

ICB Primary Care Commissioning Committee

Date of meeting	18 January 2024
Title of paper	Market Engagement for Special Allocation Scheme
Presented by	Peter Tinson, Director of Primary Care Sarah Danson, Senior Delivery Assurance Manager
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Agenda item	5b
Confidential	No

Executive summary

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

To ensure continued access to General Medical Services (GMS) for patients currently allocated to the SAS, the Primary Care Commissioning Committee (PCCC) approved at its meeting on 9 November 2023 the request for a market engagement exercise to determine the best option for the ongoing service provision for these patients.

This report details the outcome of the market engagement exercise and the options available for the future delivery of the service.

Advise, Assure or Alert

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

To advise the committee of outcome of the market engagement exercise (known as a Request for Information - RFI) for the SAS and the next steps.

Recommendations

The committee is requested to:

- Note the results of the RFI which was conducted to support the committee decide the best option to secure ongoing service provision for the patients allocated to the SAS.
- Note the proposal to submit a detailed options appraisal to the February 2024 meeting of the committee to determine the best option.

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

Any parties interested in providing this service in the future or affiliated to the current provider, FCMS or any subsidiary companies.

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

ICB Primary Care Commissioning Committee

18 January 2024

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 details the results of the market engagement exercise to inform future commissioning arrangements for the SAS which was approved at the PCCC meeting held on 9th November 2023. This has been conducted in line with the Public Contract Regulations 2015 (as amended).

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 The current service model also includes provision for 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.
- 2.5 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.

- 2.6 The contract commenced on 1st June 2017 and was initially for a period of 5 years, including the provision for a one-year extension until 31st May 2023.
- 2.7 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.
- 2.8 The RFI concluded on 7th October 2022. The RFI was viewed by 8 organisations who registered on the NECS e-tendering portal and feedback was provided by 1 organisation.
- 2.9 Based on these responses it was evident that there would be limited provider interest in the procurement opportunity for the SAS scheme.

3. Current situation

- 3.1 A direct award was agreed at a meeting of PCCG on 31st March 2023 to the incumbent provider for a further year until 31st May 2024. The current financial envelope for the service is £712,500 per annum.
- 3.2 To ensure continued access to primary medical services for patients currently allocated to the SAS, the PCCC must decide the best option to secure ongoing service provision.
- 3.3 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)
- 3.4 A prior information notice (PIN) was published on find a Tender Service and an Early Market Engagement notice was published on Contracts Finder on 23rd November 2023 to alert providers to a market engagement exercise.
- 3.5 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.
- 3.6 The request for information is published on the e-tendering portal and is open to any interested party.
- 3.7 The request for information 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.
- 3.8 Following receipt and initial review of the responses, a market analysis and engagement report has been developed to include:
- An options appraisal of all the procurement options available
 - 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.
- 3.9 A copy of the Market Engagement Report produced by the North of England Commissioning Support Unit (NECS) is attached as Appendix 1.
- 3.10 The single respondent has raised issues in relation to lease costs of the mobile vehicle and service provision for children of patients on the scheme. These points will be clarified with the respondent.
- 3.11 The impact of the Provider Selection Regime (PSR) which has changed the requirements for competitive tendering of healthcare services have been considered.
- 3.12 The PSR governs the award of contracts for specific healthcare services on or after 1 January 2024.
- 3.13 The PSR contains some transitional provisions for procurements that commenced prior to 1 January 2024, which disapply the Provider Selection Regime.
- 3.14 For procurements that commenced prior to 1 January 2024 the Public Contracts Regulations 2015 and the NHS Procurement, Patient Choice and Competition Regulations 2013 apply.
- 3.15 For a procurement to have commenced, the ICB would need to have published a Contract Notice in the Find a Tender Service and / or contacted any provider to seek an expression of interest in relation to the services.
- 3.16 The ICB published an RFI but did not publish a Contract Notice, which is a formal notification of a contract opportunity.
- 3.17 The ICB did directly contact a provider to seek expressions of interest or offers in respect of a proposed contract.
- 3.18 As the ICB did contact a provider to seek an expression of interest in relation to the services, the PCR will apply to the procurement.

4. Next Steps

- 4.1 A detailed options appraisal paper will be presented to the February 2024 PCCC meeting.
- 4.2 The paper will include the outcome of the patient and stakeholder engagement exercise which is due to conclude on 5th January 2024 and a detailed Equality and Health Inequalities Impact and Risk Assessment (EHIIRA).
- 4.3 The paper will also include a due diligence exercise relating to the current contractual arrangements covering the areas of :
 - Patient experience and stakeholder engagement
 - Contractual /performance assurance
 - Quality and safeguarding metrics
 - Financial assurance

5. Recommendations

- 5.1 The committee is requested to:
 - Note the results of the RFI which was conducted to support the committee to decide the best option to secure ongoing service provision for the patients allocated to the SAS.
 - Note the proposal to submit a detailed options appraisal to the February 2024 meeting of the committee to determine the provision for SAS.

Sarah Danson

January 2024