

Central Bedfordshire Council

EXECUTIVE - 9 December 2014

Contract Award Recommendation for Bedfordshire Mental Health, Specialist Learning Disability Service and Child and Adolescent Mental Health Procurement including Central Bedfordshire Council Section 75 Delegated Responsibilities

Report of Cllr Hegley, Executive Member for Social Care, Health and Housing (carole.hegley@centralbedfordshire.gov.uk)

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This report relates to a Key Decision

Purpose of this report

1. This paper sets out the procurement process for mental health services that has been undertaken and the outcome that will improve services for the population of Bedfordshire and the approval for the Director of Social Care, Health and Housing to carry out their Delegated Social Care Function in relation to Central Bedfordshire Council funded Mental Health Services.

RECOMMENDATIONS

The Executive is asked to:

1. **note the recommended agreement for the award of the new contract for the Bedfordshire Mental Health, Specialist Learning Disability Service and Child and Adolescent Mental Health Procurement including Central Bedfordshire Council section 75 delegated responsibilities which has been led by the Bedfordshire Clinical Commissioning Group; and**
2. **authorise the Director of Social Care Health and Housing in consultation with the Executive Member to fulfil their delegated function as set out in the Central Bedfordshire Council Constitution: H3, 3.1. To carry out as statutory officer (Director of Adult Social Care Services) as allocated to the Director of Adult Social Care Services set out in the delegation to individual directors to deliver the function of the National Health Service Act 2006, section 75 legislation.**

Overview and Scrutiny

2. This item has not been considered by Overview and Scrutiny.

Issues

3. There has been significant work in the development of a comprehensive framework for the delivery of Mental Health, Specialist Learning Disability and Child and Adolescent Mental Health Services for the people of Bedfordshire. This resulted in the development of Bedfordshire Clinical Commissioning Group's Mental Health Strategic Objectives, a number of clearly defined models and the development of outcomes to measure service delivery, all of which have been built through robust stakeholder engagement.
4. In February 2014, the Governing Body agreed to the procurement of these services, to enable the transformation needed to implement the new models of care in Bedfordshire. Following this decision, a framework for procurement was established and an advert was published on Supply to Health on the 14 March 2014.
5. The exempt Appendix A to this report sets out the commissioning and procurement process followed.
6. The procurement process was concluded on the 3 November 2014 and the recommended Providers identified for award of contract. The next key stages are set out as follows:
 - a. On 9 December 2014, Unsuccessful/Successful bidders to be informed by letter of their result Mandatory 10 day stand still to commence on 10 December 2014.
 - b. Face to face feedback to all bidders between 10 – 17 December 2014.
 - c. Stand still period ends on 22 December 2014.
 - d. Award confirmation letters to all ITCD bidders on 23 December 2014.
 - e. Contract award notice placed on OJEU and public announcement of successful bidder to be made on 23 December 2014.
 - f. Mobilisation phase to begin with the successful bidder on 5 January 2014.
 - g. The signature of the Contract between Bedfordshire CCG and the Contractor to allow for the planned go live date of 1 April 2015.

7. As part of this process, Central Bedfordshire Council funds through a Section 75 arrangement, as set out in the National Health Service Act, 2006, a range of social care functions which are delegated to the identified provider to deliver on behalf of the Local Authority. The overarching responsibility for this Section 75 arrangement is delegated to the Director of Social Care Health and Housing and it is recommended that this delegation continues for the lifetime of the new contract.

Commissioning and Procurement Process

8. This process fully is detailed in appendix A. This comprises of the Report which is being submitted to the BCCG Governing Body for approval of contract.

Conclusion/Reason for Decision

9. Note the recommended agreement for the award of the new contract for the Bedfordshire Mental Health, Specialist Learning Disability Service and Child and Adolescent Mental Health Procurement including Central Bedfordshire Council section 75 delegated responsibilities which has been led by the Bedfordshire Clinical Commissioning Group.
10. Authorise the Director of Social Care Health and Housing in consultation with the Executive Member to fulfil their delegated function as set out in the Central Bedfordshire Council Constitution: H3, 3.1. To carry out as statutory officer (Director of Adult Social Care Services) as allocated to the Director of Adult Social Care Services set out in the delegation to individual directors to deliver the function of the National Health Service Act 2006 section 75 legislation.
11. Services included in Central Bedfordshire Council's section 75 are:
 - Community Mental Health Teams-Social Workers
 - Acute inpatient care (adults of working age)
 - Acute inpatient care (older people)
 - Secure services
 - Crisis Resolution and home treatment services
 - Specialist Mental Health Services including complex needs, eating disorders, prison mental health in-reach, diverse cultures, and spiritual/pastoral support
 - Early intervention services
 - Assertive Outreach teams
 - Rehabilitation services
 - Supported employment, training and skill development
 - Day services
 - Mental Health Act Services (AMHP provision).

Council Priorities

12. The recommendations contribute to achieving the following Council priorities:
 1. Promote health and wellbeing and protecting the vulnerable.
 2. Value for money – freezing council tax.

Corporate Implications

Public Health

13. Public Health were actively involved throughout the procurement process and ensured that key health messages including prevention, linkage of mental health and physical health issues and wider determinants of wellbeing were taken into consideration.

Risk Management:

14. A robust risk management process has been adhered to throughout the procurement process; this risk register is now closed. A risk register has been developed for the proposed mobilisation phase and will remain in place until the start of the new contract.

Sustainability:

15. As part of the Invitation to Continue Dialogue stage, bidders approach to sustainability has been tested and the successful bidder for each Lot will be expected to provide a copy of their organisational sustainable development action plan as part of contract mobilisation.
16. This will include, on-going evidence of monitoring their performance and improving efficiency through reporting on agreed targets in the following areas:
 - i. Energy and Carbon Management
 - ii. Food - locally produced
 - iii. Services - sustaining the local community
 - iv. Water - better use of water
 - v. Waste - reduce, reuse and recycle
 - vi. Travel - reducing carbon footprint
 - vii. Use of pharmaceuticals - minimise wastage.

Procurement:

17. The commissioning process adopted has been led by the Bedfordshire Clinical Commissioning Group/East of England Procurement Service Attain, to ensure that the steps followed are rigorous, in accordance with procurement policies and procedures, are legal, and will ensure that sufficient providers are awarded the contracts.
18. Central Bedfordshire Council Corporate Procurement Service has provided advice and input along key points in the procurement process. This advice specifically influenced the development of the: PQQ, Provider Dialogue sessions and the financial schedule/modelling used to evaluate the final bids.

Legal Implications

19. The procurement process has been undertaken with expert procurement advice provided by Attain, (the NHS Procurement organisation for the BCCG) to ensure compliant documentation and processes. Legal advice has been obtained from the NHS East of England Central Support Unit for the BCCG as part of assurance that their process meets all legal requirements and legal advice has also been provided by Central Bedfordshire Council Corporate Legal Service at key points along the procurement process. This has specially influenced the development of the: NHS Collaborative Contract and the Section 75 document to be used with the new Providers.

Financial Implications

20. The current annual expenditure on adult section 75 mental health services is £1.894578.
21. As efficiencies and value for money is core to the new arrangements, a detailed financial appraisal of the new prices submitted has been carried out. The analysis has shown that the current service will be able to be met from existing budgets.
22. The main financial control for the whole mental health contract is funded by Bedfordshire Clinical Commissioning Group, (BCCG) and is approximately £42M

Equalities Implications

23. An Equality Impact Assessment has been completed and does not predict any adverse effect on any of Bedfordshire's residents. In fact the change should ensure that mental health and specialist learning disability services are more accessible to all with increased access to all 5 localities across the Bedfordshire Clinical Commissioning Group. Specific attention has been paid to ensuring the access to services for people living in more rural areas of Central Bedfordshire will be increased and improved.

Conclusion/Reason for Decision

24. Note the recommended agreement for the award of the new contract for the Bedfordshire Mental Health, Specialist Learning Disability Service and Child and Adolescent Mental Health Procurement including Central Bedfordshire Council section 75 delegated responsibilities which has been led by the Bedfordshire Clinical Commissioning Group.
25. Authorise the Director of Social Care Health and Housing in consultation with the Executive Member to fulfil their delegated function as set out in the Central Bedfordshire Council Constitution: H3, 3.1. To carry out as statutory officer (Director of Adult Social Care Services) as allocated to the Director of Adult Social Care Services set out in the delegation to individual directors to deliver the function of the National Health Service Act 2006 section 75 legislation.
26. Services included in Central Bedfordshire Council's section 75 are:
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Appendices

Exempt Appendix A – Meeting of the Governing Body

Background Papers

None