

Report of Deputy Director, Integrated Commissioning Adults and Health

Report to Director of Adults and Health

Date: 20 December 2017

Subject: Authority to procure a Community Based Mental Health Service (CBMHS).

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 checked="" type="checkbox"/> Yes	<input 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

- Adults and Health currently has three contracts all delivering a variety of community based mental health services across the city. The three providers are Leeds Mind, Touchstone and Community Links.
- If authority to procure is given by the Director of Adults and Health these services will be placed out to competition following consultation on the service specification and a subsequent Bidder's Event. The contract will be awarded by October 2018 allowing for a six month mobilisation period.
- Due to the annual contract value being approximately £1.2 million this is a key decision and will be subject to call-in.

Recommendations

- The Director of Adults and Health is recommended to:
 - give authority to proceed with a procurement process, as outlined in this report and in line with Contract Procedure Rules (CPRs) 9.5.

To note that:

- Projects, Programmes and Procurement Unit (PPPU) will be requested to support the procurement exercise and a further report to approve the contract award will be submitted for approval at the end of the procurement process.

5. The officer responsible for implementing the decision will be the Working Age Adults Commissioning Manager.

1 Purpose of this report

- 1.1 For the Director of Adults and Health to approve the procurement of a CBMHS with the contract commencing on the 1 April 2019.

2 Background information

- 2.1 Adults and Health currently has three contracts for the provision of CBMHS's across Leeds. These services have never been subject to a procurement exercise but came about through historical funding arrangements.
- 2.2 Due to the annual value of the service contract this is a key decision and will be subject to call-in.
- 2.3 Currently the three providers have a variety of sites across the city offering multiple points of access. This can make it difficult for service users to access services particularly if they are not familiar with mental health services in Leeds.
- 2.4 Through the procurement of one service this will make it easier for people to access the right support at the time needed.
- 2.5 The new service will offer greater access by offering services 7 days per week including some evening opening times.

3 Main issues

- 3.1 The current three providers Leeds Mind, Community Links and Touchstone provide a variety of prevention and early intervention mental health services across Leeds.
- 3.2 They have not been subjected to a procurement exercise but have developed through past historical commissioning and funding arrangements.
- 3.3 These services will be placed out to tender following a Bidder's Event being held in March 2018. The contract will be awarded by September 2018 allowing for a six month mobilisation period. The new contract will commence 1 April 2019.
- 3.4 A project team has been established made up of representatives from the NCCG, Leeds Involving People Together We Can Group, two mental health social workers, procurement, commissioning and consultation staff. The project team will be led by the Working Age Adults Commissioning Manager.
- 3.5 The Commissioning Manager's meetings will act as the project board and will receive regular updates as to the progress of the procurement exercise.
- 3.6 Coproduction will be used as far as is possible with people experiencing mental health problems being able to shape the future of the service to be procured. The 'I' statements that were developed by experts by experience, through the Mental Health Partnership Board will form the basis for the service specification.

- 3.7 A draft service specification will be consulted on across the city with service users and other stakeholders being invited to consultation sessions which will take place during the day and evening to allow for as many people as possible to have a say on the outcomes.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 A large scale consultation will take place with service users, carers and other stakeholders on the outcomes contained within the draft service specification. The consultation will also seek views as to the availability of the service particularly around opening times.
- 4.1.2 A Bidders event will be planned for March 2018 and the draft service specification will be shared so that further feedback can be sought from prospective providers. The existing providers have also been asked for their feedback on how the new service could be developed for the future.
- 4.1.3 The Executive Board Member for Health, Wellbeing and Adults has been briefed on the proposals contained in this report.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality, Diversity, Cohesion and Integration Screening Tool has been completed (attached at Appendix 1). The screening showed that a full Equality and Diversity Impact Assessment was not required as it equality and diversity issues have already been considered as part of the procurement process. The outcome of the screening will be taken into account when developing the specification for the new service.

4.3 Council policies and the Best Council Plan

- 4.3.2 The current services directly contribute to the delivery of key outcomes within the Best Council Plan, the Health and Well Being Plan and the Mental Health Strategy.
- 4.3.3 The services make significant contributions to all of the City Priority Plans, this is achieved through supporting clients to make healthy lifestyle choices and to live safely.

4.4 Resources and value for money

- 4.4.1 The budget for the new contract is available within existing resources and over the past 6 years savings of 25% were made.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 As the total contract value over the five year life of the contract will exceed the EU procurement threshold the service is not subject to the "full" regulations but to the "Light-Touch Rules Regime" under the regulations. This is a key decision and is subject to call-in. Therefore competition will be sought through a tender process.
- 4.5.2 Due to the annual value of the service contract this is a Key Decision and will be subject to call-in.

4.6 Risk Management

- 4.6.1 A project team, including a representative from the PPPU, has been set up to oversee the re-commissioning process and ensure that the process adheres to the procurement regulations, as well as the council's Contract Procedure Rules.
- 4.6.2 A risk register has been established as part of the procurement process, identifying the key risks as well as mitigation actions.
- 4.6.3 A six month mobilisation period has been built into the procurement timetable to ensure that the service can be fully mobilised before the contract start date. This will allow for the safe transfer of all service users to the new service if they should wish to do so. It is considered that TUPE will apply to this procurement and will involve contractor to contractor negotiations with at least five providers and the mobilisation period takes this into account.

5 Conclusions

- 5.1 There are no other alternatives to how these services can be delivered therefore there is a need to undertake a procurement exercise as the existing contracts will end on 31 March 2019.

6 Recommendations

- 6.1 The Director of Adults and Health is recommended to:

- give authority to proceed with a procurement process, as outlined in this report and in line with CPR 9.5.

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To note that:

- PPPU will be requested to undertake the procurement exercise and a further report to approve the contract award will be submitted for approval at the end of the procurement process.

- 6.2 The officer responsible for implementing the decision will be the Adult Commissioning Manager.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.