

Salisbury Managed Procurement Services

C1546.390

Framework for the Provision of Education and CPD Training  
(Clinical and non-Clinical) (Non-Apprenticeship)

July 2024 Framework Opening

Supplier Requirements



## Background

Salisbury Managed Procurement Services is part of the NHS. We exist to support organisations across all sectors to educate their workforce, and deliver innovation in renewable energy and carbon reduction infrastructure nationally.

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, 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, NHS England, and the NHS Leadership Academy.

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 replaces C1546.335 (National CPD Framework) and C1546.297 (London CPD Framework). Responses submitted for either of those Frameworks will **not** be carried across to this, and providers on those Frameworks **must** respond to this opening to continue their CPD / Education listing.

The Framework is open across all our eligible public and third sector organisations. Employers may select providers by either Direct Award from the Course Listing, or by Further Competition managed via Salisbury.

In June 2023, the Cabinet Office introduced a new national Supplier Questionnaire (SQ) document across government. For the purposes of public procurement, NHS organisations are classed as central government bodies. Suppliers applying to this framework (C1546.390) for the first time **must** complete the SQ document or, if they have already completed the **new** (March 23) SQ for other authorities or electronically, may submit a copy of that with their Framework response. Organisations listed on the Framework from the 2022 opening need not complete the SQ document.

Within the SQ, reference is made to suppliers with £5m or more spend across government (e.g. Carbon Reduction and Social Value sections). When assessing if you need to reply to those questions, this is your **total** spend across that sector, including all NHS organisations aggregated. You may not break spend down into individual organisations in order to avoid answering the relevant sections.

All Providers must agree to the Framework terms and conditions published – amendments to those Terms will not be made for specific providers.

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

This Requirement is for the July 2024 opening of the Framework, to allow for the following :

- 1 - Existing providers to update their course listing (using the Excel document issued **only**)
- 2 - New providers to apply to join the Framework

**Please note** All required columns on the Response Spreadsheet **must** be completed, **and** the Instructions and Mandatory tabs must be fully completed. Any bid returning an incorrect or incomplete response will be rejected without the opportunity to resubmit.

### Supplier Eligibility

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

- Provide (for all programmes) at least one of each and every resit / retake per module / exam free of charge.
- 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 experiencing a reduction in their Ofsted rating / visit to a rating below the above criteria will be suspended from the Framework until their Ofsted rating meets the criteria above.
- Organisations without a current Ofsted rating / visit may still apply but must meet all other quality criteria.
- Providers must agree to hold maximum prices listed until at least September 2025.
- Where a programme 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. 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 as selection criteria for any programme, and must work with employers to accept prior or experiential learning, and bridging programmes, in order to accept learners onto programme.

### 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.
- If a provider requires learners to travel to any location, for any part of the training, then the provider will only be listed as delivering in that location. **Do not** list neighbouring regions if you do not have a presence (e.g. if you are based in London, do not also select South East unless you have additional premises **and** deliver that programme in those premises.
- 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 or by direct employer invitation.

### Timetable

Opportunity advertised / open on Contracts Finder	Monday 1 <sup>st</sup> July 2024
Last date for Provider Questions	Monday 22 <sup>nd</sup> July 2024 Please do not send clarifications requesting T&C changes as amendments will not be made except to correct any errors.
<b>Close Date for Completed Submissions</b>	<b>Monday 5<sup>th</sup> August 2024 at 17:00</b>
Outcomes advised to providers	Ten working days from application (subject to change)

Opportunities are also advertised on the .gov **Find a Tender portal** ( <https://www.gov.uk/find-tender>) and Contracts Finder. 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](mailto:sft.commercial@nhs.net) **AND** [simon.dennis@nhs.net](mailto:simon.dennis@nhs.net)
- Submissions **MUST** be fully completed - the Excel response document **MUST** be correctly completed.

- 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** :
  - C1546\_390\_YourSupplierName\_July 2024 Response

### 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 [sft.commercial@nhs.net](mailto: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 courses will be from the relevant employer only. 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 passed back to the Employing Authority in any way. 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](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&region=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](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-](https://www.hospiceuk.org/about-hospice-care/find-a-hospice?gclid=CPLU3cD7zdECFdaRGwodNeoDyw)

[hospice?gclid=CPLU3cD7zdECFdaRGwodNeoDyw](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.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, 2026. 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. This may be on an annual anticipated spend basis.

### Employer Provider Selection Criteria

The framework allows for Direct Award by employers (buying organisations) in the following circumstances :

Provider Scenario	Direct Award Permissible	Further Competition Required
Only one provider on Framework for the required standard	Yes	No
Face to face delivery required, only one provider offering in employer's region	Yes	No
Online delivery required, only one provider on Framework	Yes	No
Multiple providers on framework, only one meets employer's set criteria (e.g. Ofsted Grade 1, success rates above required percentage, etc) which must be disclosed to suppliers	Yes	No
Multiple providers on framework offering same delivery method	No	Yes

- The provider listed is the only provider on the framework offering the required Apprenticeship (based on provider's framework listing submissions), or the only provider already selected by a Higher Level (further competition) procurement and listed in that Profession Specific guide, or
- Where the employer requires face to face delivery, the provider is the only one on the framework listing the relevant Delivery Region, or
- Where the employer has a set reasonable travel distance for learners, the provider is the only provider on the framework meeting that distance criteria (which should be transparent and the rationale clear for selecting the distance), or
- Where the employer has selected a reasonable first threshold (for example, Ofsted rating or Apprenticeship Success rate), the provider is the only provider on the framework meeting that criteria. Such criteria must be transparent and may not be set so as to exclude or disadvantage other suppliers.
- The rationale for any direct award must be open and transparent, and must be within the Standing Financial Instructions / Procurement Rules of the buying organisation.

Where the above criteria are not met, a Further Competition will need to be conducted involving all providers on the framework who (a) meet the regional delivery requirements in which the buying organisation is based, and (b) all providers listing national delivery of the apprenticeship. This process can be supported / managed by Salisbury, and must be compliant with the Public Contract Regulations 2015, Section 33, Regulation 8(b).

### Buying Organisation Reminder - Public Contract Regulations 2015

Buying organisations and suppliers are reminded that at all times the liability for the selection decisions of the buying organisation rests with that organisation, and at no time shall Salisbury

NHSFT be liable for any consequences arising from those decisions. Buying organisations must publish their award decisions within 30 days in line with the Public Contract Regulations 2015.

Guidance regarding award of contracts under framework agreements, as per the [Public Contract Regulations 2015](#)

- When the terms of a framework agreement are not precise enough to directly award a contract under Regulation 33(7) or 33(8)(a), the Buyer must run a further competition, as per Regulation 33(8)(b) or 33(8)(c).
- When the terms of a framework agreement are precise enough to directly award a contract, the Buyer must award the contract to the top ranked supplier in accordance with the assessment of award criteria when the framework agreement was established, or in accordance with any pre-prescribed rules (call-off protocol) regarding the use of catalogues, or reassessment of award criteria based on requirements configuration variations. For further information about awarding contracts under our frameworks please contact [sft.commercial@nhs.net](mailto:sft.commercial@nhs.net)