

Trust Headquarters
Russell's Hall Hospital
Dudley
West Midlands
DY1 2HQ

Ref: FOI-082024-0001087

Date: 19/09/2024

Address / Email:

Dear

Request Under Freedom of Information Act 2000

Thank you for requesting information under the Freedom of Information Act 2000.

Request

- Compliance with Public Contracts Regulations 2015:** Please provide information on how the Trust ensures that the awarding of contracts under Lot 1 of the Workforce Alliance RM6281 framework adheres to the Public Contracts Regulations 2015.
- Non-discrimination and Fairness:** How does the Trust ensure that it does not discriminate or act unfairly towards suppliers when selecting contractors under this framework?
- Supplier Invitation:** Does the Trust invite all approved suppliers under the framework to bid or supply services, as stipulated by the framework's rules? If so, could you provide evidence or examples of this process in practice?
- Supplier Selection Process:** Please outline the legal justification the Trust uses when selecting certain suppliers while excluding others under the Workforce Alliance RM6281 framework.
- Compliance with Selection Criteria:** Could you explain the process by which suppliers are selected under the framework, particularly concerning ensuring compliance with the selection criteria set out in the Workforce Alliance RM6281 framework and the Public Contracts Regulations 2015?
- Further Competition Process:** Could you describe the process your Trust follows for further competition under the Workforce Alliance RM6281 framework? Specifically, do you use direct awards, or do you invite suppliers for further competition for Lot 1? Please provide evidence to support your response.
- Evidence of Compliance:** Kindly provide any documentation or evidence demonstrating how the Trust ensures compliance with the aforementioned regulations and framework rules when awarding contracts under Lot 1 for the provision of temporary nurses and clinical staffing.
- Legal Queries and Proceedings:** Please provide contact details (department and individual, if available) for submitting legal queries or initiating legal proceedings related to procurement processes under this framework.

Response

"Lot 1 of the referenced Framework in the FOI is linked to Nursing and Midwifery supply. The Trust Nursing and Midwifery agency requirements are actually procured via the HealthTrust Europe Total Workforce Solutions II Framework Agreement, rather than RM6281.

The Trust are part of a collaborative known as the 'West Midlands Cluster'. The Framework provider supported the process of supplier identification and 'Tiering' within the structure based upon a standardised rate card for acceptance to be part of the award."

If you are dissatisfied with our response, you have the right to appeal in line with guidance from the Information Commissioner. In the first instance you may contact the Information Governance Manager of the Trust.

Information Governance Manager
Trust Headquarters
Russell's Hall Hospital
Dudley
West Midlands
DY1 2HQ
Email: dgft.dpo@nhs.net

Should you disagree with the contents of our response to your appeal, you have the right to appeal to the Information Commissioners Office at.

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
www.ico.org.uk

If you require further clarification, please do not hesitate to contact us.

Yours sincerely

**Freedom of Information Team
The Dudley Group NHS Foundation Trust**