

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE-
12 SEPTEMBER 2017

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|---|--|-----------------------------|--|
| Subject: | Crime and Drugs Partnership Contract Approval | | |
| Corporate Director(s)/ Director(s): | Katy Ball, Director of Commissioning and Procurement Alison Challenger, Director of Public Health Colin Monckton, Director of Strategy and Policy | | |
| Portfolio Holder(s): | Councillor Graham Chapman, Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration Councillor Nick McDonald, Portfolio Holder for Adults and Health Councillor Toby Neal, Portfolio Holder for Community and Customer Services | | |
| Report author and contact details: | Christine Oliver Head of Service Commissioning 01158 765725 Tim Spink, Head of Service Crime and Drugs Partnership 0115 8764506 | | |
| Key Decision | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Subject to call-in |
| | | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Reasons: ✓ Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision | | | <input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital |
| Significant impact on communities living or working in two or more wards in the City | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total value of the decision: Up to £1,407,410 | | | |
| Wards affected: All | Date of consultation with Portfolio Holder(s): Councillor Chapman 23/08/2017 Councillor McDonald 30/08/2017 | | |
| Relevant Council Plan Key Theme: | | | |
| Strategic Regeneration and Development | | | <input type="checkbox"/> |
| Schools | | | <input type="checkbox"/> |
| Planning and Housing | | | <input type="checkbox"/> |
| Community Services | | | <input checked="" type="checkbox"/> |
| Energy, Sustainability and Customer | | | <input type="checkbox"/> |
| Jobs, Growth and Transport | | | <input type="checkbox"/> |
| Adults, Health and Community Sector | | | <input checked="" type="checkbox"/> |
| Children, Early Intervention and Early Years | | | <input checked="" type="checkbox"/> |
| Leisure and Culture | | | <input type="checkbox"/> |
| Resources and Neighbourhood Regeneration | | | <input type="checkbox"/> |
| Summary of issues (including benefits to citizens/service users): | | | |
| <p>The purpose of this report is to seek delegated authority to the Director of Commissioning and Procurement to directly award and extend contracts as set out in appendix 1.</p> <p>Also to seek delegated authority to transfer Police and Crime Commissioner (PCC) funding to Community Protection in line with the terms of the PCC allocation for 2017/18, as set out in appendix 2.</p> <p>The contracts included for approval within this report are part of the drug and alcohol treatment system. They include a drug and alcohol inpatient service providing inpatient detoxification for substance misusers who are unable to detox safely within a community setting; a criminal justice substance misuse treatment service for individuals whose offending is informed by substance misuse; and a supply contract for the provision of needle exchange equipment to pharmacies to reduce health harms.</p> <p>This report also covers Police and Crime Commissioner funding for Serious and Organised Crime (SOC) posts and initiatives which contribute to delivery against SOC Board priorities to pursue, prevent, protect and prepare deter against all areas of Serious and Organised Crime.</p> | | | |
| Exempt information: | | | |
| None | | | |

| Recommendation(s): | |
|---------------------------|--|
| 1 | To approve the extension of the 'Drug and Alcohol Inpatient' contract identified in Appendix 1 to ensure continuity of specialist services. |
| 2 | To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to award a contract for the 'Criminal Justice Treatment Service' identified in Appendix 1 to ensure continuity of specialist services. |
| 3 | To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to award a contract for 'Pharmacy Needle Exchange Provisions' identified in Appendix 1 to ensure continuity of specialist services. |
| 4 | To approve the internal transfer of the specified element of the PCC budget to Community Protection as set out in Appendix 2. |
| 6 | To delegate authority to the Head of Procurement and Contracts to sign contracts arising from recommendations 1, 2 and 3 above. |

1 REASONS FOR RECOMMENDATIONS

- 1.1 To allow for relevant and necessary commissioning activity to continue in order to maintain service provision for the citizens and meet identified local need.
- 1.2 To enable timely contract variations, extensions and allocations to be made to services in order to deliver continuation of services in 2017/18 and 2018/19.
- 1.3 To enable transfer of PCC funding to Community Protection to meet the terms of the PCC grant allocation to Crime and Drugs Partnership (CDP) for 2017/18.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 A report was presented and approved at the February 2017 Commissioning and Procurement Sub-Committee ('Crime & Drugs Partnership Contract Approval 2017/18'). The report requested approval for receipt and expenditure of budgets, for direct award of a range of contracts, and for tender of services.
- 2.2 Since February 2017, work has been undertaken to identify potential in year 2017/18 and recurring savings for 2018/19 onwards across substance misuse spend.
- 2.3 Review of services that were to be tendered has been continuing in order to identify the most appropriate commissioning and procurement response and to secure best value. This report requests approval for contract extension and contract modification as set out within Appendix 1.
- 2.4 The PCC allocation letter to the CDP for 2017/18 confirmed that specified funding was to be transferred via CDP to Community Protection for the provision of Serious and Organised Crime (SOC) Posts and SOC Initiatives. This report requests approval for the transfer of said funds to Community Protection.
- 2.5 Consultation with service users is being undertaken as part of the on-going review of the criminal justice treatment pathway. Consultation will be undertaken in 2018 as part of the on-going review of drug and alcohol inpatient provision. Consultation has been undertaken as part of the Ending Gang and Youth Violence Review, which has been presented to the SOC Board to inform decisions in relation to SOC Initiatives.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Competitively tendering those services set out in Appendix 1 was rejected due to the specialist nature of the services provided, on-going review of pathways with local partners, fundamental changes to level of demand, and stability of provision.
- 3.2 Cancelling the provision of the services was rejected due to the impact on the CDP overall aims to reduce substance misuse and crime.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The funding for the services covered in this report has been identified in the 2017-18 budget. It is not anticipated that levels of funding from partner contributions will be significantly altered in financial year 2018-19, however the usual break clause will apply to the contracts and can be actioned in the case of funding changes.
- 4.2 The contract extensions detailed in Appendix 1 will allow additional time to identify further potential savings against the existing contracts, and ensure value for money is maintained and improved where possible.
- 4.3 The dispensations from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, are supported by the Chief Finance Officer.

(Dee Fretwell - Commercial Business Partner)

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

Procurement Observations

- 5.1 This report requests dispensation from the provisions of the Contract Procedure Rules (5.1.2) in accordance with Financial Regulations (3.29) to make direct awards of contracts for Drug and Alcohol Inpatient, Criminal Justice Treatment Services and Pharmacy Needle Exchanges Provisions as detailed in Appendix 1.
- 5.2 The proposed contract extension of 12 months for the Drug and Alcohol Inpatient Service will enable a final decision to be made regarding the future pathway. The extension of the Criminal Justice Treatment service contract as proposed will allow for further work to fully explore the commissioning need. The proposal to directly award contracts for Pharmacy Needle Exchange provision for 1 year will enable the completion of a review of pharmacy needle exchange provision, with view to deciding future arrangements.
- 5.3 During the extension periods proposed a fully compliant procurement process should be undertaken for any future provision and new contractual arrangements implemented. On this basis the recommendations are supported from a procurement perspective, as they do not exceed the relevant thresholds under the EU Procurement Regulations.

(Julie Herrod – Lead Procurement Officer)

Legal Observations

- 5.4 The procurement observations are supported and the report raises no further significant legal issues. The commissioning team has confirmed the Drug and Alcohol contract has an option to extend for a further 1 year. The proposed contract extension to the criminal justice treatment contract and to the pharmacy needle exchange contract is a direct award as there is no further option to extend but the monetary value is below the relevant EU procurement financial threshold.

(Andrew James – Team Leader Legal Services)

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 Not applicable.

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 Recommendations have been considered in line with the Public Services (Social Value) act 2012. All services within this report aim to improve the social wellbeing of the client groups they target.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 Local Authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making the decisions relating to public health functions we consider the NHS Constitution where appropriate and take into account how it can be applied in order to commission services to improve health and wellbeing.

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required either because this decision applies to the extension of services for which there is an existing EIA, or because an EIA will be undertaken separately for each service area.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Commissioning and Procurement Sub Committee report, Crime and Drugs Partnership Contract Approval 2017/18, 15th February 2017.

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Lucy Putland, Commissioning Manager CDP

Ian Bentley, Commissioning Manager CDP

Tim Clark, Financial Analyst CDP

Julie Herrod, Lead Procurement Officer

Andrew James, Team Leader Legal Services

Dee Fretwell, Commercial Business Partner