

ICB Primary Care Commissioning Committee

Date of meeting	9 November 2023
Title of paper	Market Engagement for the Special Allocation Scheme
Presented by	Sarah Danson, Senior Delivery Assurance Manager
Author	Sarah Danson, Senior Delivery Assurance Manager
Agenda item	5a
Confidential	No

Executive summary

Following a direct award by the Primary Care Contracting Group in March 2023, the contract for the Special Allocation Scheme service remains with the current provider FCMS Ltd until 31st May 2024.

To ensure continued access to General Medical Services for patients currently allocated to the Special Allocation Scheme, the Primary Care Commissioning Committee is required to decide the best option to secure ongoing service provision for these patients.

To inform this decision it is proposed that a market engagement exercise is undertaken. To ensure the option decided upon to secure ongoing provision can be carried out within the proposed timeline, the request for information must be published in November 2023.

This also allows for the finalisation and sign off of the procurement evaluation strategy (PES) in January 2024.

Advise, Assure or Alert

To advise the committee of arrangements currently in place to provide primary care services for patients who have been allocated to the Special Allocation Scheme.

To assure the committee of the process being undertaken in respect of a market engagement exercise (known as a Request for Information - RFI).

Recommendations

The committee is requested to:

- Approve the proposed action to carry out a Request for Information to support the committee to decide the best option to secure ongoing service provision for the patients allocated to the Special Allocation Scheme.
- Approve that the detailed request for information is signed off by the Primary Medical Services Group prior to its publication in line with recent market engagement exercises.

Which Strategic Objective/s does the report contribute to		Tick
1	Improve quality, including safety, clinical outcomes, and patient experience	√
2	To equalise opportunities and clinical outcomes across the area	√
3	Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees	√
4	Meet financial targets and deliver improved productivity	√
5	Meet national and locally determined performance standards and targets	√
6	To develop and implement ambitious, deliverable strategies	√

Implications

	Yes	No	N/A	Comments
Associated risks		√		
Are associated risks detailed on the ICB Risk Register?			√	
Financial Implications		√		

Where paper has been discussed (list other committees/forums that have discussed this paper)

Meeting	Date	Outcomes
Not applicable		

Conflicts of interest associated with this report

Not applicable

Impact assessments

	Yes	No	N/A	Comments
Quality impact assessment completed			√	
Equality impact assessment completed			√	
Data privacy impact assessment completed			√	

Report authorised by:	Craig Harris, Chief Operating Officer
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Market Engagement for the Special Allocation Scheme

1. Introduction

- 1.1 The Special Allocation Scheme (SAS) is provided on a Lancashire and South Cumbria basis by Compass Medical Practice which is part of Fylde Coast Medical Services (FCMS).
- 1.2 There is currently a contract in place until the end of May 2024.
- 1.3 This paper outlines the request for approval to conduct a market engagement exercise to inform future commissioning arrangements for the SAS.

2. Background

- 2.1 Provision for the SAS is set out in the General Medical Services (GMS) and Personal Medical Services (PMS) Regulations. These Regulations allow a GP practice to immediately remove a patient from their list following any incident where a GP or member of practice staff has feared for their safety or wellbeing, resulting in the incident being reported to the police.
- 2.2 The SAS was first introduced as a Directed Enhanced Service (DES) in 2004 to provide general primary medical care services in a secure environment to patients who met the criteria for inclusion on the scheme.
- 2.3 The SAS allows commissioners to balance the rights of patients to receive services from GPs, with the need to ensure that specified persons including GPs, their staff, patients and others on the premises deliver and receive those services without actual or threatened violence or other reasonable fear for their safety.
- 2.4 In 2016 discussions with Clinical Commissioning Groups (CCGs) across Lancashire and South Cumbria were undertaken in relation to the service model which was in place to deliver the SAS. At that time, service provision for the SAS constituted a number of separate agreements with GP practices as part of the DES. Under those arrangements the providers were only required to provide six months' notice to withdraw from the scheme. A number of practices withdrew from the scheme / requested additional funding and as a result it became increasingly difficult to ensure that there was adequate provision of this service to meet patient need.
- 2.5 It was agreed that a procurement exercise would be undertaken to secure a provider across Lancashire and South Cumbria. Appropriate advice was sought

in relation to the scheme of delegation for co-commissioning arrangements and variations were signed by each CCG. The procurement exercise was undertaken by NHS England and an APMS contract was awarded to Compass Medical Practice (formerly PDS Medical which is a subsidiary of Fylde Coast Medical Services (FCMS), and the contract was novated to FCMS in September 2021.

- 2.6 The contract commenced on 1st June 2017. This contract was initially for a period of 5 years and contained a provision for a one-year extension until 31st May 2023.
- 2.7 The current service model also includes those patients who may not have been violent, but who cannot maintain a relationship with GP practice. These patients were previously under a 'Difficult to Doctor' Local Enhanced Service (LES) and often exhibit behaviour which makes caring for them extremely difficult, sometimes with diagnosed and undiagnosed mental health conditions.
- 2.8 Compass Medical Practice currently serves approximately 259 patients and operates to a specification that requires the practice to provide services within a 10-mile radius of a patient's home address. This is delivered either through agreements with local practices for access to rooms within practice buildings, or from the practice's mobile clinic.
- 2.9 Following the extension of the contract with the incumbent until 31st May 2023 (under the provisions within the existing contract) a Prior Information Notice (PIN) was published on Contracts Finder on 23rd September 2022 to alert providers to a market engagement exercise, highlighting that the RFI documentation was available via the NECS e-tendering portal.
- 2.10 The RFI concluded on 7th October 2022. The RFI was viewed by 8 organisations who registered on the NECS e-tendering portal resulting in feedback being provided by 1 organisation.
- 2.11 Based on these responses it was evident that there would be limited provider interest in the procurement opportunity for the SAS scheme. A direct award was agreed at a meeting of Primary Care Contracting Group on 31st March 2023 to the incumbent provider for a further year until 31st May 2024. The current financial envelope for the service is £681.2k per annum. It is proposed that this will be the baseline level of funding from 1st June 2024 onwards.

3. Current situation

- 3.1 The current contract is due to end on 31st May 2024.
- 3.2 The high-level timeline for the procurement option is detailed below:

Stage	Completion
Approval of content of RFI	Primary Medical Services Group 16/11/23
Issue Request for RFI	17/11/23
Approval of procurement evaluation strategy (PES) including the market analysis and engagement report.	To be agreed at the Primary Care Commissioning Committee on 18/01/24
Publication advert on contracts finder	05/02/24
Contract award	03/05/24

- 3.3 To ensure continued access to primary medical services for patients currently allocated to the Special Allocation Scheme provider, the Primary Care Commissioning Committee is required to decide the best option to secure ongoing service provision.
- 3.4 The procurement options available to the ICB are:
- Full procurement
 - Direct award with a voluntary ex-ante transparency notice (VEAT notice)
 - Direct award without a voluntary ex-ante transparency notice (VEAT notice)
- 3.5 For completeness, the impact of the Provider Selection Regime (PSR) which will change the requirements for competitive tendering of healthcare services have been considered.
- 3.6 The latest information from NHS England is that the PSR will come into effect in January 2024.
- 3.7 NHS England guidance stipulated that the current procurement regime applies until the PSR comes into effect.
- 3.8 The preferred procurement route will be reviewed should the PSR come into effect before the procurement is published.
- 3.9 The contract award criteria for the PES are already broadly aligned to the PSR requirements in terms of award criteria for direct awards or competitive processes. However, a further review and amendment (if required) will be needed to ensure compliance with the PSR process if it is published prior to commencing the re-procurement process.
- 3.10 To support the Primary Care Commissioning Committee to select the most appropriate procurement option, it is proposed to undertake a market engagement exercise through the issuing of a request for information.
- 3.11 A request for information was undertaken to inform the original decision to determine the direct award up until 31st May 2024, but due to the timelapse since

the last RFI was completed, it is proposed to undertake a further request to the market.

3.12 The request for information is a form of market engagement which is used to establish the capability and capacity of a market in relation to a specific service, with the findings used to inform the most appropriate procurement option and the development of the service specification / service model.

3.13 The request for information will be published on the e-tendering portal and is open to any interested party.

3.14 The request for information usually covers key areas such as:

- Preferred contractual model for delivery of the service
- Viability and sustainability of the service model
- Preferred contract length
- Financial risks associated with the delivery of the service
- Mobilisation requirements of the service
- Premises requirements of the service
- Any barriers to bidding for the service
- Social Value deliverables of the service.

3.15 Following receipt and initial review of the responses, a market analysis and engagement report will be developed to include areas such as:

- An options appraisal of all the procurement options available as outlined in section 3.4
- A detailed analysis of the findings from the RFI, using a number of analytical tools as appropriate to the service
- Risks and issues identified
- Considerations, conclusions, and recommendations.

3.16 The market analysis and engagement report will be presented to the Primary Care Commissioning Committee in January 2024.

3.17 Engagement with patients is also being undertaken. A detailed communications and engagement plan and patient survey have been compiled by the communications team and this is due to commence shortly.

4. Recommendations

4.1 The committee is requested to:

- Approve the proposed action to carry out a request for information to support the committee to decide the best option to secure ongoing service provision for the patients allocated to the Special Allocation Scheme.
- Approve that the detailed request for information is signed off by the Primary Medical Services Group on 16th November 2023 prior to its publication in line with recent market engagement exercises.

Sarah Danson
November 2023