

Notice of additional meeting and agenda

Finance and Resources Committee

10.00am, Monday, 14 December 2015

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend

Contact

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Tel: 0131 529 4283 / 0131 529 4319



1. Order of business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 EVOC on behalf of the Substance Use Network Edinburgh (SUNE) in regards to Item 4.1 - Edinburgh Alcohol and Drug Partnership (EADP) Adult Community Treatment Services – Contract
- 3.2 Deprivation Interest Group (DIG) in regards to Item 4.1 – Edinburgh Alcohol and Drug Partnership (EADP) Adult Community Treatment Services – Contract

4. Reports

- 4.1 Edinburgh Alcohol and Drug Partnership (EADP) Adult Community Treatment Services – Contract - report by the Chief Social Work Officer (circulated)
- 4.2 Implications for Coproduction and Procurement – Early Findings from the EADP Treatment Services Tender - report by the Chief Officer, Integration Joint Board for Health and Social Care (circulated)

Carol Campbell

Head of Legal and Risk

Committee Members

Councillors Rankin (Convener), Bill Cook (Vice-Convener), Corbett, Dixon, Edie, Godzik, Griffiths, Bill Henderson, Ricky Henderson, Jackson, McVey, Walker, Whyte, Burns (ex officio) and Howat (ex officio)

Information about the Finance and Resources Committee

The Finance and Resources Committee consists of 15 Councillors and is appointed by the City of Edinburgh Council. The Finance and Resources Committee usually meets every four weeks.

The Finance and Resources Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public

gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Veronica MacMillan or Laura Millar, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4283 / 0131 529 4319 or e-mail veronica.macmillan@edinburgh.gov.uk / laura.millar2@edinburgh.gov.uk

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/meetings

For the remaining items of business likely to be considered in private, see separate agenda.

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From: Maria Arnold

Item 3.1

Sent: 09 December 2015 10:35

To: Veronica Macmillan

Subject: Request for Deputation - 14th December 2015 Finance and Resources Committee

Dear Veronica

EVOC would like to request that a deputation from EVOC on behalf of the Substance Use Network Edinburgh (SUNE) be heard by the Finance and Resource Committee on 14th December 2015 at 10am.

The deputation wishes to bring to the attention of the Committee the views of SUNE on the decision related to the awarding of contracts for Adult Community Treatment Services, which is to be discussed under agenda item 4.1.

I will send a short accompanying document but will send you this by the end of the week if that's ok.

All the best,

Maria

Maria Arnold

Senior Development Officer - Adult Health and Wellbeing

EVOC

From: John Budd

Item 3.2

Sent: 09 December 2015 14:30

To: Veronica Macmillan

Subject: Deprivation Interest Group deputation request

Dear Ms McMillan

I am writing to you on behalf of the Deprivation Interest Group (DIG) requesting to make a deputation to the Finance and Resource committee on Monday 14th Dec with regard to the awarding of contracts for the 3rd sector adult substance misuse services.

DIG is a primary care based group comprising mainly local GPs working in deprived communities. Our aim is to address health inequalities through supporting local services to provide good quality primary care for disadvantaged groups and communities.

The decision take away the contracts from local community –based organisations was taken despite the fact that both NHS services – including GPs – and other local partners were more than satisfied with the vital work that these small community-orientated charities were performing.

We have serious concerns that there was no local consultation in this decision making process and no communication with GPs about what is a very significant decision effecting some of our most vulnerable and excluded patients. We are also concerned that this decision will have the potential for a very real detrimental impact on the health and service provision to our patients.

The decision seems to be contrary to the council's own total place approach to developing community services, building on local assets and relationships. The total place approach is something that GP practices have engaged with, with great enthusiasm and so to see it being undermined is of particular concern.

Therefore, we are keen to make a deputation to communicate our concerns directly to the Finance and Resource committee.

Yours sincerely

Dr John Budd

GP, Edinburgh Access Practice

Co-ordinator DIG

PS Some of our members will be making written statements which I would like to submit to the committee once I have collated them.

Finance and Resources Committee

10:00am, Monday, 14 December 2015

Edinburgh Alcohol and Drug Partnership (EADP) Adult Community Treatment Services – Contract

Item number

Report number

Wards: All

Executive summary

This report seeks the approval of the Finance and Resources Committee to award contracts for Adult Community Treatment Services to be delivered on behalf of the Edinburgh Alcohol and Drug Partnership (EADP). The term of the contract will be three years, with an option to extend for up to a further 24 months.

These contracts replace similar contracts.

This report offers additional information on the tendering process at the request of the committee. This additional information is located in appendix 4.

Links

Coalition Pledges	P12 and P43
Council Outcomes	CO10 and CO11
Single Outcome Agreement	SO2

Edinburgh Alcohol and Drug Partnership (EADP) Adult Community Treatment Services – Contract

1. Recommendations

- 1.1 It is recommended that the Finance and Resources Committee approves the award of three year contracts to The Lifeline Project and Turning Point Scotland for provision of Adult Community Treatment Services, with the option to extend the contracts for up to a further 24 months.

2. Background

- 2.1 The Edinburgh Alcohol and Drug Partnership (EADP) is a collaborative partnership of the City of Edinburgh Council, NHS Lothian, Police Scotland, the Scottish Prison Service and the Third Sector.
- 2.2 EADP invests in a range of services that are intended to stop or reduce substance misuse, including adult community treatment services.

3. Main Report

- 3.1 In terms of EU procurement regulations, care services are Part B services. Although Part B services are not subject to the full rigours of EU procurement regulations, there is a requirement for openness, transparency and fair and equal treatment, as well as a requirement to comply with the Public Contracts (Scotland) Regulations 2012 and the Council's Contract Standing Orders.
- 3.2 A Contract Notice was published on the Public Contracts Scotland (PCS) website on 21 August 2015 and an open Invitation to Tender (ITT) was published on the Public Contracts Scotland-Tender (PCS-T) website the same day. A total of eleven organisations registered interest.
- 3.3 A supplier briefing meeting was held on 3 September 2015 to provide guidance on tendering and to respond to questions about the specification of requirements and the tender process.
- 3.4 In order to facilitate contract management on a locality basis and enable smaller providers to tender, the requirement was divided into four lots, corresponding to the four localities of the City of Edinburgh Council area. Tenderers were asked to offer to provide the service in one or more localities and to state their order of preference if offering for more than one locality.

- 3.5 Six organisations submitted tenders by the deadline of 2 October 2015.
- 3.6 Tenders were evaluated on the basis of the most economically advantageous tender, with weighting of 70% for quality and 30% for price. A summary of the tender process and information about the award criteria and the scoring methodology are provided at appendices 1, 2 and 3 of this report.
- 3.7 Evaluation of the technical (quality) content of the bids was undertaken by an evaluation panel including Council officers and a representative of NHS Lothian.
- 3.8 Evaluation of the commercial (price) content of the bids was undertaken by the Council's Procurement and Commercial Services, based on the offer price for annual provision of the service.
- 3.9 The Lifeline Project was the first placed bidder for all four localities and the financial probity assessment concluded that "The Lifeline Project is capable of undertaking all four lots".
- 3.10 The tender documents stipulate that "Award of Contracts to a Tenderer for more than one locality will be subject to the Council satisfying itself that the Tenderer is able to provide sufficient and appropriate resources and that any risks to delivery of the Service are acceptable to the Council."
- 3.11 The Lifeline Project is able to provide sufficient and appropriate resources to deliver the service in all four localities. However, having no alternative provider of these services is considered to be a risk that the Council should avoid. Accordingly, it is recommended that one of the four contracts should be awarded to the second placed tenderer, Turning Point Scotland.
- 3.12 The Edinburgh Alcohol and Drug Partnership (EADP) will be responsible for contract management and will monitor management and performance information.

4. Measures of success

- 4.1 The contracts will address directly the need to provide adult community treatment services for substance misuse throughout the City of Edinburgh Council area.
- 4.2 The contracts meet the specification of requirements within the allocated budget.

5. Financial impact

- 5.1 The maximum potential value of the contracts, including extensions, is £7,251,395.
- 5.2 The contract values represent a saving of £89,721 per annum, compared to the allocated budget.
- 5.3 The costs associated with procuring these contracts are estimated to be from £10,001 to £20,000.

6. Risk, policy, compliance and governance impact

- 6.1 The risks associated with implementing the contracts will be monitored and managed through the Edinburgh Alcohol and Drug Partnership (EADP).

7. Equalities impact

- 7.1 A full equalities and rights impact assessment (ERIA) has been undertaken.
7.2 There are no direct equality and rights impacts arising from this report.

8. Sustainability impact

- 8.1 There are no impacts on carbon, adaptation to climate change and sustainable development arising directly from this report.

9. Consultation and engagement

- 9.1 Meetings were held with incumbent providers prior to commencement of the procurement procedure. This created an opportunity for informal discussion of the requirements, taking account of lessons learned from current provision of the services.

10. Background reading/external references

Equalities and rights impact assessment:

http://www.edinburgh.gov.uk/directory_record/580686/procurement_of_eadp_services_2015

Michelle Miller

Chief Social Work Officer

Contact: David Williams, EADP Joint Commissioning Officer

E-mail: david.williams@edinburgh.gov.uk | Tel: 0131 553 8217

11. Links

Coalition Pledges P12 - Work with health, police and third sector agencies to expand existing and effective drug and alcohol treatment

	programmes.
	P43 - Invest in healthy living and fitness advice for those most in need.
Council Outcomes	CO10 - Improved health and reduced inequalities.
	CO11 - Preventative and personalised support in place.
Single Outcome Agreement	SO2 - Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health.

Appendices	<ol style="list-style-type: none"> 1. Summary of Tender Process 2. Award Criteria 3. Scoring Methodology 4. Further Information on the Tender and Evaluation Process
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Appendix 1 - Summary of Tender Process

EADP Adult Community Treatment Services – Contract Ref. CT 0476

<i>Tender</i>	EADP Adult Community Treatment Services – Contract Ref. CT 0476
<i>Contract Period</i>	1 April 2016 to 31 March 2019 with option to extend for up to twenty four months
<i>Estimated value of contract</i>	£7,251,395 (total including extension)
<i>Standing Orders observed</i>	Open Procedure
<i>EC Directives</i>	2004/18/EC
<i>Tenders Returned</i>	6
<i>Tenders fully compliant</i>	6
<i>Recommended Providers</i>	The Lifeline Project for the South West, South Central and North West Localities. Turning Point Scotland for the East Locality.
<i>Primary Criterion</i>	Most economically advantageous tender to have met the qualitative and technical specification
<i>Evaluation criteria and weightings and reasons for this approach</i>	Quality (70%) Price (30%) Quality was of greater importance due to the nature of the services to be provided.
<i>Evaluation Team</i>	Officers from Health and Social Care and a representative from NHS Lothian.

Appendix 2 - Award Criteria

EADP Adult Community Treatment Services – Contract Ref. CT 0476

Technical (Quality) Evaluation - Award Criteria	Weighting (%)
Approach	10%
Accessibility and Harm Reduction	10%
Methodology and Organisation	15%
Service Programme and Interventions Offered	20%
Staff Quality	10%
Supportive Activities	10%
Organisational Quality and Strategic Contribution	10%
Implementation Plan	10%
Community Benefits	5%
Total	100%

Bids were assessed for quality using the above evaluation criteria and scored as a percentage of the weighting of 70 for quality.

Bids were assessed for price and the lowest priced bid was awarded the maximum total weighting of 30 for price; higher priced bids were awarded pro rata scores out of 30, measured against the lowest priced bid. Resultant overall scores were as follows:

South West Locality	Quality	Price	TOTAL	Position
The Lifeline Project	61.25	29.51	90.76	1
Provider B	42.00	27.85	69.85	2
Provider C	29.75	30.00	59.75	3

South East with South Central Locality	Quality	Price	TOTAL	Position
The Lifeline Project	61.25	29.29	90.54	1
Provider B	42.00	27.43	69.43	2
Provider D	29.75	30.00	59.75	3

North West Locality	Quality	Price	TOTAL	Position
The Lifeline Project	61.25	30.00	91.25	1
Provider B	42.00	28.61	70.61	2
Provider E	32.38	29.50	61.88	3

North East Locality	Quality	Price	TOTAL	Position
The Lifeline Project	61.25	30.00	91.25	1
Turning Point Scotland	61.25	28.32	89.57	2
Provider B	42.00	28.42	70.42	3

Appendix 3 - Scoring Methodology

EADP Adult Community Treatment Services – Contract Ref. CT 0476

Scoring Methodology for Technical (Quality) Evaluation

Score	Description
0 Unacceptable	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
1 Poor	Response is partially relevant but generally poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.
2 Acceptable	Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.
3 Good	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.
4 Excellent	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Appendix 4 – Further information on the tender and evaluation process

EADP Adult Community Treatment Services – Contract Ref. CT 0476

Further to 4.1

The service specification was based on a co-produced model of integrated care. The co-production took place over the course of 12 meetings with the service managers in the hubs from NHS Lothian Substance Misuse Divisions, the City of Edinburgh Council Social Work, the Commissioners from the Alcohol and Drug Partnership (EADP) and the incumbent voluntary sector providers. The model of care incorporates the experience of the existing providers, lessons from similar services in other areas and the results of consultations with service users, carers and other key stakeholders. It was informed by the need to manage a reducing budget, the integration of Health and Social Care and the requirement to commission a more recovery orientated system of care. The model of care increases the responsibilities of the third sector, with a corresponding increase in the value of the contract; the requirements are substantively different to the current provision.

The model of care was coproduced by this partnership group.

The Service Specification was based on this co-produced model of care. It details the people with whom the provider of the service would be expected to work, the outcomes, key tasks and quality of service to be provided.

Further to Appendix 2 – Award Criteria and 3.7

The quality of the bids was evaluated by an expert panel, made up of representatives from NHS Lothian Substance Misuse Directorate, City of Edinburgh Council Social Work and the Alcohol and Drug Partnership team. The evaluation considered which offer would best meet the requirements detailed in the service specification. This evaluation was based on the Scheme of Evaluation (the Scheme). The Scheme describes the information that tenderers should submit to evidence how they would deliver the service and provides the criteria against which the bids were to be judged.

The scheme and scoring arrangements were set by the EADP staff team in line with Council procurement guidance. These are set out below:

- 1) **Overall approach** (Understanding of needs, Philosophy of care, Client experience)
- 2) **Accessibility and harm reduction** (How they would attract a wide range of people in need of the service. How they would engage those who are hard to reach. How they would deliver harm reduction for injectors, including the locations and times the service will be available)
- 3) **Service programme and interventions to be offered** (What interventions and approaches will be offered to people at each stage of recovery?)

- 4) **Methodology and organisation** (Staffing levels and allocation were asked for, line management arrangements, and reporting infrastructure)
- 5) **Staff quality** (How they would attract and retain highly skilled staff, proposals for training and supervision, including people with lived experience in the staff team)
- 6) **Offering a menu of supportive activities** (Running a group work programme and linking people into local activities)
- 7) **Organisational quality and strategic contribution** (How they would contribute to locality planning and joint working with key stakeholders, service development and Leadership, Equalities and Rights Impact Assessment , Service User Involvement and Carer Involvement)
- 8) **Implementation plan** (allocating staff, service continuity, managing TUPE)
- 9) **Community benefits**

Further to 3.3: Prior to the commencement of the procurement, incumbent providers had been given access to and had taken part in free of charge training courses to prepare for the process.

Further to 3.4: Bids were evaluated on an individual locality basis. The base locations of the new services in the individual localities were stipulated in the specification in respect of three of the four localities and are a continuation of the existing hubs model. All tenderers provided plans for implementing the new service and ensuring continuity of care. All non-incumbent tenderers confirmed that they were bidding on the basis that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) applies.

Further to 3.6 and 3.8: The comparatively heavy weighting in favour of quality (70%), which is more than twice that of price (30%), reflects the importance of securing quality of service as an outcome of the procurement process. Indicative contract values for each locality were provided as part of the tender documentation and price was not a deciding factor in overall evaluations.

The breadth of the tendering organisations' experience was only considered if it was clear that it would improve the service they would deliver under the contract (i.e. stating what someone elsewhere in the organisation had achieved did not influence the evaluation unless there was clear evidence of how that would benefit the service in Edinburgh).

Further to 3.11: Lifeline Project is a charity with its Scottish base in Edinburgh and which already delivers a service in the city. Turning Point Scotland is the incumbent provider in the North East of the city.

10am, Monday, 14 December 2015

Implications for Coproduction and Procurement – Early Findings from the EADP Treatment Services Tender

Item number 4.2
Report number
Wards: All

Executive summary

In response to a motion at the Finance & Resources Committee on 26 February 2015, this paper sets out some early learning for future procurement exercises following the EADP tender of community treatment services. These can be summarised as:

- Developing a way to bring together coproduction and the procurement of services
- Developing the capacity of community based 3rd sector organisations

It is recommended that:

1. the Finance and Resource Committee note the issues raised in this report.
2. these issues raised are addressed a part of future work to mainstream coproduction across the Council.
3. that there will be a further report to this Committee analysing the various options in Spring 2016.

Links

Coalition Pledges	P12 and P43
Council Outcomes	CO10 and CO11
Single Outcome Agreement	SO2

Implications for Coproduction and Procurement – Early Findings from the EADP Treatment Services Tender

1. Recommendations

- 1.1 It is recommended that:
1. the Finance and Resource Committee note the issues raised in this report.
 2. these issues raised are addressed a part of future work to mainstream coproduction across the Council.
 3. that there will be a further report to this Committee analysing the various options in Spring 2016.

2. Background

- 2.1 At its meeting on 26 November 2015, the Finance and Resources Committee deferred a decision on the award of contracts for the EADP Community Treatment Service. The Committee requested further information about the procurement process itself.
- 2.2 Committee also requested information on the implications of this tender process for future coproduction and procurement exercises.

3. Main Report

- 3.1 It is important to note that the procurement process for the EADP Community Treatment Service is not yet complete. Consequently there are risks to identifying “lessons learned” at this early stage in the process.
- 3.2 Instead this report seeks to identify issues to consider for future coproduction and procurement of health and social care, and potentially other appropriate, services.
- 3.3 Coproduction and procurement**
- 3.4 The City of Edinburgh Council has set out a clear commitment to coproduction as means of service redesign and development. This is demonstrated at a

number of levels across the council, including an agreement at full Council to mainstreaming coproduction (November 2014), as well as the development of good practice guidance for Council staff¹.

- 3.5 Coproduction is defined by the Council in a number of complementary ways. This includes the Edinburgh Compact's definition:

“To coproduce is to build something together, to co-create, to jointly develop and innovate.”

- 3.6 It goes on to identify that coproduction approaches need to include service users, both current and potential future service providers, budget holders and other relevant stakeholders in service design and delivery.
- 3.7 The approach is designed to achieve a “collaborative advantage” pooling resource, expertise, knowledge and experience to design the best possible for services with and for citizens in Edinburgh.
- 3.8 However procurement activity is bound by EU legislation and there is a requirement for openness, transparency and fair and equal treatment. There is also a requirement to comply with the Scottish public procurement legislation (currently the Public Contracts (Scotland) Regulations 2012), the Council's Contract Standing Orders and the requirement to deliver best value.
- 3.9 As a result, procurement processes can be perceived as competitive as opposed to collaborative as potential providers are required to submit proposals against defined and coproduced service specifications.
- 3.10 However, it should be recognised that co-production will not always mean co-delivery and the Council must work to deliver the coproduced service requirements in a way that is transparent, fair and equal as well as demonstrating best value. The exact method of bringing together these two processes together in a consistent and clear way is key to delivering successfully coproduced outcomes. Currently, the clearest and most transparent way to demonstrate both compliance and best value is through the procurement process. However, where other options are available in the future, these can be examined to ensure that they remain compliant.
- 3.11 There needs to be a shared understanding between the Council and the third sector of the limits as well as the advantages of co-production and of procurement as means of securing the delivery of services.
- 3.12 Alongside this, consideration needs to be given to reviewing guidance around the procurement process so that it is aligned to the values of co-production. This should ensure that so far as legally possible that these processes do not set unrealistic expectations of smaller third sector organisations who engage in these processes.

¹ https://orb.edinburgh.gov.uk/download/downloads/id/19293/coproduction_guidance_1_june_2015

3.13 Scottish Government guidance is expected in early 2016 in relation to the procurement of services to the person. New legislation is also expected which implements the EU directives. This legislation and guidance will allow the Council to further consider what options are available to it in relation to such services. A further report will be brought back to Committee in Spring 2016 analysing these options further.

3.14 Developing the capacity of community based 3rd sector organisations

3.15 In Edinburgh the third sector is broad and diverse and the benefits that this brings to the city are well documented. There will be times when the Council and other public sector bodies will need to use tender exercises to secure the delivery of service from the third sector. This may be for a number of reasons and include the value of the contract and/or that services are clearly specified.

3.16 It is essential that Edinburgh's third sector is able to compete with other third sector organisations that may operate across the country. As noted above this means that the Council needs to align its procurement processes with the values of coproduction, but it may also require some capacity building within the third sector to enable them to compete. This might include further training on bid writing and tender submission, exploring novel approaches to evaluating service proposals, as well as better opportunities to build coalitions / collaboratives when developing and submitting service proposals. There have been a number of examples where local organisations have been successful in tender exercises when they have come together submitted joint proposals.

3.17 The Council, along with EVOC, will continue initiatives to encourage this type of joint working within the procurement processes, whilst ensuring that the end-outcome is both robust and compliant.

4. Measures of success

4.1 There are no clear measures of success in relation to this report as it raises issues for consideration.

5. Financial impact

5.1 There are no direct financial impacts related to this report.

6. Risk, policy, compliance and governance impact

6.1 Any risks relating to this report need to be managed through existing workstreams.

7. Equalities impact

7.1 An equality impact is not required at this time.

8. Sustainability impact

8.1 There are no impacts on carbon, adaptation to climate change and sustainable development arising directly from this report.

9. Consultation and engagement

9.1 The recommendations in this report need to be discussed with key strategy leads within the Council and leads within the third sector.

10. Background reading/external references

10.1 Mainstreaming coproduction of Council policy, strategy and in the design, delivery and review of services, available at https://orb.edinburgh.gov.uk/download/downloads/id/19293/coproduction_guidance_1_june_2015

Rob McCulloch-Graham

Chief Officer - Integration Joint Board for Health and Social Care

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11. Links

Coalition Pledges	P12 - Work with health, police and third sector agencies to expand existing and effective drug and alcohol treatment programmes. P43 - Invest in healthy living and fitness advice for those most in need.
Council Outcomes	CO10 - Improved health and reduced inequalities. CO11 - Preventative and personalised support in place.
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