

Local Members' Interest	
Philip Atkins	East Staffordshire - Uttoxeter Rural
David Brookes	East Staffordshire - Uttoxeter Town
Ron Clarke	East Staffordshire - Burton Town
Syed Hussain	East Staffordshire - Burton Trent
Julia Jessel	East Staffordshire - Needwood Forrest
Bernard Peters	East Staffordshire - Horninglow and Stretton
Philip White	East Staffordshire - Dove
Conor Wileman	Burton Tower

Healthy Staffordshire Select Committee – 17 March 2020

East Staffordshire Clinical Commissioning Group (CCG) Community Services Procurement

Recommendation/s

The Scrutiny Committee is asked to:

- (i) Receive the report and;
- (ii) Be assured that appropriate action is being taken to secure ongoing provision of safe, high quality core community services from April 2020.

Report of East Staffordshire Clinical Commissioning Group's Accountable Officer

Summary

This report provides an update on the procurement process the CCG has undertaken to secure safe and sustainable core community services for people in East Staffordshire. It follows on from attendance on 20th August 2019 and provides assurance that services have been procured in line with current Public Contract Regulations (PCR) 2015 and NHS Choice and Competition Rules 2013.

The comments of the Health Select Committee will be reported to the South East CCG's Locality Governing Body in Common in April 2020.

Report

1. Background

1.1. In August 2019 the CCG reported the termination of the Improving Lives Contract by Virgin Care Services Limited to the Health Select Committee and presented plans to undertake a procurement process during 2019/20 to secure the ongoing provision of the terminated services beyond April 2020.

1.2. A Programme Board was established by the CCG with delegated authority from the Governing Body to oversee the procurement. In line with PCR 2015 a light touch procurement process was completed and the Invitation To Tender (ITT) closed on 24th September 2019.

1.3. A single bid was received, however this was excluded on the grounds of non-compliance with the financial envelope. The procurement process was therefore terminated on 11th October 2019 as no acceptable tenders were received. In accordance with PCR 2015 32 (2) (a), a direct award can be made by the contracting authority in the case of urgency without advertisement, for a maximum period of 12 months. On this basis the CCG Governing Body approved the Programme Boards recommendation on 28th November 2019 to make a direct award to a suitably qualified provider with effect from April 2020.

2. Direct Award Process

2.1 Regulation 32 (2) (a) is silent about how many providers the CCG may directly negotiate with and does not define the process, therefore the CCG took advice from Blake Morgan, external legal and procurement advisors in this regard. An options appraisal of potential providers was undertaken by the CCG Procurement Planning Team and reviewed by the Accountable Officer and the Director of Commissioning and Operations Staffordshire and Stoke on Trent CCGs on 15th October. This was to test financial standing and technical capability of potential providers and to maintain transparency and equity of commercial opportunity.

2.2 A three stage direct award process was then carried out as follows:

Stage	Timeline
Stage 1 - Provider engagement meeting – informal discussion to understand key areas of award	23 rd – 24 th October 2019
Stage 2 – Submission of evidence documents for technical ability and financial standing: - Two years of audited accounts. - Three examples of core community service contracts or similar. - Details of any contractual disputes in the last three years and how these were resolved. - Details of any contractual performance notices in the last three years related to community services and how these were resolved. - Most recent CQC report.	30 th October 2019
Stage 3 – Formal Interview – questions scored by panel.	30 th October 2019

2.3 Technical evidence submitted by providers was reviewed by 2 subject matter experts within the CCG and formal interviews carried out by a multi-disciplinary panel. The panel unanimously agreed that a direct award should be made to Midlands Partnership NHS Foundation Trust (MPFT) on the basis of:

- Overall score at interview
- Clear demonstration and evidence of preparedness to transition services.

- Comprehensive knowledge and understanding of the Staffordshire footprint, financial challenges and existing relationships with key stakeholders.

3. Current Position

3.1 The direct award contract was signed on 24th January 2020 and due diligence work commenced to ensure the safe transfer of services from Virgin Care to MPFT by 1st April 2020. There is a mobilisation plan in place and weekly assurance meetings are held with the providers to monitor progress against key milestones, identify risks and develop mitigating actions. This is to ensure there is minimum disruption to patients, staff and services during the transition from one provider to another. The detailed areas within the mobilisation plan include:

- Workforce and Human Resources.
- Information Management and Technology.
- Information Governance and Data Migration.
- Estates and Logistics.
- Communications and Engagement.
- Contracts and Finance.
- Business Continuity Plan.
- Pharmacy.
- Procurement.
- Monitoring Performance and Reporting.
- Operating Procedures.
- Equipment.
- First 90 days

3.2. The service model commissioned by the CCG will remain “as is” during the contracted period so as to maintain continuity of provision and quality and safety of care for patients.

4. Next Steps

4.1 Under the NHS Long Term Plan CCGs are working towards a model of more integrated care. This model is still being developed in Staffordshire and Stoke on Trent as part of the Together We're Better Sustainability and Transformation Partnership. At a local level, once a defined model and plan is known, there will need to be engagement and consultation with the public, patients and stakeholders before a contract can be tendered under the new model in East Staffordshire.

4.2 This engagement work will involve all 6 CCG's in Staffordshire and Stoke on Trent and is expected to commence in October 2020. The outcome of this engagement will inform the CCGs procurement approach for the longer term security and commissioning of integrated community services.

Link to Trust's or Shared Strategic Objectives – The CCGs approach is aligned with the Sustainability and Transformation Partnership for Staffordshire and Stoke on Trent – Together We're Better.

Link to Other Overview and Scrutiny Activity – This reports follows previous attendance by the CCG at the Health Select Committee on 20th August 2019.

Community Impact – The impact of this direct award procurement will be to ensure safe and sustainable core community services are commissioned for people in East Staffordshire beyond April 2020.

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Appendices/Background papers

None