

**DUDLEY HEALTH AND WELLBEING BOARD**

**Agenda Item no. 6(b)**

**REPORT SUMMARY SHEET**

<b>DATE</b>	22 March 2018
<b>TITLE OF REPORT</b>	MCP PROCUREMENT PROCESS – PROGRESS REPORT
<b>Organisation and Author</b>	Dudley CCG, Mr N Bucktin, Director of Commissioning
<b>Purpose of the report</b>	To advise the Board of progress with the MCP procurement process
<b>Key points to note</b>	<ol style="list-style-type: none"> <li>1. Dudley CCG is in the process of procuring and commissioning a Multi-Specialty Community Provider – a form of “Accountable Care Organisation” (ACO).</li> <li>2. The dialogue stage of the procurement process is nearing completion. Final bids are scheduled to be received by late April 2018.</li> <li>3. The outcome of the evaluation process will be reported to special meetings of this Board and the Council Cabinet on 19 June 2018.</li> <li>4. Part of the process includes identifying CCG staff who will transfer to the MCP. This has begun. Further discussions are required in relation to how staff can support the MCP mobilisation process.</li> <li>5. Discussions continue with NHSE/NHSI regarding regulatory assurance processes and the Foundation Trust separation process.</li> <li>6. Two judicial reviews are due to be considered in relation to the proposed contract that will be used for the MCP. NHS England will be conducting a consultation on the proposed contract this Spring.</li> <li>7. Whilst the CCG’s process continues alongside the judicial reviews and the contract consultation, any delay with the consultation may impact on the local timetable and the intention to have service commencement by 1 April 2019.</li> </ol>
<b>Recommendations for the Board</b>	That progress with the MCP procurement be noted.
<b>Item type</b>	Assurance
<b>H&amp;WB strategy priority area</b>	Joining up health and care services

## **DUDLEY HEALTH AND WELLBEING BOARD**

**DATE: 22 MARCH 2018**

**TITLE: MCP PROCUREMENT PROCESS – PROGRESS REPORT**

### **1.0 PURPOSE OF REPORT**

1.1 To advise the Board of progress with the MCP procurement process

### **2.0 BACKGROUND**

2.1 The Board will recall that following the CCG issued a Contract Notice for the procurement of a Multi-Specialty Community Provider (MCP), by means of a “competitive dialogue” process, in June 2017.

2.2 The competitive dialogue process, focussing on specific elements of the bid received, began on 4 September 2017 and will continue into late March 2018.

2.3 This report provides the Board with an update on progress.

### **3.0 PROCUREMENT SCOPE**

3.1 The MCP will be responsible for what is described as a “whole population budget” covering the following:-

- physical health services for adults and children;
- all mental health services;
- all learning disability services;
- NHS Continuing Healthcare and Intermediate Care;
- primary care prescribing;
- public health commissioned services including sexual health, substance misuse, health visiting/Family Nurse Partnership, school health and lifestyle services;
- some CCG commissioning activities.

3.2 It will hold a contract for 10 years (with an option to extend for a further 5 years), linked to the delivery of an agreed set of outcomes.

3.3 General practices will form part of the service delivery model either by retaining an existing contract and “partially integrating “, through an “Integration Agreement” with the MCP, or by surrendering an existing contract and “fully integrating” with the MCP.

- 3.4 Whilst not being included from the contact commencement date, there is an option available to phase in the Council's adult social care services over the term of the contract, subject to the Council's criteria being met.
- 3.5 Following submission of Pre-Qualification Questionnaires (PQQs), the bidder involved in the dialogue is a consortium made up of Dudley Group NHS Foundation Trust, Birmingham Community Healthcare NHS Foundation Trust, Dudley and Walsall Mental Health Partnership NHS Trust and Black Country Partnership NHS Foundation Trust, together with local GPs.

#### **4.0 DIALOGUE PROCESS**

- 4.1 The dialogue process has continued since September 2017 and is now scheduled to conclude in late March. The process has focussed on specific areas:-
- service model;
  - outcomes;
  - organisational form;
  - it, estates and enablers;
  - finance;
  - contract, Integration Agreement and mobilisation.
- 4.2 The MCP Procurement Project Board will be requested to approve the invitation to submit final proposals at its meeting on 19 March 2018. The deadline for receipt of final proposals is 25 April 2018.
- 4.3 Alongside the dialogue process, discussions have taken place with practices regarding the Integration Agreement that will be used to enable practices to partially integrate with the MCP. Final proposals will be expected to indicate the extent to which practices have indicated their support for partial/full integration. The Project Board has agreed that it would expect to see, as a minimum, a degree of population coverage equal to two thirds of the GP registered population with at least one partially/fully integrated practice in each locality.
- 4.4 Following dialogue regarding the organisational form of the entity holding the MCP contract, it has been agreed that this will be an NHS Foundation Trust, created through the separation of the existing Dudley Group NHS Foundation Trust into two separate Foundation Trusts, one of which will hold the MCP contract.
- 4.5 Following an evaluation of the final proposals a report will be submitted to meetings of the CCG Board and the Council Cabinet on 19 June 2018. Both bodies will jointly receive the report on the outcome of the evaluation and a supporting presentation. They will then hold separate meetings to take their respective decisions.

## **5.0 TUPE TRANSFER OF CCG STAFF**

5.1 Part of the process has included identifying CCG staff managing activities which will transfer to the MCP as originally set out in the notice published at the commencement of the procurement process. This has begun. Those identified initially are:-

- the NHS Continuing Healthcare and Intermediate Care Team;
- the Pharmaceutical Public Health Team;
- staff managing the placement process for adults with mental health needs and children with complex health needs.

5.2 Further work is required in relation other CCG activities which will transfer, in the context of the future shape of the CCG as a commissioning organisation. The CCG's Remuneration and Human Resources Committee has considered a separate report on the hr processes that will underpin this and engagement is taking place with relevant staff.

## **6.0 REGULATORY AND LEGAL PROCESSES**

6.1 Discussions continue with both NHSE and NHSI regarding the choreography of the regulatory processes relating to the procurement itself and the FT separation. A preparatory meeting on this will take place on 22 March. Proposed terms of reference for a clinical assurance process to be overseen by the Clinical Senate have been made to NHS England.

6.2 Two judicial reviews relating to the proposed national MCP contract are scheduled to be considered in the High Court in late April and late May respectively. NHS England is finalising a timetable for a 3 month consultation on the proposed contract. There is a prospect that this could delay the proposed service commencement date of 1 April 2019, however, the local process will continue as originally planned, taking account of the outcome of these deliberations as necessary.

## **7.0 FINANCE**

7.1 None

## **8.0 LAW**

8.1 The procurement is being conducted in accordance with the Public Contracts Regulations 2015 and the NHS (Procurement, Patient Choice and Competition) Regulations 2013, made under Section 75 of the NHS and Social Care Act 2012.

## **9.0 EQUALITY IMPACT**

9.1 A key requirement of the MCP will be a focus on health inequalities and the wider determinants of health. This will form part of the bid evaluation process.

## **10.0 RECOMMENDATION**

10.1 That progress with the MCP procurement be noted.

### **CONTACT OFFICER DETAILS**

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