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Date: 23 June 2023  
Our ref: K: FOI/Ref: 2023-000182  
Email: [nss.pcf-foi@nhs.scot](mailto:nss.pcf-foi@nhs.scot)

Dear [REDACTED]

**Freedom of Information Reference: FOI-2023-000182 – Procurement of Nursing Agencies**

I refer to your freedom of information request that we received on 25 May 2023. I can advise you that we have now completed the search of our records and can provide you with the following information:

- 1. Please provide a full list of contracts advertised by NSS to procure nursing agencies providing registered nurses. Please cover the period of the past 5 years and provide the breakdown for each year separately. Please include the dates of when the contracts were initially advertised and what were the lengths of the contracts?**

Under Section 25 of the Freedom of Information Scotland Act 2002 (FOISA), NHS National Services Scotland (NSS) are exempt from supplying the requested information, as this information is already publicly available at Public Contracts Scotland.

We can direct you to the previous Contract Notice which is available at [View Notice - Public Contracts Scotland](#). The advert was published on 27/03/2018, Reference No: MAR314760, Temporary Agency Nurses & Operating Department Practitioners and was for a duration of 3 years plus 2 x 12-month optional extension period. A new Contract Notice is also available at [View Notice - Public Contracts Scotland](#). The most recent advert published was dated 26/05/2023, Reference No: MAY479502, Temporary Agency Nurses & Operating Department Practitioners and will be for a duration of 3 years plus 2 x 12-month optional extension period.

- 2. Based on question number 1 can you please provide the list of successful nursing agencies for each of the contracts?**

Under Section 25 of the Freedom of Information Scotland Act 2002 (FOISA), NSS are exempt from supplying you with the requested information, as this information is already publicly available at [View Notice - Public Contracts Scotland](#). See Contract Award Notice for successful suppliers, Temporary Agency Nurses & Operating Department Practitioners Reference No: OCT332700.

- 3. How long does it take on average to complete the process of registering a nursing agency with the NSS procurement department and what stages does the process involve?**

Under Section 17 of the Freedom of Information Scotland Act (FOISA) an organisation does not require to provide information if it does not hold that information. NHS National Services Scotland (NSS) does not hold this information. NSS does not register nursing agencies. We create a contract



**Headquarters**

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Chairperson Keith Redpath  
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notice with a link to a tender, which is open for a minimum of 30 days where agencies can submit their bids. This then goes through an evaluation process before being awarded, once the 30-day window closes agencies cannot be added to the framework.

**4. Are prospective nursing agencies required to respond to the new contracts advertised on the NSS procurement website or could they directly approach the NSS with their offer?**

Nursing Agencies must respond via the Public Contracts Scotland website to the contract notice/tender during the 30 days.

**5. What requirements do nursing agencies have to meet in order to be successfully procured by NSS as framework agencies? What requirements do nursing agencies have to meet in order to be successfully procured by NSS as off-framework agencies?**

Under Section 25 of the Freedom of Information Scotland Act 2002 (FOISA), we are exempt from supplying the requested information, as this information is already publicly available. The minimum criteria for the previous and new tender for framework agencies will be available at <https://www.publiccontractsscotland.gov.uk/> using the reference numbers listed above in question 1. The contractual relationship for the placement of staff for all agencies and the procurement for off-framework agencies is managed by the individual Health Boards.

**6. Is NSS responsible for procuring off framework agencies or is the process normally carried out by individual health boards in Scotland?**

Individual Health Boards are responsible for procuring off-framework agencies.

**Is there any guidance on the required minimum size of nursing agencies (in terms of how many nurses they need to employ) in order to be procured as framework and off-framework agencies by NSS as well as health boards Scotland?**

There is no minimum number of employed nurses required for nursing agencies to be part of NSS frameworks.

**Is there any guidance on the required minimum size of nursing agencies (in terms of how many nurses they need to employ) in order to be procured as framework and off-framework agencies by individual health boards Scotland?**

There is no minimum number of employed nurses required for nursing agencies to be part of NSS frameworks.

**7. Please provide information on the sizes of 5 of the smallest nursing agencies procured by NSS in the past 10 years. Please provide information on how many nurses were employed by these agencies at the time of the contract award.**

Under Section 17 of the Freedom of Information Scotland Act (FOISA) an organisation does not require to provide information if it does not hold that information. NHS National Services Scotland (NSS) does not hold this information. NSS does not hold this level of detail regarding the size of nursing agencies as we do not ask for this within the tender.

I trust you will find the information of assistance and if you require any further information, please do not hesitate to contact me.

If you are unhappy with any aspect of how we have dealt with your request, you can make representations to us asking us to review the handling of your request. Please write to the

Head of Information and Cyber Security  
Digital and Security  
NHS National Services Scotland

Headquarters  
Gyle Square  
1 South Gyle Crescent  
Edinburgh  
EH12 9EB

or at the email address [nss.foi@nhs.scot](mailto:nss.foi@nhs.scot) within 40 working days of the date of this correspondence.

If after a review you are still unhappy, you also have the right to apply to the Scottish Information Commissioner, who can be contacted at Kinburn Castle, St Andrews, Fife, KY16 9DS, or via their [online application form](#).

If you have any queries about this letter, please contact me at the above address.

Yours sincerely

