

Report of: Ripple Programme Director, Dr Tony Shannon

Report to: Chief Digital Officer, Leeds City Council

Date: 7th June 2016

Subject: Waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 to award a contract direct to Answer Digital Limited for the provision of up to Code Custodian Services on a call off basis

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report seeks the waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 to award a contract direct to Answer Digital Limited for the provision of up to Code Custodian Services on a call off basis
2. The Ripple Open Source Initiative is a key digital enabler for 21st century health and social care. Ripple is developing an open source integrated care record platform and supporting foundational elements to assist organisations on their care record initiatives, providing a viable alternative, to proprietary solutions .
3. Code Custodian services are key to the quality and integrity of the initiative as interest in the platform from both suppliers/vendors and areas planning related developments/deployments increases.
4. The Ripple OSI code base and related code custodian processes are at a key/formative stage in proceedings. Therefore we advocate that a particular local SME with unique expertise and experience in this field remains in a code custodian role over this transition period

5. Answer Digital, a local Leeds SME are highly qualified for this role and have an in depth knowledge of the Ripple initiative and track record for delivery.
6. There is no internal capacity or capability to deliver this requirement within Leeds City Council.

Recommendations

- 7. The Chief Digital Officer is recommended to approve the waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 to award a contract direct to Answer Digital Limited for the provision of up to Code Custodian Services on a daily call off basis.**

1. Purpose of this report

- 1.1 The purpose of this report is to seek approval to waive Contract Procedure Rules (CPRs) 8.1 and 8.2 and award a contract direct to Answer Digital Limited in the sum of £78,000 in total, without seeking competition. The contract shall commence on 13th June 2016 and expire on 12th June 2017

2. Background information

- 2.1. The Ripple Open Source Initiative is an internationally leading open platform effort in health and social care, based out of Leeds City Council.
- 2.2. Ripple is embracing and celebrating open collaboration, agile development and rapid prototyping of an open health and social care platform – an initiative that we hope will change the way health and social care systems make progress in this field.
- 2.3. Our mission is to:
 - Support the creation of an open integrated digital care record platform (IDCR) for health & social care
 - Improve care to patients by supporting front line staff with better information and tools
 - Support pioneering communities to deploy integrated digital care records
 - To leverage the power and benefit of an open source community approach to healthcare
 - Positively disrupt the healthcare market to bring it into the 21st century
- 2.4. The programme is one year on from its formation and significant progress has been made in each of the six strands of work with a number of organisations now actively considering taking the Ripple offerings:

Three foundational strands to an IDCR:

Open Requirements – Through collaboration with integration pioneers, other leading organisations and NHS England, we have developed, documented and shared what some of the core requirements for a IDCR are. These requirements have since been built into a de

facto business case to support organisations making the case for change by undertaking an IDCR initiative.

Open Governance – With a need to simplify and demystify information sharing, we have developed and published, now endorsed plain language Information Governance templates with supporting guidance. These templates will support organisations with which information governance has previously been a barrier to progress.

Open Citizen – We have published common information and tools to support good citizen engagement for an IDCR initiative along with independent insight into PHR aspirations.

Three technical components to the open integrated care record platform:

Open Viewer – We have and continue to develop a web based, responsive IDCR application for both care professionals and citizens to use. This incorporates many of the common requirements from the open requirements work and functionality described in NHS England's five year forward view. See background links for more information

Open Integration – We have developed re-usable interfaces and open source integration engine technology to bring systems together within an IDCR – linking with Endeavour Health Charitable Trust.

Open Architecture – The underpinning infrastructure and tools Ripple are using are built to support both structured and unstructured IDCR information. We are utilising openEHR as this underpinning infrastructure layer as well as a Vendor Neutral Archive.

- 2.5. There are now a number of organisations looking to take the Ripple offerings, and move towards implementation. These are organisations or initiatives that support the need for an open source and collaborative approach to the delivery of sustainable change. This open platform approach will also support the change within the marketplace, whereby companies compete on the services provided rather than software licences and the associated potential vendor lock in.

3. Main issues

Reason for contracts procedure rules waiver

- 3.1. The Ripple OSI effort has been in development for the last 12 months and is now at a key stage in its proceedings. Early developments were done with a small team based in Leeds, aiming to leverage and learn from the lessons of the Leeds Care Record and in house Leeds TH PPM+ platform that the Ripple OSI programme has evolved from.
- 3.2. From the early stages of this development one key local SME/vendor (Answer Consulting) has been interested/involved, as their healthcare team has unique experience and expertise of both the Leeds TH/PPM+/Leeds Care Record development and the wider NHS Open Source platform push. In an effort to educate, widen the effort and "grow the market", the early learning from this work has been shared openly with the wider world as a series of articles on the Ripple OSI developer site at dev.rippleosi.org.
- 3.3. Over the last months the level of interest in this development has now increased such that related developments are in planning/development in several areas (eg Leeds PHR, WY Care

Record, HSCIE Care Record in South Tyneside/Sunderland) and other vendors are now involved.

- 3.4. In an effort to increase the capacity and capability to support the growth of the Ripple OSI, an increasing number of developers and vendors are now involved (Root Solutions, Answer Digital Limited, FreshEHR, EtherCIS, OpusVL, Across, Noeinformatics etc) so an overarching code custodian role has become ever more important.
- 3.5. While it can be expected that at some point in the next 6-12 months that it should be possible to tender for such code custodian services, it is our view that the Ripple OSI code base and related code custodian processes are at a key/formative stage in proceedings. Therefore we advocate that Answer Digital Limited who can offer unique expertise and experience in this field remains in a code custodian role over this transition period. At the end of that 12 month period we expect to be able to tender for related code custodian services.
- 3.6. No internal Council resource has the capacity or capability to fulfil this role.
- 3.7. All the related work is being open sourced to maximise the potential for reuse across the Council.

Consequences if the proposed action is not approved

- 3.8. If this waiver for code custodian services is not awarded to Answer Digital Limited, then the quality of the Ripple OSI development may be affected during the transition period until another qualified provider is identified, trained, quality assured etc. Naturally that could be expected to then incur further code refactoring at a later stage, thereby additional related costs etc.

Advertising

- 3.9. No advertisement for this was undertaken as the work involved here is leading edge open source and open platform work, which the RippleOSI programme is at the forefront of internationally.

4. Corporate considerations

4.1. Consultation and engagement

- 5.1.1 The Ripple Programme has consulted within Leeds with the Chief Digital Officer and Strategic Sourcing team along with the related Ripple steering group, Apperta Foundation and the growing community members forming around Ripple.
- 5.1.2 The Ripple Programme has engaged health and care communities across England via the NHS England Integration Pioneer group. We have engaged supplier community via public events (eg EHI, NHS Expo etc)

4.2. Equality and diversity/cohesion and integration

- 4.2.1. There are no issues relevant to Equality and Diversity / Cohesion and Integration with this decision.

Council policies and best council plan

- 4.2.2. Promoting Sustainable & Inclusive Economic Growth- in establishing an open platform for health, care and indeed potentially local government, the Ripple programme is building out key infrastructure , as well as helping with the education and training needs in the city to move Leeds towards a 21st Century open platform.
- 4.2.3. Becoming a more efficient & enterprising council – the development of an open platform to support health and care in the city of Leeds offers the potential of a reusable platform for several key purposes inc its use to support #PlaceAsAPlatform. This platform technology has the potential to support more efficient service delivery (e.g. Person Held Record) as well as symbolising Leeds leadership as a thought leading and enterprising council, key to positively disrupt the market.

4.3. Resources and value for money

- 4.3.1. The resources required are mainly in skilled human resources in software development, to support the open health and care platform building work that the Ripple programme is overseeing. As the requisite capacity and capability are not available in the council, it has been necessary to outsource this work. However the work is being done on an open source basis so that the resulting Ripple platform could/should be reused by a variety of stakeholders now and in the future, thereby aiming to secure maximal value for money for Leeds City Council in this regard.

4.4. Legal implications, access to information and call-in

- 4.4.1. This is a significant operational decision which is not subject to call-in. There are no grounds for keeping the contents of this report confidential under the Access to Information rules.
- 4.4.2. Awarding a contract directly to Answer Digital Limited could leave the Council open to potential claim from other providers to whom this contract could be of interest to. It should be noted that it is a requirement of recent case law to consider whether contracts should be subject to a degree of European wide advertising. It is up to the Council to decide what degree of advertising is appropriate. In particular, consideration should be given to the subject-matter of the contract, its estimated value, the specifics of the sector concerned (size and structure of the market, commercial practices, etc) and the geographical location of the place of performance.

4.5. Risk management

- 4.5.1. In order to effectively progress the leading work of the Ripple Open Source Initiative based out of Leeds City Council, an important code custodian service is required to safeguard the quality of this work.
- 4.5.2. As the RippleOSI programme is at a key and formative stage in its development, it is important that the local teams who have gained most experience and expertise in its formation are able to act in a code custodian capacity, until this service can be more openly tendered in due course.
- 4.5.3. If this waiver is not awarded, then the effort to identify, train and quality assure another team in this code custodian role is likely to impact on the progress of the RippleOSI programme.

5. Conclusions

5.1. In line with the detail set out in this report it is considered there are tangible and quantifiable benefits to the Council to waiver CPRs 8.1 and 8.2 in accordance with CPR27 and make a direct award to Answer Digital Limited

6. Recommendation

6.1. The Chief Digital Officer is recommended to approve the waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 to award a contract direct to Answer Digital Limited for the provision of up to Code Custodian Services on a daily call off basis.

7. Background documents

7.1 See www.rippleosi.org