

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3292
Author:	Tracy Lyon
Department:	Strategy and Resources
Contact:	Tracy Lyon (Job Title: Strategy and Commissioning Officer, Email: tracy.lyon@nottinghamcity.gov.uk, Phone: 65724)
Subject:	Crime and Drugs Partnership approval for extension of Inpatient Detoxification provision
Total Value:	£94,783.20 (Type: Revenue)
Decision Being Taken:	To approve dispensation from contract procedure rules 5.1.2 in accordance with financial regulation 3.29 (operational issues) to extend the current provision of Inpatient Detoxification for a period of up to 4 months.
Reasons for the Decision(s)	<p>The current contract for Substance Misuse Inpatient Detoxification is a 10 month direct award which is due to cease on 31st March 2019. The direct award is made via contract variation to the contract with Framework for the Integrated Adult Drug and Alcohol Treatment Support Service. The variation was made under the authority granted in Delegated Decision 3156.</p> <p>The extension of up to 4 months will allow sufficient time for the completion and implementation of a newly tendered service.</p>
Other Options Considered:	To not extend the contract. This option is not viable as an extended implementation period is required to ensure a fair and equitable procurement process by supporting any provider wishing to set up a new inpatient detox facility within the Nottinghamshire boundary.
Background Papers:	None
Published Works:	None

Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Dispensation from Financial Regulations:	Yes
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	<p>The Crime and Drugs Partnership is required to produce an annual Strategic Assessment and Partnership Plan to consider Crime, anti-social behaviour, substance misuse and reoffending in the city. The plan for 2017/18 was agreed by the partnership Board in March 2017.</p> <p>Reducing drug related harm is a key part of the partnership Plan. The consideration to directly award the contract forms part of the partnership plan and council plan by continuation of the current provision.</p>
Equality:	Please login to the system to view the EIA document: 2018 Equality Impact Assessment Inpatient Detox V2 25 09 2018.docx
Regard for NHS Constitution:	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 this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	25/10/2018
Advice Sought:	Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

There are no significant legal issues arising from this report. The proposal is for an extension to the current contract in place. The value of the total contract value is below the light touch threshold in terms of procurement legislation and therefore the extension raises no concerns subject to the Council granting a dispensation from its own constitutional requirements. For the reasons set out in the report and to enable a continued service provision whilst a new tendering process takes place, Legal Services supports the request for dispensation.

Advice provided by Naomi Vass (Senior Solicitor) on 31/08/2018.

Finance Advice:

This decision seeks approval to direct award the inpatient detoxification contract to the current provider of the Integrated Substance Misuse Treatment service for a period of 4 months from April 2019.

The total cost of this decision for the 4 month period is £94,783.20. Providing there are no significant reductions in partner contributions during 2019/20, there will be sufficient budget within the CDP for this spend.

Value for money in the medium to long term will be secured through the full tender process for the contract commencing 01 August 2019.

All current MTFP savings attributable to the CDP have been achieved by retendering services and delivering efficiencies. Further budget reductions are expected in future years due to Public Health grant cuts and potential reductions in partner contributions and this will need to be factored into the tender exercise.

This decision seeks dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29, and to ensure service continuity and for reasons detailed by the report author, this is deemed appropriate in this instance.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 20/08/2018.

Equality and Diversity Advice:

As stipulated in the EIA it will be important to ensure that any extension provides an opportunity to ensure any future service provider is culturally competent and operates through facilities that meet the spirit and intent of the DDA now embodied within the Equality Act around accessibility. Cultural competence should not be limited to ethnicity and race but also an ability to work across various socio-economic groups.

Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 25/09/2018.

Procurement Advice:

The proposed direct award of the Inpatient Detoxification provision to the existing provider of the Integrated Substance Misuse Treatment service for up to 4 months period from 1st April 2019 up to 31st July 2019 is considered justified as the value of the extension is below the light touch threshold (Procurement Regs 2015), and the extension will enable a compliant procurement process for Inpatient Detoxification provision to be completed and will enable the continuity of services to this vulnerable client group during this process and service transition. For these reasons, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported from a procurement perspective.

Advice provided by Julie Herrod (Procurement Officer) on 04/09/2018.

Signatures

Sam Webster (PH for Adult Social Care and Health)
SIGNED and Dated: 17/10/2018
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 11/10/2018
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 04/10/2018
Chief Finance Officer's Comments: