



*Litigation Authority*

## **Invitation to Tender (ITT)**

### **Part 1**

**Provision of a Specialist Health Assessment  
Service on behalf of the National Clinical  
Assessment Service**

**Tender Number 01\_16/ITT\_SHAS/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 ensure practitioners continue to deliver a high-quality and safe service for patients. We assess a practitioner's fitness for purpose rather than the Regulatory fitness to practise.

A proportion of the cases referred to NCAS require performance assessments or other interventions, and occupational health assessments may be a component of these. Additionally, on occasion NCAS may decide to utilise occupational health assessments as a standalone intervention.

This contract will support NCAS in the development and delivery of the following interventions:

- Occupational health assessments as a component of a full performance assessment
- Occupational health assessments as part of a behavioural assessment
- Occupational health assessments as a standalone intervention

This contract is for the provision of full neuropsychological/neuropsychiatric evaluations (defined as a specialist health assessment) of practitioners who NCAS' occupational health assessors suspect may have cognitive dysfunction. The initial occupational health screen currently uses the Addenbrooke's Cognitive Examination (ACE-III) and referrals for specialist health assessments are usually made for those scoring below an agreed level.

The requirements specification for the specialist health assessment service can be found at Part 1 in the Appendices.

## **Contract Period**

The contract period will be from 1<sup>st</sup> April 2016 to 31<sup>st</sup> 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 22<sup>nd</sup> February 2016. Proposals should be submitted to [contract.queries@nhsla.com](mailto:contract.queries@nhsla.com)

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 the 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 ensure deliverables are met. This should include methodologies and any assumptions, dependencies, issues, risks and constraints that may apply.
- 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 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
- Proposed costs for the service, to be given as a fixed cost per specialist assessment case. The budget for these services is dependent upon the precise service delivered, but as a guide, NCAS would expect to compensate providers between £2,500 and £3,250 per specialist assessment.

Costs that are not related to individual specialist assessments, but still apply in order to the deliver a service or provide any additional services as part of the specification may be provided on an hourly and/or per day basis.

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

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

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

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

## **Timetable**

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

<b>DATE AND TIME (IF RELEVANT)</b>	<b>Stage</b>
1 <sup>st</sup> February	Publication of ITT
2 <sup>nd</sup> February	Clarification period starts (Questions Relating to the Invitation to Tender)
15 <sup>th</sup> February	Clarification period ends
22 <sup>nd</sup> February	ITT closing date
23 <sup>rd</sup> February - 3 <sup>rd</sup> March	Evaluation of ITT's followed by clarification of bids (if required)
8 <sup>th</sup> March	Selected suppliers to present proposals at NCAS' London office
9 <sup>th</sup> March	Contract award
16 <sup>th</sup> March	Contract signing
21 <sup>st</sup> March – 25 <sup>th</sup> March	Induction, briefings and training if required
1 <sup>st</sup> 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 specific requirements of the proposed work including the proposed approach to service delivery and quality assurance.
  - Written submission demonstrates understanding of the context of the service and why it is needed
  - Written submission articulates clear understanding and interpretation of NCAS' service requirements
  - Demonstration of an appropriate approach to service delivery
- Suitable qualifications and experience of proposed personnel and their demonstrable success in provision of similar services.
  - Suitable qualifications of proposed staff and their experience in provision of similar services
  - Testimonial evidence of success in delivering similar services
  - Proposal demonstrates current knowledge of research in the field and adopts best practice to assess neuropsychological and neuropsychiatric evaluations
- The outline proposal and total cost of delivery: Evaluation of the resources, costs and ability to meet the specified service levels.
  - Costs
  - Proposal shows sufficient planning and resources to deliver an efficient service
  - Bid clearly defines roles and responsibilities of supplier's team and demonstrates 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 a robust quality assurance processes.

Suppliers should familiarise themselves with the detailed contract award criteria 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](mailto:contract.queries@nhsla.com) as soon as possible and **no later than five 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.

# **Part 1 Appendices**

## **Requirements Specification for a Specialist Health Assessment Service**

**and**

## **Shortlist Criteria**

# **Requirements Specification for a Specialist Health Assessment Service**

## **1. Introduction**

This contract is for the provision of full neuropsychological/neuropsychiatric evaluations (defined as a specialist health assessment) of practitioners who NCAS' occupational health assessors suspect to have a cognitive dysfunction.

### **Occupational Health (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. Specialist Health Assessments – Service Requirement

Where an NCAS OH assessor finds a practitioner undergoing an NCAS performance assessment may have suspected cognitive dysfunction, the OH assessor may elect to refer the practitioner for a full neuropsychological/neuropsychiatric evaluation (specialist health assessment). The initial occupational health screen uses the ACE-III and referrals are usually made when the practitioner scores lower than the cut-off within any section of the test.

#### Pre-assessment process

The specialist health assessor provider will be contacted directly by the NCAS OH assessor to agree the date and time of the assessment. From the point of first contact, NCAS would expect that within one working day, the service provider will be able to provide a range of suitable dates to enable the specialist health assessment to take place within 10 working days.

At the same time as providing a range of suitable dates, the specialist health assessor will inform NCAS if they are aware of any potential, actual or perceived conflicts of interest in relation to the case.

#### Assessment

The assessment should provide a comprehensive neuropsychological/neuropsychiatric evaluation, offering a clinical opinion on the practitioner's mental state and the functional (including occupational) implications of the mental state findings.

NCAS would normally expect the evaluation to include, but not be limited to, an examination and investigation by a neuropsychiatry assessment, a neuropsychology assessment, basic blood tests and an MRI scan of the head. There may be occasions where the specialist health assessor thinks further investigations are necessary and this should be discussed with the OH assessor on a case-by-case basis.

Any urgent concerns that arise from the initial assessment should be discussed with the OH assessor making the referral.

### Post assessment reporting

The specialist health assessor should prepare a detailed report (the 'Specialist Health Report') containing their findings and conclusions. The report should draw upon all aspects of the evaluation and investigation.

The report should be provided from the specialist health assessor by secure email, within ten days of the assessment taking place, to the OH assessor and specific individuals as identified by NCAS protocol. Details about retention of the specialist health assessor's report is also identified by NCAS protocol.

On occasion, NCAS' OH assessor or assessment specialists may have points for clarification of the report provided, and NCAS would expect these points to be addressed and the report updated (if required) within two working days.

### 3. Quality Assurance

The supplier will be expected to detail and implement a robust internal quality assurance process for each specialist health assessment report.

Service providers will be expected to provide NCAS assurance and evidence that the approach to specialist health assessments represents current best practice, is valid, reliable and evidence-based.

NCAS continually reviews and develops the assessment methodology and processes to ensure they remain fit for purpose and represent best practice. NCAS would expect service providers to integrate any refinements thought necessary into their process as required and agreed. Proposals made by the service provider to update the assessment process should be evidence-based and discussed with NCAS. Any changes to the way in which the assessment services are delivered will be introduced in a managed way.

### 4. Attributes of Specialist Health Assessors

NCAS would expect specialist health assessors to have the following attributes:

- be a specialist in Neuropsychology/psychiatry at Consultant level
- considerable experience and expertise in the practice of neuropsychological and neuropsychiatric assessments
- understanding of equality and diversity issues within Neuropsychiatry/Neuropsychology assessments
- experience in the field of professional performance, and particularly be able to demonstrate an understanding of performance assessment of doctors, dentists and pharmacists
- excellent listening skills, analytical skills, objectivity and empathy, ideally with practitioners
- excellent report writing and record keeping skills
- excellent organisational skills and the flexibility to meet deadlines at short notice

- proactive approach to communicating with NCAS's contractors, staff, and the wider NCAS assessment team
- excellent written and oral English language skills. Evidenced by an English competency test if required, e.g. if first language is not English.

## 5. Proposed 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 this service they wish to provide to NCAS:

<b>High level key performance indicators*</b>	
Provide a range of suitable dates to enable the specialist health assessment to take place within 10 working days	One working day of referral
Any urgent concerns are discussed with NCAS OH assessor immediately	Immediately
Provide, by secure email, the specialist health assessment report to NCAS' OH assessor and other specific individuals	Ten working days
Respond to points for clarification from NCAS' OH assessor	Two working days
Attend and contribute to NCAS' quality assurance processes and meetings	All specialist health assessors

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

## 6. Activity Levels

NCAS expects that there will be a requirement to complete a total of approximately 10 specialist health assessments per year.

The service provider would be expected respond to any service issues/queries/concerns raised within one working day and to attend bi-annual service review meetings. These meetings will be attended by the authorised officers and the named individual with responsibility for the day-to-day provision of the service. Meetings will normally be held at NCAS' offices in London.

The contract for the specialist health assessment service will be funded on a call down basis.

## 7. 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 any 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 Part 3 for the NHS LA conditions of contract for the supply of services.

## Shortlist Criteria

Criteria	Weighting	Total Weighting
<b>1. The supplier provides solid understanding of the specific requirements of the proposed work including the proposed approach to service delivery and quality assurance.</b> <ul style="list-style-type: none"> <li>Written submission demonstrates understanding of the context of the service and why it is needed</li> <li>Written submission articulates clear understanding and interpretation of NCAS' service requirements</li> <li>Demonstration of an appropriate approach to service delivery</li> </ul>	7.5%  10%  12.5%	<b>30%</b>
<b>2. Suitable qualifications and experience of proposed personnel and their demonstrable success in provision of similar services.</b> <ul style="list-style-type: none"> <li>Suitable qualifications of proposed staff and their experience in provision of similar services</li> <li>Testimonial evidence of success in delivering similar services</li> <li>Proposal demonstrates current knowledge of research in the field and adopts best practice to assess neuropsychological and neuropsychiatric evaluations</li> </ul>	7.5%  7.5%  10%	<b>25%</b>
<b>3. The outline proposal and total cost of delivery: Evaluation of the resources, costs and ability to meet the specified service levels.</b> <ul style="list-style-type: none"> <li>Costs</li> <li>Proposal shows sufficient planning and resources to deliver an efficient service</li> <li>Bid clearly defines roles and responsibilities of supplier's team and demonstrates willingness to work with NCAS</li> </ul>	7.5% 10%  7.5%	<b>25%</b>
<b>4. Meets the requirements of the NHS LA in relation to Information Security and provides evidence of appropriate organisational standards of information governance.</b>		<b>10%</b>
<b>5. Demonstrates a robust quality assurance processes.</b>		<b>10%</b>

The following matrix will be applied during shortlisting:

<b>Score</b>	<b>Performance</b>
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