

CABINET

16th March 2021

PROCUREMENT OF SUBSTANCE MISUSE SERVICES

Report of the Director of Public Health

Strategic Aim:	Protecting the Vulnerable	
Key Decision: Yes	Forward Plan Reference: FP/080121	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Alan Walters Portfolio holder for Safeguarding – Adults, Public Health, Health Commissioning and Community Safety.	
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Ward Councillors	Not Applicable	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the procurement model and overarching award criteria for a substance misuse community treatment service and inpatient detoxification for Rutland.
2. Authorise the Director of Public Health in consultation with the Director for Adult Services and Health, and Health and the Cabinet Member for Safeguarding – Adults, Public Health, Health Commissioning & Community Safety to approve the final Award Criteria.
3. Authorise the Director of Public Health in consultation with the Director for Adult Services and Health, and the Cabinet Member for Safeguarding – Adults, Public Health, Health Commissioning & Community Safety to approve the contract award.

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform Cabinet members of the substance misuse services procurement; to set out its progress to date including the procurement

model, indicative timetable for completion, and overarching award criteria, along with recommendations for approval and delegation regarding final award criteria and final contract award.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Rutland County Council has been responsible for the commissioning of substance misuse treatment services under the conditions of the Public Health Grant since April 2013.
- 2.2 Performance management information has shown a year on year increase in the numbers accessing treatment across several substances with 82 individuals at year end 2019/20. Of that the most prominent substance of choice was alcohol at 52% of those in treatment. Prevalence estimates and screening by GP and other non-substance misuse specific provision indicates there is likely to be a continuation in the increase in numbers in treatment, which will be taken into account in the new contract.
- 2.3 Substance misuse services include community-based treatment provision which works across all substances with adults and young people, and also through criminal justice entry routes. In addition, there is inpatient detoxification which is provided on a specialist unit for the medically assisted withdrawal from substance misuse. This is especially important where community detoxification is not a viable safe option.

3 CURRENT SERVICE CONFIGURATION

- 3.1 The current contract commenced on 1st October 2017 for a community substance misuse service for adults and young people with Turning Point. The contract has been extended until 31st March 2022. The contract value was initially for £90,000 per year but was increased to £112,000 per year for the 2-year extension to reflect the increasing numbers in treatment. Turning Point have a dedicated worker for Rutland who has a physical presence here and works closely with wider services. The criminal justice provision is based in Leicester, where workers are present in the police custody suites, courts, and HMP Leicester.
- 3.2 There is a separate contractual arrangement with Leicestershire County Council for inpatient detoxification which is provided by Framework Housing Association for £6,000 per year. This contract runs concurrent with the community contract so that all elements of the system will required procurement within the same timeframe.

4 PROCUREMENT MODEL

4.1 Service Model

- 4.1.1 The procurement will be a single stage, open procurement process as led by Leicestershire County Council Public Health on behalf of both Rutland and Leicestershire as part of Leicestershire County Council's provision of Public Health services to Rutland. The timetable for procurement is attached as appendix A.
- 4.1.2 The procurement will be for a single integrated system covering drugs and alcohol for adults and young people across both the community service and the inpatient detoxification provision. The service will include the following elements.

- a) Structured drug and alcohol treatment for adults and young people
- b) Criminal justice provision
- c) Advice and support to other professionals
- d) Recovery interventions
- e) Provision of needle exchange and pharmacy based supervised consumption
- f) Inpatient and community detoxification. (medically assisted withdrawal).

Elements of the provision could be sub-contracted by the provider with the agreement of the commissioners.

- 4.1.3 The duration of the contracts is proposed to be for a minimum of 4 years commencing from 1st April 2022, with the option of extension for up to a maximum of 24 months.

5 CONSULTATION

- 5.1 In order to develop a service model for Rutland that would meet the needs of its population and be fit for the future, consultation was conducted in 2019 and 2020 consultation took place with service users, staff groups, and stakeholders. This included face to face consultation prior to Covid.
- 5.2 Soft market testing was conducted in September 2019 and then again in 2020. Information gained from the soft market testing has been used to inform the service model. The soft market test conducted in September of 2020 was used to obtain specific market feedback on the impact of the Coronavirus and lessons learnt, and on impending changes to criminal justice expectations from the Ministry of Justice.
- 5.3 The Portfolio Holder has been consulted.

6 ALTERNATIVE OPTIONS

- 6.1 Alternative options were considered and rejected.
- 6.2 Although Rutland currently holds a stand-alone contract, when it was tendered there was only interest from the incumbent provider in Leicester and Leicestershire, due to the viability of delivering the range of services required on such a small scale.
- 6.3 A joint procurement with Leicestershire allows for economies of scale, and will enable the service to more potential providers.

7 FINANCIAL IMPLICATIONS

- 7.1 The funding envelope for the new service is £118,000 per annum which is within the current budget allocation for these services. Over the potential 6-year lifetime of the contract the value would be £708,000.
- 7.2 The funding comes from the ring-fenced Public Health Grant and the provision of substance misuse treatment services is a condition of that grant.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The procurement process is in accordance with the Council's Contract Procedure Rules, Public Contract Regulations 2015, and the Public Procurement Regulations 2019.
- 8.2 The contract will use the standard Public Health Terms and Conditions and will be approved by Rutland Legal Department.
- 8.3 Leicestershire and Rutland will each hold their own contract and collaborate on contract management to mitigate burden on the provider, benefit from economies of scale and ensure cross authority collaboration. Leicestershire Public Health Contract Team will lead on the contract management administration as part of their overall service level agreement with Rutland County Council.
- 8.4 The full ITT documentation is under development and there will be legal input from Rutland prior to this going live.

9 DATA PROTECTION IMPLICATIONS

- 9.1 A Data Protection Impact Assessments (DPIA) has not yet been completed, but is underway.
 - 9.1.1 There is agreement from Information Governance to adopt the DPIA from Leicestershire County Council as the procurement lead.
- 9.2 From preliminary assessment there do not appear to be any emerging Data Protection issues. The successful provider will be required to upload to the national monitoring systems which are held by Public Health England. Robust processes for informed consent to share in writing are in place. Personal identifiable information is not shared with local areas and numbers below five are suppressed.

10 EQUALITY IMPACT ASSESSMENT

- 10.1 An Equality Impact Assessment screening document has been completed and submitted on 15th February 2021 for approval.
- 10.2 No risks were identified in the screening.

11 COMMUNITY SAFETY IMPLICATIONS

- 11.1 Substance misuse has wide reaching implications for service user, their families and communities in which they live. Substance misuse is often a feature of crime such as acquisitive crime, assaults, anti-social behaviour and domestic violence. In the case of the latter this can be from both the perspective of the perpetrator and the victim and may be a control mechanism in abuse.
- 11.2 Evidence based interventions are shown to improve health outcome, reduce offending and re-offending behaviour and with a sustainable recovery focus can rehabilitate users into their communities and the wider society.
- 11.3 It is an objective of the Safer Rutland Partnership Strategy to reduce the substance misuse related harm in Rutland. The service will contribute to this

objective. The provider will be expected to work collaboratively with the Safer Rutland Partnership.

- 11.4 The service will be available to individuals who enter treatment through the criminal justice routes and will offer support to police, custody suites, courts and people returning to the area from prison.

12 HEALTH AND WELLBEING IMPLICATIONS

- 12.1 People who misuse substances experience poor health outcomes and inequalities in terms of both their physical and mental wellbeing and often will have a shortened life expectancy.
- 12.2 Friends and family members of substance misusers often also experience negative health impacts, particularly in relation to mental health. The provision of effective substance misuse services therefore supports wider health and wellbeing benefits within the community.
- 12.3 Evidence based, recovery focussed interventions are shown to have a positive impact on individuals, their families and the wider communities in reducing the harms caused by drug and alcohol misuse.

13 ORGANISATIONAL IMPLICATIONS

13.1 Human Resource implications

- 13.1.1 The Transfer of Undertakings Protection of Employment Regulations 2006 amended (TUPE) is likely to apply to staff working on contracts that fall within the scope of the procurement. Preliminary TUPE information has been sought and assessed as reasonable. Updated information will be included on the ITT and providers will be required to undertake due diligence in accordance with their legal responsibilities.

13.2 Procurement Implications

- 13.2.1 The overarching award criteria are detailed in Appendix B. Cabinet are requested to authorise approval of the final award criteria to the Director of Public Health in consultation with the Director for Adult Service, and Health and the Cabinet Member for Safeguarding – Adults, Public Health, Health Commissioning & Community Safety, in order to ensure there are no delays to the publication of the Invitation to Tender due to Purdah.

14 SOCIAL VALUE IMPLICATIONS

- 14.1 Under the Public Services (Social Value) Act 2012 local authorities are required to consider how economic, social, and environmental well-being may be improved by services that are to be procured, and how procurement may secure those improvements.
- 14.2 Contained within the draft award criteria is a specific section referencing Social Value and providers will need to consider how they can deliver added value that will support the local economy, contribute to improving the local environment and reduce the future demand for public services.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 The provision of specialist treatment and support to those experiencing drug and alcohol problems to meet the health needs of Rutland residents will have positive impacts for individuals, their families and the wider communities. Collaboration with the Safer Rutland Partnership, partner agencies and departments of Rutland County Council will serve strengthen efforts to reduce the associated harms.
- 15.2 For the procurement process to commence on schedule, it is recommended that:
- 15.2.1 Cabinet approve the procurement model and over-arching award criteria;
- 15.2.2 Cabinet authorise the Director of Public Health in consultation with the Director for Adult Services and Health, and Health and the Cabinet Member for Safeguarding – Adults, Public Health, Health Commissioning & Community Safety to approve the final Award Criteria. The criteria have been developed to ensure that providers successful in the procurement have the necessary capabilities to meet the requirements of the service specification and will be able to deliver services in Rutland of an appropriate standard and quality;
- 15.2.3 Cabinet authorise the Director of Public Health in consultation with the Director for Adult Services and Health, and the Cabinet Member for Safeguarding – Adults, Public Health, Health Commissioning to approve of the award of the contract following the procurement.

16 BACKGROUND PAPERS

- 16.1 There are no additional background papers to the report.

17 APPENDICES

- 17.1 Appendix A Indicative Timetable
- 17.2 Appendix B Overarching Award Criteria

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A -Indicative Timetable

Action	By When
Invitation to Tender published	21 st May – 7 th July 2021
Deadline for questions from bidders	30 th June 2021
Tender submissions deadline	7 th July 2021
Evaluation of Tenders, This includes, evaluations of questions, moderation sessions, potential bidder presentations and report writing.	9 th July – 14 th October 2020
Approval to appoint preferred bidder	No later than 27 th October 2021
Notification to successful and unsuccessful bidders	28 th October 2021
End of standstill	9 th November 2021
Contract award (if no challenges) and commencement of mobilisation.	10 th November 2021
Contract start date (absolute date)	April 1 st 2022

Please note that the above dates are interdependent and may be subject to change.

Appendix B Overarching Award Criteria

The evaluation will be undertaken on an 80:20 quality: price basis.

The table indicates the areas which will be covered by the criteria and gives indicative weightings. The weightings are yet to be agreed by all partners and may change. More detailed questions will be developed under each of these areas.

Criteria	Weighting*
Quality	80%
1. Service model	2%
2. Service delivery	23%
3. Staffing	5%
4. Access (will include geographic, people getting to the service, Physical access ensure Equality and Equity, vulnerability)	5%
5. Clinical Governance	10%
6. Information Management	4%
7. Quality and Performance	7%
8. Relationship management and partnership working	5%
9. Inpatient detox and Residential rehab	5%
10. Mobilisation plan	10%
11. Sustainable recovery	2%
12. Social Value	2%
Pricing criteria: Contract Pricing - Staffing, training, accommodation, management, overheads, prescribing, other Pricing / Financial questions - Financial robustness, sustainability and cost control	20%
Total	100%