



Decision Ref. No.

(Please enter)

B064118

DECISION RECORD ¹

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution) **Council's Constitution**

Subject:

Contract with Cambridge and Peterborough NHS Foundation Trust (CPFT) for Integrated Mental health Services for people registered with GP surgeries in Royston.

Staff Contact: Anna Hall

Executive Member: Colette Wyatt-Lowe

Tel: 53043

Portfolio: Adult Community Services

1. **Decision** ²

The provision of integrated mental health services for people registered with GP surgeries in Royston with Cambridge and Peterborough NHS Foundation Trust (CPFT) for 2017-2019.

2. **Reasons for the decision** ³

Commissioners had agreed in principle with Cambridge and Peterborough Clinical Commissioning Group (C&PCCG) and CPFT to incorporate the CPFT activity into the C&P CCG contract (the lead commissioner for CPFT and main source of funds for the Hertfordshire Contract). However, C&PCCG informed Hertfordshire that C&PCCG were unable to formalise the incorporation until 2019/20 due to capacity issues and have requested this is postponed.

3. **Alternative options considered and rejected** ⁴

Commissioners seek to formalise contractual arrangements with CPFT as no alternative exists, due to C&PFT being an NHS provider commissioned by C&PCCG to deliver Mental Health Services. Royston GPs have aligned themselves with C&PCCG.

Therefore the relevant Contract Regulations apply for a single tender action (STA):

1. The contract service specification is complex, bespoke to the requirements of the Council and the CCGs and integrated (both as between: (a) the requirements of the Council and the CCGs pursuant to a Framework Partnership Agreement dated 20 November, 2015, and (b) health and social care services). The reg. 32(2)(b)(ii) of the Regulations provides that public services contracts may be awarded pursuant to the negotiated procedure without prior publication where competition is absent for technical reasons in circumstances where: (i) no reasonable alternative or substitute exists, and (ii) the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement. Officers consider that this applies in this instance.
2. Officers consider that reliance on reg.32(2)(b)(ii) is appropriate having regard to: (a) the complex and bespoke subject matter of the contract specification, in particular the integrated nature of the specification; and (b) CPFT's facilities, resources, expertise

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and capacity, which enable it to deliver the inpatient, continuing healthcare and rehabilitation services called for under the specification. Officers do not consider that any reasonable alternative or substitute provider currently exists.

4. Consultation

(a) Comments of Executive Member ^{5 6}

Agreement via email attached.

(b) Comments of other consultees ⁷

No Comments

5. Following consultation with, and the concurrence of the Executive Member, I am proceeding with the proposed decision.

Signed: 

Title: Assistant Director, Adult Care Commissioning Date: 17 July 2018

6. Copies of agreed document to:

- All consultees
- All members of the County Council (Democratic Services to send)
- Hard & electronic copy (for public inspection both at County Hall and on hertfordshire.gov.uk) to the Democratic Services Manager - Room 213 County Hall; democratic.services@hertfordshire.gov.uk

¹ Please refer to the Call-in and Contract Award Process for officers to determine if notice on this decision record for successful and unsuccessful bidders is exempt information and is therefore subject to inclusion in Annex 'A'

² If this decision relates to the award of contract, please provide a summary of the evaluation process and reasons for the award of contract to the successful bidder.

³ for guidance see Chief Legal Officer's note "Taking Decisions"

⁴ details of any alternative options considered and rejected by the officer at the time the decision was made

⁵ record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without taking advice from the Chief Legal Officer

⁶ If the matter has general significance for the Council and/or is, or is likely to be, controversial, then the officer shall consult the appropriate Executive Member before proceeding. In some cases it will be necessary to consult more than one Executive Member, and in some cases the Leader of The Council will need to be consulted

⁷ If the matter has local significance, but no general significance for the Council and no controversial aspects, the officer shall consult or inform the local member in writing (or by email) and proceed. It is essential that all officers responsible for delivering services ensure that local members are kept well briefed on issues affecting their areas.