



Scottish Procurement

Temporary and Interim Staff Services

Buyer's Guide

Direct Buy Frameworks

These framework agreements include the provision of temporary staff services in the following categories:

Administrative

Temp Admin North

Framework Ref: SP-13-016

Temp Admin East

Framework Ref: SP-13-017

Temp Admin West

Framework Ref: SP-13-018

Catering and Manual

Temp Catering and Manual North

Framework Ref: SP-13-019

Temp Catering and Manual East

Framework Ref: SP-13-020

Temp Catering and Manual West

Framework Ref: SP-13-021

Introduction

Located within the Scottish Procurement and Commercial Directorate (SPCD) of the Scottish Government, Scottish Procurement aims to deliver benefits to the people of Scotland through improved value for money for taxpayers and improved goods and services for all our citizens. We achieve this via effective collaboration with our customers throughout the procurement cycle and by developing strategies that contribute to the Scottish Government's purpose of sustainable economic growth.

Start date

These framework agreements started on the 13 April 2015 and are due to expire on 12 April 2019.

Scope of the frameworks

The new framework agreements cover temporary staff service requirements only permanent and fixed term recruitment **are not** included within the scope of these frameworks).

The following categories/roles are included:

- Administrative staff
- Catering and manual staff

There are six individual direct buy frameworks with three suppliers on each, split into three regions; North, East and West Scotland. Framework public bodies using the frameworks should contact the supplier(s) listed in their region. The table below indicates the suppliers by region and role type (contact information for each supplier is also available within this guide.)

Region	Temporary Administrative Staff Services Frameworks x 3	Temporary Catering and Manual Staff Services Frameworks x 3
North	1. Pertemps 2. Brightwork 3. ASA	1. Pertemps 2. ASA 3. Brightwork
East	1. Pertemps 2. Brightwork 3. ASA	1. Pertemps 2. Brightwork 3. ASA
West	1. Pertemps 2. Brightwork 3. ASA	1. Pertemps 2. Brightwork 3. ASA

How to use the direct buy frameworks

Prior to using any of the direct buy frameworks, framework public bodies should contact the supplier contact(s) listed and arrange an introductory meeting to discuss their individual organisational requirements **prior** to the first order being placed (this can be via a conference call with all suppliers present if preferred). At this initial meeting framework public bodies should discuss with suppliers the following requirements:

- Typical job roles;
- Timeframes of temporary staff requirements;
- HR policies and the application of the Agency Workers Regulations as appropriate;
- Security and background check and Disclosure levels required;
- List of individuals who can place orders;
- Ordering procedures;
- Invoicing procedures;
- Management information requirements (type, content and frequency).

Framework public bodies and suppliers should agree the following:

- The start date from when users will start placing orders;
- The nominated account manager within the supplier and nominated main contact within the framework public body;
- Escalation procedures for both parties.

These are **ranked solution** frameworks. This means that generally organisations must always go to the first ranked supplier in their region and then work their way down the list in order, if the first supplier cannot meet their specific requirements. However there is the option where appropriate, for the recruiting manager to run a mini competition inviting **all three** framework suppliers, if they think this approach would achieve a more effective outcome. If running a mini competition **all three** framework suppliers must be invited **and** informed that a mini competition is being undertaken; the best way to ensure consistency of approach whilst running mini competitions is to use the quick quote functionality on PCS.

Note: It is the responsibility of the buyer or buying organisation to ensure that they adhere to the respective HR policies that are in place, for their organisation, in relation to the procurement of temporary/interim staff services. NOTE:- for Scottish Government please refer to the [policies](#) – if you are in any doubt please contact your organisation's HR Division/Team.

Pricing information:

Wage rates

Agreed wage rates are not specified as part of these framework agreements. Framework public bodies have a choice, they can either:

- a) include a proposed **hourly** wage rate or **hourly** rate range they would be willing to pay when inviting CVs from Suppliers, or
- b) let the market determine the **hourly** wage rate for each specific requirement.

Commission rates

The commission rates for each framework are **fixed fees**, set at the tendering stage of the process. These will remain unchanged for the duration of these framework agreements.

Total hourly rate

Framework public bodies are advised to ask suppliers to provide a breakdown of the total hourly rate which they will be paying for the temporary worker. This will then highlight the total being paid including hourly wage rate, commission rate etc.

Framework public bodies may also wish to consider their own HR policies with regard to payment of the Living Wage and factor this in as appropriate.

Full framework terms and conditions and commission rates for each framework can now be found on [Knowledge Hub](#). Framework public bodies utilising these frameworks should make themselves familiar with this information, prior to placing any orders under these frameworks.

If you are not registered to access this site and are eligible to use the framework [please complete the attached template](#) and send to the Scottish Procurement contact detailed above.

Please note that any information obtained via the Knowledge Hub site (such as framework agreement documentation, framework terms and pricing) must be treated as commercially confidential and must not be shared with anyone outside your organisation without the prior approval of Scottish Procurement.

Other framework information:

IR35: off-payroll working

From 6 April 2017, there are changes to the rules governing off-payroll working in the public sector. [Where the rules apply](#), people who work in the public sector through an intermediary, typically a Personal Service Company (PSC) will pay employment taxes in a similar way to employees. For the purpose of this reform, a public authority means a public authority as defined for the purposes of the Freedom of Information Act 2000 and the Freedom of Information (Scotland) Act 2002.

Temporary and interim workers may need to follow the HMRC IR35 legislation if they work for a client through an intermediary. The intermediary can be:

- their own limited company
- a service or personal service company
- a partnership

If requested by a supplier you must assess the assignment for IR35. To help you assess if IR35 is applicable to the role you are recruiting into the [Employment Status Indicator \(ESI\) test](#) should be completed for each assignment. The test result must then be attached to your annex A, below in order to give notification to each recruitment agency.

Public bodies should retain a copy of the test result for audit purposes.

It is strongly recommended that the assessment of roles is made by line managers who are permanent members of staff; and that processes are in place to ensure assessments have been undertaken.

Sustainability and community benefits

Listed below are some of the key areas framework suppliers address in relation to sustainability and community benefits issues:

Pertemps

- Environmental – Pertemps actively aim to reduce levels of energy and fuel consumption and promote waste recycling
- Use of electronic invoicing and technology, for example, video conferencing
- Social - promoting careers in the temporary and interim staff industry and providing training opportunities to staff to achieve qualifications
- Community - Pertemps were proudly awarded the highest MOD ranking gold status for the proactive work that we do in finding employment for current and ex service personnel
- Supporting local communities for example, sponsorship of local clubs and working with social enterprises to support service delivery

Brightwork Ltd

- Use of electronic invoicing, timesheets and payslips, use of technology where possible for meetings in remote areas, for example, use of video conferencing, and development of an online registration process
- Supporting green travel policies
- Attending job's fairs and community events promoting temporary and interim working as a viable and worthwhile career.
- Actively recruiting school leavers to work in their permanent workforce
- Supporting local clubs and an annual nominated charity

ASA Recruitment

- Compliance with Human Rights and Health and Safety
- Payment of the Living Wage
- Code of Conduct - ASA is member of the REC (Recruitment and Employment Confederation), their Managing Director was the Scottish Chairman for REC for Scotland for three years
- Social - ASA is proud to support local community projects as well as a range of deserving and charitable causes.
- Community - ASA provides free support to jobseekers from the local communities in terms of acquiring job market skills

Agency Workers Regulations (AWRs)

All organisations which use temporary workers need to be aware of The Agency Workers Regulations (AWRs) 2010 and how this may affect the temporary workers procured via the frameworks. Scottish Procurement has requested that the framework suppliers work with each individual organisation to understand their requirements and to implement the most suitable solution for them regarding AWRs. Please tie in the suppliers concerning this issue **prior** to placing any orders via these frameworks.

Disclosure and PVG Scheme

Framework public bodies using these frameworks need to set out their own security requirements with suppliers, whether this is Basic Disclosure, Protecting Vulnerable Groups (PVG) clearance or other security clearance. The latest information on PVG can be found on the [Scottish Government website](#).

Framework and contract management

Scottish Procurement will manage the framework agreements at a strategic, framework level. This incorporates a number of activities including management of supplier performance issues, collating management information for all the frameworks, coordinating feedback, supplier reviews, user feedback groups and escalations.

Framework public bodies **must** manage all contracts awarded via these frameworks at a local level and deal with day to day supplier issues with a view to resolving these locally in the first instance. Scottish Procurement will act as the escalation point should local resolution prove unsuccessful.

Framework public bodies using these frameworks **must** request their own management information and hold regular meetings with the suppliers as necessary. Framework suppliers are aware of the need to supply management information to framework public bodies as part of agreed framework terms and conditions.

Scottish Procurement contacts

David Bilton
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Supplier contact details – Temporary Administrative and Catering and Manual Staff Services

Please first check the role and region where you are located. The table below includes the initial supplier contact. You will be allocated an account manager for your organisation by the supplier, to whom all future correspondence should be directed.

Supplier	Contact	Phone Number and email address
ASA	Hilary Bisset	Phone: 0131 226 6222 Email: hbisset@asarecruitment.co.uk
Brightwork	Louise Brennan (Catering & Manual Roles) Emma Clift (Admin Roles)	Louise Brennan Phone: 0141 272 8106 Email: scotgov@brightwork.co.uk Emma Clift Phone: 0141 272 8108

		Email: scotgov@brightwork.co.uk
Pertemps	Alan Paterson Nicola Barr (Account Director)	Phone: 0131 225 7531 Mobile: 07581 571010 Email: alan.paterson@pertemps.co.uk Phone: 0131 225 7531 Email: nicola.barr@pertemps.co.uk

Order forms

Once initial contact has been made with the supplier(s), an introductory meeting has been held, and a start date for using the frameworks has been agreed, framework public bodies can start placing orders. As indicated above, the following order forms/templates (annex A) is available for framework public bodies to use should they wish to do so.

Please note that Scottish Government core directorates should refer to HR temporary recruitment guidance on [Saltire](#).

Contract award

Buyers are reminded of the obligations contained in the [Procurement Reform \(Scotland\) Act 2014](#) in relation to the award of contracts valued equal to or greater than £50,000.00 including those awarded as a result of a framework call-off/mini competition.

In particular, Buyers should note that in accordance with [Section 23\(2\)](#) the award of contracts must be publicised on the Public Contracts Scotland website and in accordance with [Section 35](#) contracts must be registered in the contracting authority's "contracts register".

Annex A

Part A - order form – to be completed by the framework public body

Scottish Procurement Collaborative Framework Agreement for Temp Staff Services	[Insert framework name and region, for example, temporary admin, North]
Organisation name	
Contact name	
Contact telephone number	
Contact email	
Contact address	
Invoice address (if different)	
Order number	
Order date	
Requirements	
Purpose:	[Insert name of customer organisation] is looking to award a contract for the provision of a [insert job title] to commence on insert date for insert days/ months If contract extensions are likely, include option extension period(s) Please also specify proposed notice period.
Specialism / job title	
Description of role	
Date(s) and times of supply of service	[for example, 9.00 am to 5.00 pm, Monday to Friday)
Hourly rate £	[You can decide if you prefer a fixed rate, a rate range, a rate maximum, or let the market dictate the rate]
Normal place of work	
Any travel required	
Essential skills, competences or qualifications	
Desirable skills	
Required Level of security clearance / background check	[Each organisation should insert their own requirements.]
Any other security requirements	

Proposed start date and time	
Indicative end date and time	
Is this assignment in scope of IR35 legislation? Yes/No?	Note: If yes, recruiting manager to attach IR35 test results for suppliers. A copy should also be retained for audit purposes
Management Information Requirements	[Insert proposed management information required and frequency and date due (If required)] An example format for MI , please feel free to use this
Invoicing procedures	[Insert details of organisation's invoicing procedures]
HR procedures	[Insert details of organisation's specific HR policies and procedures relevant to the role]
Deadline for responses / CVs	
Name and title	[Insert customer name and title]
Signature	
Date	

Part B – order form response – to be completed by the supplier

Scottish Procurement Collaborative Framework Agreement for Temporary Staff Services [Insert framework name and region]			
Supplier name			
Supplier telephone			
Supplier email			
Number of CVs enclosed			
Candidate Information	Candidate 1	Candidate 2	Candidate 3
Is the candidate able to start on the required date			
Has the candidate passed all required security requirements (exc BPSS)			
Hourly rate			
Commission rate (as determined in the framework agreement)			
Name	[Insert supplier name]		
Signature			
Date			

Part C – framework public body acceptance letter template

(ENTER PUBLIC BODY NAME) (ENTER FRAMEWORK NAME) FRAMEWORK AGREEMENT

(ENTER ROLE)

PURCHASE ORDER REFERENCE NUMBER: (enter PO Number)

Dear

Thank you for your proposal dated **(enter date)**. We are pleased to confirm acceptance of **(enter candidate name)**, at an hourly rate of **£ (enter rate)** excluding VAT.

The documents listed below shall be deemed to form and be read and now be construed as part of the contract:

- **(Enter public body name) proforma letter of (enter date of invitation);**
- **(enter framework supplier name) proposal of (enter date of proposal from framework supplier)**
- **Framework terms for (enter framework title and reference)**

The contract shall commence on **(enter date)** (subject to BPSS clearance where required) and end on **(enter proposed end date)**, ***with the option to extend for a further X days/weeks/months if required** unless the contract is terminated in accordance with the terms and conditions of the above referenced framework agreement.

The value of this contract shall not exceed **£ (enter value)** (excluding VAT) for the initial term.

Any extensions must only be actioned once clearance from HR has been given.

The maximum value of this contract, including the use of any extension periods, shall not exceed **£ (enter value)** (excluding VAT)

You are reminded that any replacement of the temporary worker shall be subject to the approval of the client. Such replacement shall have, at least, equivalent qualifications, skills and experience to the temporary worker being replaced and shall be fully competent to carry out the responsibilities of that person in relation to the services.

Please note that your contact for this contract is the line manager as per the proforma letter. **Please acknowledge receipt of this Award Letter by return.**

* delete as appropriate

Yours sincerely

Signed for on behalf of (**enter supplier name**);

Signature:		Position:	
Name:		Date:	