



Litigation Authority

Invitation to Tender (ITT) Form

Part 1

**Provision of a Quality Assurance Service for
Occupational Health Assessments on behalf of
the National Clinical Assessment Service**

Tender Number 01_16/ITT_QAOH/NHSLA

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Introduction

The NHS Litigation Authority (NHS LA) is a not-for-profit organisation working for healthcare providers to resolve claims fairly and to share learning across the NHS and beyond. The National Clinical Assessment Service (NCAS) was set up in 2001 and became an operating division of the NHS LA in April 2013.

NCAS is an advisory service which calls on a large resource of expertise and works across the country providing specialist advice, assessment and other interventions to help health and social care organisations identify, manage and resolve concerns about the practice of individual dentists, doctors and pharmacists. We support Responsible Officers and their designated bodies in meeting their statutory duties for responding to concerns and in turn help to improve the safety of patients. We provide expert confidential advice, workplace-based performance assessments, remediation services and education to the NHS and other healthcare partners.

For further information about our services, including the assessment process, please visit our website: <http://www.ncas.nhs.uk/>

Purpose of Contract

NCAS provides a confidential service to the health and social care service resolving concerns about the performance of practitioners. Our aim is to work with all parties to clarify the concerns, understand what may be leading to them, and to develop and deliver effective interventions to help healthcare providers to ensure practitioners continue to deliver a high-quality and safe service for patients. A proportion of the cases referred to NCAS require performance assessments or other interventions which may include occupational health assessments.

This contract will support NCAS to quality assure occupational health assessment reports produced by our contracted occupational health assessors. It will also provide assurance that NCAS' approach to occupational health assessments is fit for purpose, that it represents current best practice, and assist NCAS to explore areas for further development.

The requirements specification for the Quality Assurance of Occupational Health Assessments Service can be found in the appendices of Part 1.

Contract Period

The contract period will be from 1st April 2016 to 31st March 2017, with an option to extend the contract for a further term of 12 months.

Response Deadline

It is requested that information is received electronically by 17:00 on 18 February 2016. Proposals should be submitted to contract.queries@nhs.uk

Proposals received after this date and time will not be considered.

Following receipt of proposals, the NHS LA will send a confirmation of receipt to the supplier by email.

Response Content

The intent of this ITT is to establish a common basis for evaluating proposals. For that purpose, it is important that the tenderers give written answers to any questions in this document.

Suppliers are invited to include the following within their proposal:

- Executive summary
- Introduction
- Provide a clear indication of their understanding of NCAS' requirements
- The approach to meet deliverables, including the methodologies and criteria to assess quality. Any assumptions, dependencies, issues, risks and constraints should also be detailed.
- The proposed engagement with NHS LA in the lead up to and during the delivery of the service
- The proposed approach to quality assurance

- A demonstration of up to date expertise and knowledge of the latest research to inform best practice in this field
- The proposed approach to ensure equality and diversity issues are appropriately considered
- Provide details of any potential, actual or perceived conflicts of interest that may be relevant to the award of this contract and outline in detail (if appropriate) the safeguards that would be put in place to mitigate this risk
- Information to demonstrate financial stability, which should include details as to what percentage of your organisation's current turnover this bid would constitute, based on your most recent financial statements. Please also include copies of your last three years financial statements or statements for each year of trading if less than three years (for the relevant company looking to contract with the NHS LA, not the entire group) and also a copy of your current certificates of insurance for public liability and professional indemnity as appropriate.
- The proposed cost of the service. The budget is dependent upon the precise service delivered, but as a guide, NCAS would expect to compensate suppliers between £500 and £1,200 per day. It is likely that a resource of 12 days per annum will be required.

Reasonable travel expenses incurred by suppliers when delivering contracted services shall be reimbursed in accordance with the NHS LA Expenses policy (Part 3).

In addition to the above, potential suppliers are asked to complete the following forms:

1. Invitation to Tender Application Form (Part 2)
2. Information Security Measures (Part 2)

Responses must be detailed and complete and should be submitted in electronic copy only (in Microsoft Word or PDF format).

Timetable

The timetable for this tender is set out below. NCAS reserves the right to alter stages and dates as appropriate.

DATE AND TIME (IF RELEVANT)	Stage
Thursday 28 th January	Publication of ITT
Friday 29 th January	Clarification period starts (Questions Relating to the Invitation to Tender)
Thursday 11 th February	Clarification period ends
Thursday 18 th February	ITT closing date
Friday 19 th February – Wednesday 24 th February	Evaluation of ITT's followed by clarification of bids (if required)
Tuesday 1 st March	Selected suppliers to present proposals at NCAS' London office
Wednesday 2 nd March	Contract award
Thursday 10 th March	Contract signing
Week commencing Monday 14 th March	Induction, briefings and training if required
Friday 1 st April	Service to commence

General Points for Interested Parties

By responding, the tenderer understands and agrees:

- That they fully bear all costs for preparation of the response, and that the NHS LA will not be liable for any associated costs;
- That there is no contract or obligation, implied or otherwise, between the NHS LA and the tenderer;
- That the NHS LA may choose not to evaluate any response submitted after the response submission deadline;
- The NHS LA will not disclose to any supplier information relating to other responses received.

Right to Cancel or Vary the Procurement

The NHS LA reserves the right:

- To amend, clarify, add to or withdraw all or any part of the Invitation to Tender at any time during the procurement;

- To vary any timetable or deadlines set out in the Invitation to Tender;
- Not to conclude a contract for some or all of the goods and/or services (as applicable) for which Tenders are invited; and
- Cancel all or part of the Procurement at any stage at any time.

The Potential Provider accepts and acknowledges that by issuing the Invitation to Tender, the Crown Commercial Service is not bound to accept a Tender or obliged to conclude a contract with the Potential Provider at all.

The Potential Provider accepts and acknowledges that they are responsible for any and all costs incurred in their participation in this Invitation to Tender, regardless of whether a contract award is made.

Shortlist Criteria/Contract Award

The NHS LA will take into account the following major factors when deciding whether to award the contract:

- The supplier provides solid understanding of the context of the quality assurance service required for occupational health assessments and the specific requirements of the proposed work. The supplier provides an appropriate approach to service delivery and quality assurance.
 - Written submission articulates clear understanding of context and interpretation of NCAS's service requirements
 - Demonstration of appropriate approach to service delivery and quality assurance
- Suitable qualifications of proposed personnel and their demonstrable success in publications and provision of similar services.
 - Suitable qualifications and ideally a track record of publication on the subject of occupational health in peer reviewed journals
 - Experience of developing systems and programmes to quality assure occupational health assessments or services
 - Testimonial evidence of success in delivering similar services
- Evaluation of the resources, costs and ability to meet the specified service levels.
 - Costs
 - Proposal shows sufficient planning and resources to deliver an efficient and effective service; including willingness to work with NCAS
- Meets the requirements of the NHS LA in relation to Information Security and provides evidence of appropriate organisational standards of information governance.
- Demonstrates up to date expertise and knowledge of the latest research in the field.

Suppliers should familiarise themselves with the detailed contract award criteria and weighting as outlined in the appendices of Part 1.

Questions relating to the Invitation to Tender

Suppliers may submit emailed questions only to the NHS LA related to this Invitation to Tender and the NHS LA will respond via email. All queries should be submitted to contract.queries@nhsla.com as soon as possible and **no later than 5 working days** before the deadline for tender submissions.

On no account should suppliers discuss the content of this ITT or your proposal with any other member of NHS LA staff or representative or any third party without the prior consent of the above contacts.

Standard Terms & Conditions

Please refer to Part 3 for The NHS LA conditions of contract for the supply of services.

Part 1 Appendices

Requirements Specification for Quality Assurance of Occupational Health Assessments

and

Shortlist Criteria

Requirements Specification for Quality Assurance of Occupational Health Assessments

1. Background Information

NCAS currently undertakes approximately 50 occupational health (OH) assessments of practitioners per year. NCAS is looking to work with an independent expert to quality assure these OH assessments.

The purpose of an OH assessment as part of an NCAS assessment is to ascertain whether:

- the practitioner is fit to undergo the rest of the assessment
- his/her performance is being influenced by physical or mental health problems including cognitive impairment
- there is any evidence of alcohol or drug misuse
- there are any health concerns which require further investigation or treatment
- the working environment could be adjusted to improve performance, including whether:
 - any subsequent remediation and/or training programme will need to take account of health concerns or,
 - any further follow-up will be required if health concerns are identified and the nature of that follow-up.

NCAS OH assessments currently require the OH assessor to undertake an exploration of any known health concerns, a systems enquiry, physical examination, and screenings for anxiety, depression, substance misuse and cognitive impairment. An OH assessor may choose to refer the practitioner for a full neuropsychological/neuropsychiatric evaluation if they suspect a practitioner to have a cognitive dysfunction.

We assess a practitioner's fitness for purpose rather than the Regulatory fitness to practise.

NCAS currently utilises occupational health assessments as part of three assessment interventions:

- as a component of a full performance assessment (the majority of the OH work)
- as part of a behavioural assessment
- as a standalone intervention.

Full performance assessment

The majority of OH assessments are undertaken as part of a full performance assessment. In full performance assessments, findings from an OH and behavioural assessment are considered alongside findings from workplace-based clinical assessments, and thereafter NCAS produces a report which cites evidence of satisfactory and poor practice, presenting conclusions based on the triangulation of evidence from across all components of the assessment. This is subsequently shared with the practitioner and the referring organisation.

In full NCAS performance assessments, the OH assessment is carried out prior to the behavioural assessment and the workplace-based clinical performance assessment to

ensure the practitioner is fit to undergo the rest of the assessment as well as contribute to the findings and conclusions.

Occupational health assessment as part of a behavioural assessment

Behavioural assessments may be carried out as a standalone NCAS intervention if concerns about the practitioner appear solely related to conduct or behaviour. The assessment of behavioural concerns aims to:

- provide an independent view on any behavioural factors about the practitioner which are causing concern
- identify other factors that may be contributing to these concerns.

As part of this intervention an OH health assessment will be commissioned to take place prior to the behavioural assessment to ensure the practitioner is fit to undergo the rest of the assessment as well as contribute to the findings and conclusions.

As a standalone intervention

NCAS may also undertake OH assessments as a standalone intervention where concerns about the practitioner appear solely related to health and where the practitioner cannot access this service at a local level.

2. Quality Assurance of Occupational Health Assessments - Service Requirements

NCAS is looking to work with an independent expert to quality assure NCAS' OH assessments. As part of the quality assurance review the expert would be expected to quality assure a sample of reports produced by NCAS' contracted OH assessors. For each OH assessment, the expert will be required to review case information and the OH report. The expert will also then attend a meeting with all NCAS contracted OH assessors to discuss their approach and any issues which may have arisen from the review. The expert should use criteria agreed with NCAS for assessing quality to review reports for accuracy, relevance, style and overall fitness for purpose. The quality review and the meeting will normally take place at NCAS' offices in London. As NCAS continues to review and improve quality assurance processes it may be appropriate to also observe OH assessors undertaking assessments of practitioners.

Following the quality assurance review, NCAS would expect to receive a written report of the review within ten working days. The expert will also provide individual written feedback to all OH assessors within ten working days of the review and provide NCAS a copy of the same. The expert should inform NCAS immediately if they are aware of any potential, actual or perceived conflicts of interest in relation to any of the OH assessments.

NCAS would expect the quality assurance expert to demonstrate and share with NCAS their up to date expertise and knowledge of the latest research in relation to OH assessments. The expert should provide assurance and evidence that NCAS' approach to OH assessments is fit for purpose, represents current best practice, is valid, reliable and evidence-based. NCAS would expect the expert to discuss and explore areas for development.

The expert may also be required to attend, contribute and support the NCAS Lead Assessment & Intervention Adviser at Quality Assurance and Development meetings, which are usually held at NCAS' offices in London.

On occasion, NCAS may require service providers to support other activities associated with the delivery of OH assessments.

3. Attributes of a Quality Assurance Expert for Occupational Health Assessments

NCAS would expect the service provider to have the following attributes:

- considerable experience and expertise in the practice of occupational psychology
- a qualification as a Chartered Psychologist, or equivalent
- experience of developing systems and programmes to quality assure OH assessments or services
- up to date expertise and knowledge of the latest research in the field
- experience of quality assuring occupational health assessments
- ideally a track record of publication on the subject of occupational psychology in peer reviewed journals
- the ability to work closely and flexibly with NCAS staff and other NCAS contractors, particularly OH assessors
- excellent listening skills, analytical skills, objectivity and empathy
- understanding of relevant equality and diversity issues
- excellent report writing and record keeping skills
- willingness to liaise, in a timely manner, with a range of clinical, non-clinical staff and stakeholders
- experience in the field of professional performance, and be able to demonstrate an understanding of performance assessment of doctors, dentists and pharmacists.

4. Key Performance Indicators

The following table is a summary of some high level key performance indicators which service providers will want to consider as part of the service they wish to provide to NCAS:

High level key performance indicators*	
Quality assurance reports are delivered in a format and style agreed with NCAS	All quality assurance reports
Provide, by secure email, quality assurance reports	Ten working days after the review date
Provide individual written feedback to all OH assessors and NCAS following each quality assurance review	Ten working days after each review
Quality assurance reports and written feedback to reflect up to date expertise and knowledge of the latest research in the field	All quality assurance reports and feedback
Attend and contribute at Quality Assurance and Development meetings	All quality assurance meetings
Provide evidence that NCAS' approach to OH assessments is fit for purpose, represents current best practice, is valid, reliable and evidence based. Explore areas for development with NCAS.	On going

* Other performance indicators may be agreed prior to the commencement of contract

5. Activity Levels

NCAS would normally complete two formal quality assurance reviews each year. We anticipate that each review will require between three and four days resource. This excludes any time that may occasionally be required to assist NCAS with service development, for example, observing OH assessors undertaking assessments of practitioners.

Quality Assurance and Development meetings will take place and are likely to require attendance at NCAS' London Office for one half-day. This excludes reading time or time required to prepare for the meeting.

The contract for this service will be funded on a call down basis

6. Information Security

NCAS requires the service provider to obtain informed consent from NCAS if they wish to use any data which may have been obtained as a result of the service provided to NCAS (or the results of an analysis of the same) for any purpose. Where consent has been given, all data must remain anonymised and NCAS would expect that the data source will be attributed appropriately. Additionally, suppliers should also reference NCAS when discussing their experience in this field, if the experience has been drawn from the service provided to NCAS.

The service provider shall utilise NHS mail when sending and receiving information regarding any NCAS work undertaken in order to transfer data securely. Where the use of NHS mail is not possible, the contractor shall ensure compliance with the contract Terms and Conditions by selecting a secure alternative method of transfer agreed with NCAS.

NCAS data held by the contractor may only be copied to encrypted portable devices i.e. USB sticks and laptop computers.

Please see NCAS Standard Terms and Conditions in Part 3.

Shortlist Criteria

Criteria	Weighting	Total Weighting
1. The supplier provides solid understanding of the context of the quality assurance service required for occupational health assessments and the specific requirements of the proposed work. The supplier provides an appropriate approach to service delivery and quality assurance. <ul style="list-style-type: none"> Written submission articulates clear understanding of context and interpretation of NCAS's service requirements Demonstration of appropriate approach to service delivery and quality assurance 	10% 15%	25%
2. Suitable qualifications of proposed personnel and their demonstrable success in publications and provision of similar services. <ul style="list-style-type: none"> Suitable qualifications and ideally a track record of publication on the subject of occupational health in peer reviewed journals Experience of developing systems and programmes to quality assure occupational health assessments and services Testimonial evidence of success in delivering similar services 	10% 15% 10%	35%
3. Evaluation of the resources, costs and ability to meet the specified service levels. <ul style="list-style-type: none"> Costs Proposal shows sufficient planning and resources to deliver an efficient and effective service; including willingness to work with NCAS 	7.5% 7.5%	15%
4. Meets the requirements of the NHS LA in relation to Information Security and provides evidence of appropriate organisational standards of information governance.		10%
5. Demonstrates up to date expertise and knowledge of the latest research in the field.		15%

The following matrix will be applied during shortlisting:

Score	Performance
5	Meets the standard exactly as specified
4	Meets the standard well, but not exactly
3	Meets standard in most aspects, fails in some
2	Fails standards in most aspects, meets it in some
1	Significantly fails to meet the standard