Market Consultation

DHSC: NHSPP: Mental Health Approvals Function Services

Project: C286329

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Date: **21/06/2024**

[**1. Background and requirements 1**](#_Toc169872189)

[**4. market consultation-questionnaire return 1**](#_Toc169872190)

[**market consultation QUESTIONNAIRE 4**](#_Toc169872191)

[**5. Section A: Supporting Documentation 4**](#_Toc169872192)

[**6. section B: costing 4**](#_Toc169872193)

[**5. Section C: Implementation activities 5**](#_Toc169872194)

[**6. Section D: commercial approach 5**](#_Toc169872195)

[**8. Section E: Social value 6**](#_Toc169872196)

[**9. Section F: Critical Success factors 6**](#_Toc169872197)

# Background and requirements

## Under the Mental Health Act, the Secretary of State for Health and Social Care is responsible for the approval of Section 12 doctors and Approved Clinicians, roles with specific responsibilities under the Act relating to the assessment for detention and to the treatment of patients. It is unlawful for those duties reserved to these roles to be performed by people who are not approved.

## The approval function is currently delegated to four suppliers that cover four geographical areas in England. The role of the four suppliers is to manage the application and approvals process of Section 12 Doctors and Approved Clinicians on behalf of the Secretary of State under section 12ZA of the Act.

## The current contracts come to an end on 31st March 2025, and we are planning the re-procurement of the services.

* 1. The Total registered ACs and s12 doctors by region (March 2023) and the current service figures are outlined in heading 4 of the draft specifications.

# market consultation-questionnaire return

## Participation in this Market Consultation is voluntary. It is not required to provide an answer to every question if particular questions are not relevant.

## The Department wishes to encourage participation at this stage in order to ensure a wide number of responses. The market engagement processes described above do not form part of the formal procurement process. When the formal procurement process commences any supplier may join the competition and all supplier bids will be evaluated on the same basis.

## The completed questionnaire should be returned via email ccsinbox@dhsc.gov.uk quoting **“MH approval panel”** no later than **xxxx at 5pm**

## The Freedom of Information Act 2000 (FOIA) applies to the Department. You should be aware of the Department's obligations and responsibilities under the FOIA to disclose, on written request, recorded information held. Information provided by you in connection with this procurement exercise, or with any Contract that may be awarded as a result of this exercise, may therefore have to be disclosed in response to such a request, unless the Department decides that one of the statutory exemptions under the FOIA applies. The Department may also include certain information in the publication scheme which it maintains under the FOIA.

## In certain circumstances, and in accordance with the Code of Practice issued under section 45 of the FOIA or the Environmental Information Regulations 2004, the Department may consider it appropriate to ask you for your views as to the release of any information before a decision on how to respond to a request is made. In dealing with requests for information under the FOIA, the Department must comply with a strict timetable and the Department would, therefore, expect a timely response to any consultation within two working days.

## You may provide information which is confidential in nature and which you may wish to be held in confidence. You must give a clear indication which type of material is to be considered confidential and why it is considered to be so, along with the time period for which it will remain confidential in nature. The use of blanket protective markings such as "commercial in confidence" will no longer be appropriate. In addition, marking any material as confidential or equivalent should not be taken to mean that the Department accepts any duty of confidentiality by virtue of such marking. Please note that even where you have indicated that information is confidential the Department may be required to disclose it under the FOIA if a request is received.

## The Department cannot accept that trivial information or information which by its very nature cannot be regarded as confidential should be subject to any obligation of confidence.

## In certain circumstances where information has not been provided in confidence, the Department may still wish to consult with you about the application of any other exemption such as that relating to disclosure that will prejudice the commercial interests of any party.

## The decision as to which information will be disclosed is reserved to the Department notwithstanding any consultation with you.

## Whilst the Department expects to proceed to procurement in due course, there is no obligation to do so as a consequence of this early market engagement activity.

## The publication of this questionnaire and the information within it is intended to provide potential bidders with the opportunity to view and comment on the proposed strategic procurement approach. The Department does not intend to be bound by any information at this stage. The Department makes no commitment to accept recommendations or suggestions.

Regards,

**Corporate and Clinical Services, Commercial Lifecycle**

**Commercial Directorate, Department of Health & Social Care**

**39 Victoria Street, London, SW1H 0EU**

# market consultation QUESTIONNAIRE

**Name of Supplier:**

**are you a SME?** [ ]  **Yes** [ ]  **No**

**are you registered in Atamis?** [Welcome (site.com)](https://atamis-1928.my.site.com/s/Welcome)[ ]  **Yes** [ ]  **No**

Name of authorised representative submitting the questionnaire:

Position:

Email address:

For and on behalf of:

Date:

Additional contact names in case follow up questions are required:

|  |  |  |
| --- | --- | --- |
| Name | Title/position | Email |
|  |  |  |
|  |  |  |
|  |  |  |

**(This should be completed by the Supplier or a partner or an authorised representative in his / her own name and on behalf of the company / organisation completing this questionnaire)**

# Section A: Supporting Documentation

## Does the Service Specification document provide you with a clear understanding of the Service being procured? Is it structured in a clear and straightforward way? Would you require any additional information?

# section B: costing

* 1. The estimated value of the lots will be as follows:

| **Lot**  | **Area**  | **Year 1**  | **Year 2**  | **Year 3**  | **Year 4**  | **Year 5**  | **Total Lot value**  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Lot 1  | NHS England North East and Yorkshire and North West  | £257,220  | £270,000  | £283,500  | £297,700  | £312,600  | £1,421,020  |
| Lot 2  | NHS England Midlands and East of England  | £279,700  | £293,700  | £308,400  | £323,800  | £340,000  | £1,545,600  |
| Lot 3  | NHS London  | £293,400  | £308,000  | £323,400  | £339,600  | £356,600  | £1,621,000  |
| Lot 4  | NHS England South East and South West.  | £251,600  | £264,200  | £277,400  | £291,200  | £305,800  | £1,390,200  |
| TOTAL COST  | £1,081,920  | £1,135,900  | £1,192,700  | £1,252,300  | £1,315,000  | £5,977,820  |

* 1. Do you think the estimate value for this contract is appropriate? If not give an estimate value for the service and provide reasons for it.
	2. How many portfolio applications would you have capacity to do within a 12-month period?
	3. Would you be able to increase capacity if ad hoc urgent surge of applications is submitted?
	4. As set out in the specifications we are exploring the possibility to implement a digital platform to received and manage the application process. We think that a digital platform could create efficiencies for the application process and may release resources to deal with future increase on applications.
	5. Do you think this would generate value for DHSC and the wider public purse?
	6. What do you think would be the benefits of implementing a digital platform. If you do not see this will bring any benefits, give reasons of why you think a national digital platform may not serve as a beneficial tool.
	7. Would you have any concerns about a national digital platform, and could you suggest any alternative approaches?
1. **Section C: Implementation activities**
	1. In outline, what do you envisage will be the main activities required during the implementation phase, before the service commencement date? How long do you anticipate these activities will take? What additional information do you require to answer this question more fully?
2. **Section D: commercial approach**
	1. It is our intention to launch an open tender divided into 4 lots that will cover 4 distinct geographical areas. ([J38370\_NHS\_England\_ICS\_England\_Map\_Web\_May22\_v4](https://www.england.nhs.uk/wp-content/uploads/2023/12/Map-of-integrated-care-systems.pdf))
		* Panel 1: the area covered by NHS England North East and Yorkshire and North West
		* Panel 2: the area covered by NHS England Midlands and East of England
		* Panel 3: London
		* Panel 4: the area covered by NHS England South East and South West.
	2. Do you think the lotting for this procurement is adequate? If not, give reasons.
	3. Would you be interested in tendering for any of the lots? If so, which lot.
3. **PROCUREMENT TIMETABLE**
	1. Do you feel that the procurement route is appropriate?
	2. The timetable for the procurement is set out below:[[1]](#footnote-2)

|  |  |
| --- | --- |
| **Event** | **Estimated times** |
| ITT issued to Tenderers | 14/08/2024 |
| Closing date for submission of Tenderers’ questions | 09/09/2024 |
| Answers to Tenderers’ questions circulated to all Tenderers by  | 13/09/2024 |
| **Closing date for receipt of Tenders**  | **20/09/2024** |
| Evaluation period including internal approvals (on or around)  | 31/10/2024 |
| Outcome notifications | 01/11/2024 |
| Standstill period ends | 11/11/2024 |
| Anticipated Contract Signature Date  | 16/11/2024 |

* 1. Do you think that the timetable is feasible? If no, provide reasons and what could be changed to facilitate wider participation.
	2. The evaluation of the tender will be done on a ‘price per quality’ (PQP) basis. This means that the Price will be divided by the Quality to give us a PQP result. The lower 'price per quality' the result is, the superior value the bid will be considered to offer. Example below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bidder | Quality score | Price (£) | PQP score | Ranking PQP |
| Alpha | 61 |  131,000.00  | 2147.541 | 2 |
| Bravo | 76 |  157,000.00  | 2065.789 | 1 |
| Charlie | 85 |  184,000.00  | 2164.706 | 3 |

* 1. The tender will set out a minimum quality threshold to be eligible for award. In addition to the minimum quality threshold, tiebreakers will also be outlined within the tender. These tiebreakers come into play when multiple suppliers achieve the price per quality point (PQP).
	2. Do you think that the ‘price per quality’ assessment is a fair way to assess the tenders? If not, please provide reasons.
1. **Section E: Social value**
	1. The Department aim to secure additional social value through the procurement of these services in accordance with Procurement Policy Note 06/20 ([Social Value Act: information and resources - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources) ; [Social-Value-Model-Edn-1.1-3-Dec-20.pdf (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/media/5fc8b7ede90e0762a0d71365/Social-Value-Model-Edn-1.1-3-Dec-20.pdf).
	2. This contract will support theme 4 Equal Opportunities; Outcome – Tackle workforce inequality.MAC (Model Award Criteria) 6.1: Demonstrate action to identify and tackle inequality in employment, skills and pay in the contract workforce. We will give supplier the ability to choose their metrics within the listed metrics for this MAC.
	3. Do you think the theme, outcome, MAC and metrics selected for social value are adequate for this contract, if not which one would you suggest?
	4. Do you consider Social Value a barrier in your intention to apply for this service?
2. **Section F: Critical Success factors**
	1. What are the key critical success factors for the project?
	2. What are the major barriers to success? How might these be overcome?
3. **SECTION G: ADDITIONAL REQUEST FOR INFOMATION**
	1. Please use this section to provide any additional information which you feel might be of value or to highlight any additional items that need to be taken into consideration.
	2. If you have any other comment or questions to raise in regard to this procurement, please list them below. We will endeavour to answer all the questions by compiling a Q&A document that will be issued at tender stage.

**thank you for taking the time to complete this questionnaire**

1. These are estimated times and are subject to changes at the discretion of the Authority. [↑](#footnote-ref-2)