

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3635

Author:

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Department:

Strategy and Resources

Contact:

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Subject:

Crime and Drugs Partnership approval to direct award Shared Care Drug Treatment Contracts

Total Value:

£450,000 (Type: Revenue)

Decision Being Taken:

1. To approve dispensation in accordance with Financial Regulation 3.29 (operational issues) from Contract Procedure Rule 5.1.2 and the requirement to go out to tender for a Shared Care Drug Treatment Provision
2. To approve the award of contracts to 6 GP Practices for the delivery of Shared Care Drug Treatment for a term of 3 years from 1st November 2019, with a 3 month notice period.
3. To grant authority to the Head of Procurement to sign the contracts

Reasons for the Decision(s) The current contracts for Shared Care Drug Treatment will end on 31st October 2019. The current providers are 6 GP Practices in Nottingham City. To be eligible to deliver Shared Care Drug Treatment each Practice must have at least one accredited GP with Specialist Interest (GPwSI) in substance misuse to run the Shared Care clinic. Following market research via the GP newsletter in Nottingham City we have found that the current providers are the only GP Practices that have accredited GPwSI's working within the practice. Therefore the existing 6 providers are the only providers eligible to deliver the service.

The 6 GP Practices are:

1. The Windmill Practice
2. The Forest Practice
3. NEMS Platform One Practice
4. Welbeck Surgery
5. Beechdale Surgery
6. Family Medical Centre

Other Options Considered: To go out to tender for the service. As there are only currently 6 providers across the city it was considered that to conduct a tender process would require a costly but unnecessary resource commitment for the Council. In addition, to run a tender process may result in some existing providers, especially those with smaller practices and fewer patients, not wanting to commit resource to bid which would result in a reduced service provision within the City. Reasonable steps have been taken to test the market and check if any other GP practices would be eligible to apply. Going out to tender would not result in any savings or improved services for citizens. Therefore this option was rejected.

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:

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. 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.

Equality:

EIA not required. Reasons: There is no change to the existing provision.

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:

17/09/2019

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

There are no significant legal issues arising from this decision. A dispensation may be granted for operational reasons and those reasons have been clearly set out within this report. The total value of the service is below the threshold for 'light touch' services in accordance with procurement legislation and therefore there is no risk of a breach of our statutory requirements.

The decision is supported by Legal Services.

Advice provided by Naomi Vass (Senior Solicitor) on 05/07/2019.

Finance Advice:

This decision seeks to award contracts to 6 GP Practices for the delivery of Shared Care Drug Treatment. The contracts will run for a 3 year period starting from 1st November 2019 to 31st October 2022. The expected cost of delivering this service over the 3 years is £0.450m (£0.150m per year) which is to be funded from the Substance Misuse budget within the Crime and Drugs Partnership. The service should monitor spend to ensure the contracts are delivered within available budget throughout the 3 year period as well as taking mitigating action should any funding be reduced in future years.

This decision also seeks dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) to directly award the contracts to 6 providers. These 6 providers are the only 6 that are accredited at the correct level. Advice provided by Philip Gretton (Finance Analyst) on 30/07/2019.

Procurement Advice:

The value of the award is below the EU procurement threshold (Light Touch Regime). The proposal to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow for a direct award for Shared Care Drug Treatment provision from 1st November 2019 is supported from a procurement perspective. Advice provided by Julie Herrod (Procurement Officer) on 08/07/2019.

Signatures

Eunice Campbell-Clark (Portfolio Holder Health, HR and Equalities)
SIGNED and Dated: 09/09/2019
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 09/09/2019
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 04/09/2019
Chief Finance Officer's Comments: