the tendering competition; and in no circumstances will the Contracting Authority be liable for any costs incurred by the candidates.

The awarding of a place on the Framework does not mean that there is any guarantee of subsequent contracts being awarded. Any expenditure, work or effort undertaken prior to contract award is accordingly a matter solely for the commercial judgement of potential suppliers. Any orders placed under this Framework will form a separate contract under the scope of this Framework between the supplier and the specific requesting other contracting body. The Contracting Authority and other contracting bodies utilising the Framework shall only use electronic portals during the life of the agreement.

Any values that have been provided are only an estimate. We cannot guarantee to suppliers any business through this framework agreement.

The Framework has been established by Salisbury NHS Foundation Trust, for use by the following bodies (and any future successors to these organisations):

The following Contracting Authorities are entitled to place Orders:

Salisbury NHS Foundation Trust and all bodies listed below :

Central Government Departments, Local Government and Public Corporations :

<https://www.gov.uk/government/organisations>

Please note Central Government departments may be subject to Government Digital Service approval before using the Framework Agreement.

Local Authorities (England and Wales)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791684/List_of_councils_in_England_2019.pdf

National Parks Authorities

<https://www.nationalparks.uk/about-us>

Educational Establishments in England and Wales, maintained by the Department for Education including Schools, Universities and Colleges listed :

<https://www.compare-school-performance.service.gov.uk/schools-by-type?step=default&table=schools®ion=all-england&for=secondary>

Police Forces listed by the College of Policing, plus Police Scotland and Police Service of Northern Ireland

https://www.college.police.uk/About/Copyright_Licensing/Pages/Home-Office-police-forces.aspx

Police Forces and Special Police Forces in the United Kingdom, and/or Police and Crime Commissioners (as defined by the Police Reform and Social Responsibility Act 2011) and/or the Police Authorities (as defined in the Police Act 1964, Police Act 1996, Serious Organised Crime and Police Act 2005, Police and Justice Act 2006, Police, Public Order and Criminal Justice (Scotland) Act 2006), and other relevant legislation for the constituent parts of the United Kingdom, for their respective rights and interests

Fire and Rescue Services in the United Kingdom

<http://www.fireservice.co.uk/information/ukfrs>

<http://www.nifrs.org/areas-districts/>

<http://www.firescotland.gov.uk/your-area.aspx>

NHS Bodies England

<http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/CCGListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/MentalHealthTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/CareTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/AreaTeamListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/SpecialHealthAuthorityListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/OtherListing.aspx>

Hospices in the UK

<https://www.hospiceuk.org/about-hospice-care/find-a-hospice?gclid=CPLU3cD7zdECFdaRGwodNeoDyw>

Registered Social Landlords (Housing Associations)

<https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>

Third Sector and Charities in the United Kingdom

<http://www.charitycommission.gov.uk/find-charities/>

<http://www.oscr.org.uk/search-charity-register/>

<http://www.charitycommissionni.org.uk/charity-search/>

Citizens Advice in the United Kingdom

<http://www.citizensadvice.org.uk/index/getadvice.htm>

www.cas.org.uk

<http://www.citizensadvice.co.uk/>

Any corporation established, or a group of individuals appointed to act together, for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and (i) financed wholly or mainly by another contracting authority listed above in this section of this Framework Agreement;

(ii) subject to management supervision by another contracting authority listed above in this section of this Framework Agreement; or

(iii) more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, are appointed by another contracting authority listed above in this section of this Framework Agreement

(iv) an association of or formed by one or more of the Contracting Authorities listed above in this section of this Framework Agreement

Entities which are not public sector bodies may also use the Framework Agreement if the Authority is satisfied that:

- such entity is calling-off goods and/or services directly, solely and exclusively in order to satisfy contractual obligations to one or more public sector bodies, all of which are entitled to use the Framework Agreement on their own account;
- all goods to be called-off by it are to be used directly, solely and exclusively to provide goods and/or services at sites occupied by such public sector body(ies); and
- it will pass the benefit of the call-off contract to such public sector body(ies) directly, in full and on a purely “pass-through” basis. Accordingly there must be no mark-up, management fee, service charge or any similar cost solely in relation to the supply of goods and/or services imposed on the relevant public sector body(ies), who must be able to benefit from the terms of the Framework Agreement in a like manner and to the same extent as if using the Framework Agreement on its/their own account.

Any ‘bodies governed by public law’ which under the Public Contracts Regulations 2015 means bodies that have all of the following characteristics

(a) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(b) they have legal personality; and

(c) they have any of the following characteristics:–

(i) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;

(ii) they are subject to management supervision by those authorities or bodies; or

(iii) they have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

This Framework is valid for four years, ending 23:59 on 31 March, 2025. Employers may enter into contracts which extend beyond the lifetime of the Framework – no maximum is set by the Framework for the length of that subsequent contract. All subsequent contracts under the Framework are non-exclusive and do not form a minimum financial commitment by the Contracting Authority(ies).

Contracting Process – Awarded Suppliers

All contracting and ordering is managed via DocuSign. There are two separate types of contract if a supplier is awarded a place on the Framework :

- The Framework contract between the Supplier and Salisbury, which governs the operation of the Framework
- The contract with individual employer organisations – this is only issued when an order is placed with Salisbury by the employer.

Framework suppliers **must, at all times** following the ordering and contracting process outlined in the Framework Terms & Conditions – including **not issuing their own contracts at any time** to employers. Supplier's contracts are able to be embedded into the Employer Contract issued by Salisbury via DocuSign. Suppliers found to be issuing their own contracts direct may be removed from the Framework, therefore it is essential that Suppliers ensure those managing contracts in their organisation are aware of how the process works.

Suppliers MUST obtain an order number for all enrolments, including cohorts subsequent to the first starters.

The ordering process is shown below, but in summary :

- The employer sends an order form to Salisbury, outlining standard(s), estimated learner numbers (not contractual), price agreed with the supplier (maximum, may be reduced by RPL), and the start dates agreed by the Supplier (example below)

Employer Organisation Details Employer MUST complete		Education Provider Organisation Details Employer MUST complete	
Organisation Full Legal Name – MUST match your DAS account name		Organisation Full Legal Name MUST match their DAS account	
Employer Address		Provider Address	Do not complete – completed on DocuSign when issued
Employer Contact Name		Provider Contact Name	
Employer Contact Email		Provider Contact Email	
Contract Signatory Name			
Contract Signatory Email			

Employers – all GREEN sections on this form must be completed please. We cannot accept "tbc" etc instead of dates – the month of planned start is needed.				
Apprenticeship Standard No *	Apprenticeship Standard Title	Max Cost per Learner inc EPA	Estimated Number of Learners	Learner / Cohort Start Date

Employers: Please send a copy of this form to simon.dennis@nhs.net when your training provider is aware of your requirement. **DO NOT RETURN IN ANY FORMAT OTHER THAN WORD (NO PDFs PLEASE)** **Providers:** This Call-off is not valid until you receive an issued number and Employer Contract. All subsequent enrolments are covered by Framework Terms & Conditions at all times and you MUST NOT issue your own Terms & Condition or ask employers to agree to your Terms in any documentation.

Salisbury NHSFT Use Only				
Issued URN Number	URN Issue Date	New contract issued?	Or existing contract number	Salisbury Competition/Framework No

SIGNATURE FIELDS ARE COMPLETED VIA DOCUSIGN WHEN ISSUED – PLEASE DO NOT COMPLETE MANUALLY

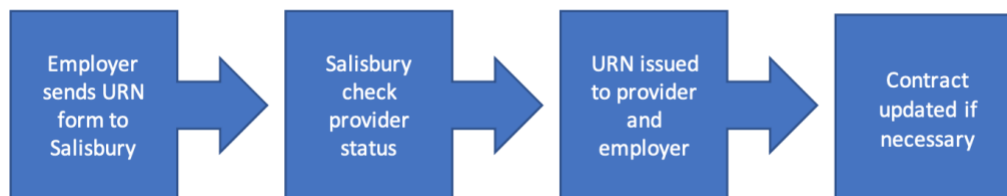
Employer Signature	Date	Provider Signature	Date

- Salisbury allocate an order number, and issue (a) the order form and (b) an employer contract if one is not already in place. Order forms go to both employer and supplier at the same time, contracts go to the provider first for completion then will automatically go to the employer on provider signature. This is done automatically via DocuSign.
- Employers then enrol learners via the Digital Apprenticeship Service (DAS) system.

First time with provider or new standard with existing provider



New enrolment / cohort with existing provider



Suppliers must report all learner enrolments to Salisbury – including all enrolments subsequent to contract issue whether or not an order number was obtained. This is done via an annual return issued by Salisbury to suppliers, which must be completed within 14 days.

Further Information

For further information, email Simon Dennis at simon.dennis@nhs.net or email sft.commercial@nhs.net