

## People Seeking Asylum and Refugee Access to Healthcare Service

### Legal Comments

I understand that previously that the services for People Seeking Asylum and Refugee Access to Healthcare Service were provided through grant funding arrangement which does not assist with providing a stable service or allow funding the services appropriately, thus a more stable approach was required that enables the Council to comply with its duty and enables robust contract management and contract monitoring of performance, which a contract for services would provide through a competitive tender exercise which would generate a healthy competition and ensure the Council get the best value service for its money.

In procuring this service, the Council must undertake a Procurement process compliant with the Public Contracts Regulation 2015, and its own Constitution requirements and Contracts Procedure Rules. The report author has confirmed that the necessary approval from the section 151 officer have been secured with SR ID: 7492. for the anticipated spend on the proposed new contract.

The Contractual arrangements should provide for potential changes having regard to the findings of the commissioning review which took place in 2023 and the recently completed Joint Strategic Needs Assessment, which would allow the Council the option to facilitate further reviews or amendments to service.

The new contract must be secured following a competitive tender process that complies with the applicable regime as of October 2024 with the anticipation that a new regime under the Procurement Act 2023 will likely be in place. Legal will continue to offer support to and assist with the development of the contract documentation as required.

Aside from the above, there are no legal concerns with this recommendation.

Advice provided by Vendie Charles (Contract & Commercial Solicitor) on 20/08/2024.