



THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST: For PCC approval.

Title: Procurement Report for the Sexual Assault Referral Centre (SARC) and Independent Sexual Violence Advisor Service (ISVA)

The current SARC model for victims across Cleveland was introduced in 2007 following financial commitment from the then Cleveland Police Authority (CPA) and the 4 Tees Primary Care Trust's (PCTs). Subsequently the PCT funding and CPA funding is now held by NHS England Health & Justice Cumbria and the North East and the Police and Crime Commissioner for Cleveland.

Both NHSE and the OPCC wish to build on and improve on the historical joint funding arrangements first implemented with the SARCs inception in 2007 by CPA and the 4xPCTs. This is in line with current national guidance on commissioning sexual assault services which advocate the development of collaborative commissioning arrangements between PCC's and NHS England. There is a duty as commissioners to reduce inequalities and work collaboratively to improve outcomes for populations.

A decision was made for the Police and Crime Commissioner for Cleveland to lead on the procurement for the joint commissioning of the Teesside SARC, Teesside ISVA and regional crisis worker service to commence 1st April 2018. Following consultation with neighbouring PCC's it was agreed that Northumbria, Durham and North Yorkshire were to be named on the procurement to enable future collaboration for the services. Crisis worker provision for Northumbria and Durham was to be included in the outset of the procurement.

Following detailed consultation with key stakeholders including a Service User to ensure that the service would capture all of the needs a service a specification for SARC and ISVA was drawn up.

Additional Service user involvement in the form of focus groups ran via a number of local voluntary sector specialist sexual violence services in which service users were invited to respond to a range of questions presented by the commissioners in relation to the service proposals was included in the consultation to ensure that the specification included the victim's voice.

An open tender was carried out using EU Supply as the tender portal, advertising the contract in Contract Finder and OJEU as per the Public Procurement Regulations 2015. An open tender is a competitive exercise whereby a tender is advertised and all bidders expressing an interest can access the tender documentation and submit a bid.

The appendix to this decision record form contains full details of the procurement process and outcome.

Decision:

That the Police and Crime Commissioner and Commercial Executive Group NHS England note the Procurement process used to appoint a supplier.

The Police and Crime Commissioner and Commercial Executive Group NHS England approve

the procurement methods investigated and recommendations put forward by the Evaluation Team to award a Lot 3 Contract opposed to a Lot 1 and Lot 2 Contract.

The Police and Crime Commissioner and Commercial Executive Group NHS England approve the procurement methods investigated and recommendations put forward by the Evaluation Team to award the contract to Bidder 2.

The Police and Crime Commissioner and Commercial Executive Group NHS England approve the £11,000 mobilisation costs be brought forward from 2018/19 budget to Q4 of 2017/18.

OPCC Lead Officer: Rachelle Kipling

Contractor Details (if applicable): Safe in Tees Valley in partnership with Arch

Implications:

Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's Chief Finance Officer where the decision has financial implications)

The agreed budget for 2018/19 for the Lot 3 is £765,000 per annum.

The below table provides a comparison of Year 1 across the two bidders:

Bidder 1	Bidder 2
£764,883.41	£733,979.00

All Bidders for all three lots submitted a cost which was below budget allocated for the service. The Budget split between the Commissioners is £365,000 per annum (including VAWG Transformation Fund) for the PCC for Cleveland and £400,000 per annum for NHS England.

Bidder 2 for Lot 3 provides savings of £31,021.00 for Year 1 against the allocated 2018/19 budget.

Lot 3 - SARC & ISVA			
	TOTAL bid price	Financial Envelope	Variance from Financial Envelope
Year 1	£733,979.00	£765,000	£31,021
Year 2	£711,124.00	£765,000	£53,876
Year 3	£722,493.00	£765,000	£42,507
Year 4	£719,456.00	£765,000	£45,544
Total Costs	£2,887,052.00	£3,060,000	£172,948

Total contract savings £172,948 over the 4 year contract term against budget based on the tender submission which reduces in Year 2 and then increases again in Year 3 and 4 to take into account indexation.

Bidder 2 for Lot 3 has identified £11,000 of mobilisation costs which are included in the above year 1 costs, however they have identified that these costs would be required to be paid prior to the contract commencement date of the 1st April 2018.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

Having read this report and having considered such information as has been provided at the time of being asked to express this view, the Chief Executive is satisfied that this report does not ask the PCC to make a decision which would (or would be likely to) give rise to a contravention of the law.

Equality and Diversity Implications

TUPE Implications have been considered as part of the tender process and the evaluation team feel that Bidder 2 has the experience to manage the process effectively and with consideration of the staff.

Human Rights Implications

There are no Human Rights implications associated with the award of this contract.

Sustainability Implications

There are no sustainability implications associated with the award of this contract.

Risk Management Implications

There is a risk that that if the decision to award the contract is delayed this will impact on the transition and mobilisation plan identified by the Bidder 2.

OFFICER APPROVAL

Monitoring Officer

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed



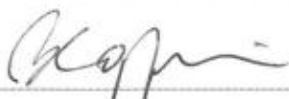
Date

6/12/17

Police and Crime Commissioner:

The above request HAS my approval.

Signed



Date

6/12/17

Report of the Chief Constable to the Police and Crime Commissioner for Cleveland and the Commercial Executive Group (CEG) of NHS England

Status: For Decision

Procurement Report for the Sexual Assault Referral Centre (SARC) and Independent Sexual Violence Advisor Service (ISVA)

1. Purpose

- 1.1 The current SARC model for victims across Cleveland was introduced in 2007 following financial commitment from the then Cleveland Police Authority (CPA) and the 4 Tees Primary Care Trust's (PCTs). Subsequently the PCT funding and CPA funding is now held by NHS England Health & Justice Cumbria and the North East and the Police and Crime Commissioner for Cleveland.
- 1.2 Both NHSE and the OPCC wish to build on and improve on the historical joint funding arrangements first implemented with the SARCs inception in 2007 by CPA and the 4xPCTs. This is in line with current national guidance on commissioning sexual assault services which advocate the development of collaborative commissioning arrangements between PCC's and NHS England. There is a duty as commissioners to reduce inequalities and work collaboratively to improve outcomes for populations.
- 1.3 The aim of commissioning the Teesside SARC is to provide countywide coverage and consistency of offering of services which work together in the best interests of Service Users, regardless of which agency a Victim first contacts.
- 1.4 The services will provide the 'hub' of information and advice for Victims of sexual assault and abuse as well as coordination of services for those affected. The commissioners' aims are for the provider to deliver a SARC service which ensures that each individual client receives the most appropriate care to meet their assessed needs. This will take place in a timely manner, give support the client through their recovery, assist the investigative process if they wish to pursue a criminal justice outcome, and ultimately to reduce the amount of long term care needed and future demands on the NHS.
- 1.5 A decision was made for the Police and Crime Commissioner for Cleveland to lead on the procurement for the joint commissioning of the Teesside SARC, Teesside ISVA and regional crisis worker service. Following consultation with neighbouring PCC's it was agreed that Northumbria, Durham and North Yorkshire were to be named on the procurement to enable future collaboration for the services. Crisis

worker provision for Northumbria and Durham was to be included in the outset of the procurement.

2. Recommendations

- 2.1 That the Police and Crime Commissioner and Commercial Executive Group NHS England note the Procurement process used to appoint a supplier.
- 2.2 The Police and Crime Commissioner and Commercial Executive Group NHS England approve the procurement methods investigated and recommendations put forward by the Evaluation Team to award a Lot 3 Contract opposed to a Lot 1 and Lot 2 Contract.
- 2.3 The Police and Crime Commissioner and Commercial Executive Group NHS England approve the procurement methods investigated and recommendations put forward by the Evaluation Team to award the contract to Bidder 2.
- 2.4 The Police and Crime Commissioner and Commercial Executive Group NHS England approve the £11,000 mobilisation costs be brought forward from 2018/19 budget to Q4 of 2017/18.

3. Background

- 3.1 A Prior Information Notice (PIN) was issued in June 2017 to advise the suppliers of the Commissioners intention to go to market for SARC and ISVA Services.
- 3.2 Following detailed consultation with key stakeholders including a Service User to ensure that the service would capture all of the needs a service a specification for SARC and ISVA was drawn up.
- 3.3 Additional Service user involvement in the form of focus groups ran via a number of local voluntary sector specialist sexual violence services in which service users were invited to respond to a range of questions presented by the commissioners in relation to the service proposals was included in the consultation to ensure that the specification included the victim's voice.
- 3.4 Documentation from recent procurement examples for SARC services was reviewed and where evidence of good practice and relevant questions were identified these were incorporated into the procurement documentation.
- 3.5 A decision was made to bring the contract term in line with other similar contracted services to enable future review to be carried out to establish if sufficient synergy between the services could be identified to enable combined service provision. It was felt that a two year contract with an extension to extend for a further two years would provide commissioners with the best outcome.
- 3.6 The financial envelope for the total services is £765,000 per annum (this includes the VAWG Transformation Fund) which over the life of the contract is potentially £3,060,000 if the full 4 year contract term is awarded. In addition the contract has allowances for additional funding from Ministry of Justice and three other PCC's to join, therefore the potential contract value was £20,000,000. The EU tender

threshold for light touch services which the SARC and ISVA fall under is £589,148 therefore an EU tender exercise was conducted.

- 3.7 The Commissioners decided that an open tender via the EU Supply Tender Portal, split into three lots was the most effective way to procure the services. An open tender is a competitive exercise whereby a tender is advertised and all bidders whom express an interest can access the tender documentation and submit a bid.
- 3.8 Due to the service not previously being commissioned in this manner and therefore a lack of knowledge on the market capabilities and maturity, a decision was made to split the requirements into three lots. The Commissioners would make a decision following evaluation of the bids whether to award Lot 1 and Lot 2 or Lot 3. This decision would be based on considered if there is a significant benefit to Commissioners compared to the benefits of procuring separate lots. For the purpose of this agreement a significant benefit shall be defined as:-

"An advantage which the organisations can benefit from, such as more advantageous levels of service and or additional savings generated in comparison to the award of individual lots".
- 3.8.1 Lot 1 – Teesside Sexual Assault Referral Centre and North East Region Crisis Workers
- 3.8.2 Lot 2 – Teesside Independent Sexual Violence Advisor
- 3.8.3 Lot 3 – Teesside Sexual Assault Referral Centre and North East Region Crisis Workers and Independent Sexual Violence Advisor combined.
- 3.9 In September 2017, an advert was placed in the European Journal and the Bluelight E-tendering system inviting suppliers to bid for the service. An open tender was carried out using EU Supply as the tender portal, advertising the contract in Contract Finder and OJEU as per the Public Procurement Regulations 2015.
- 3.10 Sixteen suppliers expressed an interest in the tender. A bidder's open day was held on 12th October 2017, facilitated by an independent external third party. The bidder's day enabled the Commissioners to articulate why they were going to the market, what they were commissioning and explain the tender process. Bidders were given the opportunity to ask questions. All questions/answers were also issued via the portal following the event to ensure openness/transparency and fairness to all bidders.
- 3.11 Four suppliers submitted a response by the closing date and time of 12 noon on 3rd November 2017. The four suppliers submitted six bids in total, two bids per lot.
- 3.12 In addition to a number of mandatory pass/fail questions such as mandatory/discretionary exclusion/financial viability/ Insurance etc., the evaluation criterion was 55% Quality and Service Delivery, 15% Case Study/Presentation and 30% Price. Although in the current financial climate price is a key factor, it was felt that a quality service particularly in relation to victim focus was procured.
- 3.13 The financial envelope was provided for each lot and bidders were advised that any bids received in excess of the financial envelope would not score any points in the price evaluation.

- 3.14 All bidders were advised as part of the procurement exercise of the requirement to present to the evaluation team a case study. Bidders were provided with a copy of the case study on 14th November.
- 3.15 Lot 1 and 2 bidders' case study was presented to members of the evaluation team on 16th November and Lot 3 on 21st November.
- 3.16 The evaluation team (not all members of the evaluation team evaluated all questions, details of evaluation area highlighted under the evaluation team section below), evaluated the six bids in line with the evaluation criteria, as per the tables below:

Lot 1

Criteria	Available Percentage	Bidder 1 Percentage Scored	Bidder 2 Percentage Scored
Technical and Professional Ability	3.0%	1.80%	1.80%
Workforce Model	5.0%	1.50%	3.00%
Workforce Development	5.0%	1.50%	3.00%
Transition	5.0%	3.50%	3.00%
Service Integration	5.0%	1.50%	2.00%
Facilities	2.0%	0.80%	1.40%
Access to Services	3.0%	0.90%	2.10%
Competing Demands	2.0%	0.60%	0.80%
Capacity Management	2.0%	0.60%	0.80%
Provision of Safe Services	3.0%	0.90%	2.70%
Information Management Systems	2.0%	0.80%	1.20%
Confidentiality and Data Security	3.0%	1.80%	2.10%
Partner Organisations & Referral Pathways	3.0%	1.20%	2.70%
Performance Management	2.0%	1.20%	1.20%
Advice, Training and Support	3.0%	1.20%	1.80%
Continuous Improvement	1.0%	0.30%	0.60%
Service User Feedback	1.0%	0.30%	0.90%
Information Sharing	1.0%	0.40%	0.30%
Risk	2.0%	1.20%	1.20%
Promotion and Branding	2.0%	0.60%	0.60%
Case Study/Presentation	15.0%	6.00%	10.50%
Price	30.0%	24.00%	30.00%
TOTAL:	100.0%	52.60%	73.70%

Lot 2

Criteria	Available Percentage	Bidder 1 Percentage Scored	Bidder 2 Percentage Scored
Technical and Professional Ability	5.0%	3.50%	2.00%
Workforce Model	5.0%	3.50%	1.50%
Workforce Development	5.0%	3.00%	2.00%
Transition	5.0%	2.00%	3.00%
Service Integration	5.0%	1.50%	2.00%
Competing Demands	2.0%	0.80%	0.60%
Capacity Management	2.0%	0.80%	0.60%
Victim Needs Assessment	3.0%	1.80%	0.90%
Access	3.0%	2.10%	1.20%
Provision of Safe Services	3.0%	1.80%	1.20%
Information Management Systems	3.0%	1.20%	0.90%
Confidentiality and Data Security	3.0%	1.80%	1.20%
Performance Management	3.0%	1.20%	0.90%
Risk	3.0%	0.90%	0.30%
Continuous Improvement	1.0%	0.60%	0.40%
Service User Feedback	1.0%	0.60%	0.60%
Information Sharing	1.0%	0.30%	0.30%
VAWG	2.0%	1.20%	0.60%
Case Study/Presentation	15.0%	10.50%	9.00%
Price	30.0%	30.00%	24.00%
TOTAL:	100.0%	69.10%	53.20%

Lot 3

Criteria	Available Percentage	Bidder 1 Percentage Scored	Bidder 2 Percentage Scored
Technical and Professional Ability	3.0%	2.10%	2.10%
Workforce Model	5.0%	1.50%	3.50%
Workforce Development	5.0%	1.50%	3.50%
Transition	5.0%	2.00%	3.00%
Service Integration	3.0%	0.90%	0.90%
Facilities	2.0%	0.80%	1.20%
Access to Services	2.0%	0.60%	1.40%
Competing Demands	2.0%	0.60%	0.60%
Capacity Management	2.0%	0.60%	0.80%
Victim Needs Assessment	2.0%	0.20%	1.20%
Provision of Safe Services	3.0%	0.90%	2.70%
Information Management Systems	2.0%	0.60%	1.40%
Confidentiality and Data Security	3.0%	1.20%	2.10%
Partner Organisations & Referral Pathways	2.0%	0.60%	1.80%
Performance Management	2.0%	0.80%	1.20%
Advice, Training and Support	2.0%	0.80%	1.20%
Continuous Improvement	1.0%	0.30%	0.60%
Service User Feedback	1.0%	0.10%	0.70%
Information Sharing	1.0%	0.30%	0.30%
Risk	3.0%	1.20%	1.80%
Promotion and Branding	2.0%	0.60%	0.60%
VAWG	2.0%	0.00%	1.20%
Case Study/Presentation	15.0%	6.00%	10.50%
Price	30.0%	24.00%	30.00%
Total	100.0%	48.20%	74.30%

4. Implications

4.1 Finance

4.1.1 The agreed budget for 2018/19 for the Lot 1 is £400,000 per annum.

4.1.2 The below table provides a comparison of Year 1 across the two bidders:

Bidder 1	Bidder 2
£399,876.00	£399,186.00

4.1.3 The agreed budget for 2018/19 for the Lot 2 is £365,000 per annum.

4.1.4 The below table provides a comparison of Year 1 across the two bidders:

Bidder 1	Bidder 2
£364,614.50	£365,000.00

4.1.5 The agreed budget for 2018/19 for the Lot 3 is £765,000 per annum.

4.1.6 The below table provides a comparison of Year 1 across the two bidders:

Bidder 1	Bidder 2
£764,883.41	£733,979.00

4.1.7 All Bidders for all three lots submitted a cost which was below budget allocated for the service.

4.1.8 The Budget split between the Commissioners is £365,000 per annum (including VAWG Transformation Fund) for the PCC for Cleveland and £400,000 per annum for NHS England.

4.1.9 Bidder 2 for Lot 3 provides savings of £31,021.00 for Year 1 against the allocated 2018/19 budget.

Lot 3 - SARC & ISVA			
	TOTAL bid price	Financial Envelope	Variance from Financial Envelope
Year 1	£733,979.00	£765,000	£31,021
Year 2	£711,124.00	£765,000	£53,876
Year 3	£722,493.00	£765,000	£42,507
Year 4	£719,456.00	£765,000	£45,544
Total Costs	£2,887,052.00	£3,060,000	£172,948

Total contract savings £172,948 over the 4 year contract term against budget based on the tender submission which reduces in Year 2 and then increases again in Year 3 and 4 to take into account indexation.

4.1.10 Bidder 2 for Lot 3 has identified £11,000 of mobilisation costs which are included in the above year 1 costs, however they have identified that these costs would be required to be paid prior to the contract commencement date of the 1st April 2018.

4.2 Legal

Standard NHS Terms and Conditions have been used for this service have been agreed and reviewed by the CC Legal Team.

4.3 Diversity & Equal Opportunities

TUPE Implications have been considered as part of the tender process and the evaluation team feel that Bidder 2 has the experience to manage the process effectively and with consideration of the staff.

4.4 Human Rights Act

There are no Human Rights implications associated with the award of this contract.

4.5 Sustainability

There are no sustainability implications associated with the award of this contract.

4.6 Risk

There is a risk that that if the decision to award the contract is delayed this will impact on the transition and mobilisation plan identified by the Bidder 2.

5. Conclusions

5.1 The Evaluation Team is confident that the procurement exercise has been conducted in a fair, comprehensive, thorough and transparent process.

5.2 The tender process has proven to deliver value for money therefore the evaluation team recommends that the PCC and CEG awards a Lot 3 Contract for SARC (including Crisis Workers for Cleveland, Northumbria and Durham) and ISVA Services to Bidder 2.

5.3 £31,021 of cashable savings against the budget for 2018/19 have been delivered for year 1. Total contract savings over the full 4 year contract term are £172,948.

5.4 The contract has been advertised and written to enable flexibility to add additional funding from Ministry of Justice and for PCC's from Northumbria, Durham and North Yorkshire to procure services via the contract during its term to increase collaboration.

Iain Spittal
Chief Constable

Evaluation team:

Role	Organisation	Pass/Fail	Financial Viability	Quality Questions	Price	Bidder Case Study
Head of Procurement and Fleet	Cleveland Police	X		X	X	X
Commissioning Lead Sexual Assault Services and Police Custody	NHS England			X		X
Nurse and Quality Manager	NHS England			X		
Inspector – Operational Crime Team	Cleveland Police			X		X
Service User	N/A			X		X
Commissioners Officers for Victims	PCC for Cleveland			X		X
PVP Manager	Northumbria Police			X		X
Consultant	PCC for Cleveland			X		X
Finance Manager	NHS England		X			
SARC Manager	Durham Police			X		
Policy and Accountability	PCC for Durham					X