

**Report to Alison Challenger, Director of Public Health**

**August 2022**

**Variation to Extend Contract for Provision for Children, Young People and Family/Carers and Adults who use Alcohol/Drugs and Framework agreement for the provision of Residential Services : Inpatient Detoxification and Residential Rehabilitation**

**Report by Philippa Gibson, Senior Commissioning Manager**

**Electoral division(s): All**

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**Summary**

The Council provides a community-based service to support children, young people and adults affected by alcohol and other drug use and a framework agreement for the provision of residential services: inpatient detoxification and residential rehabilitation for people using alcohol and/or drugs.

The services were procured in 2016 for an initial term of 5 + 2 years. With the full two year extension period now being utilised the contract will run until 10<sup>th</sup> May 2023 and 7<sup>th</sup> June 2023 respectively.

Both of the above contracts have utilised all extension periods contained in the original Official Journal of the European Union (OJEU) and authorisation is sought to vary the existing contracts to extend the term for a further period of four (4) months from the respective expiry dates of 9<sup>th</sup> May 2023 and 7<sup>th</sup> June 2023 to a new expiry date of 30<sup>th</sup> September 2023. A Single tender waiver process has been approved by the Director of Law and Assurance and Director of Finance for a 4 month extension. This will allow additional time to ensure a successful competitive procurement of these services which gives a fuller response to the recently published National Drug Strategy (December 2021), and which takes account of implementation guidance (April 2022) and allocation of new treatment grants.

**Recommendation**

The Director of Public Health is asked to approve the variation of the current contract for drug and alcohol recovery services with CGL and the Framework Agreement for residential rehabilitation and inpatient detoxification to enable extensions from 10<sup>th</sup> May 2023 and 8<sup>th</sup> June 2023 respectively to 30<sup>th</sup> September 2023.

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## **1 Background and context**

1.1 The Council has a contract with Change Grow Live Ltd (CGL) to provide an all age, county wide service working with people who misuse alcohol and drugs.

The service provides

- Harm reduction and needle syringe provision
- Engagement and early interventions
- Structured treatment including specialist prescribing
- Assessment for onward referral to detoxification and residential rehabilitation
- Blood Borne Virus testing and vaccination
- Education, training and employment support
- Peer mentoring
- Therapeutic services to children of alcohol and drug dependent parents.
- Support to families and carers

1.2 The contract commenced on 10<sup>th</sup> May 2016 for a period of five years with an option to extend for a further two years. The Council has exercised the option to extend with an end date of 9<sup>th</sup> May 2023.

1.3 The County Council has a Framework Agreement with contractors selected to provide residential services (inpatient detoxification and residential rehabilitation) in one or more lots in accordance with the terms of the Agreement.

1.4 The Framework Agreement commenced on 8th June 2016 for a period of five years with an option to extend for a further two years. The Council has exercised the option to extend with an end date of 7<sup>th</sup> June 2023. .

1.5 Provision of drug and alcohol services is a non-prescribed function of the Public Health Grant.

1.6 Performance is closely monitored against national Public Health Outcomes Framework (PHOF) and locally agreed targets.

1.7 Service reports and National Drug Treatment Monitoring System (NTDMS) returns show that from 2017 the services have demonstrated ongoing improvements in treatment outcomes.

1.8 The National Drug Strategy (published December 2021) and recently published implementation guidance (April 2022) sets out core priorities to deliver an effective treatment and recovery system.

1.9 The County Council has secured additional and new three -year grant investment in treatment and recovery services from the Office for Health Improvement and Disparities (OHID) which is awarded on the back of the new Drug Strategy.

## **2 Proposal details**

2.1 Both of the contracts for the provision of residential services: inpatient detoxification and residential rehabilitation for people using alcohol and/or drugs have utilised all extension periods contained in the original Official Journal of the European Union (OJEU) and so authorisation is sought to vary the

existing contracts to extend the term for a further period of four (4) months from the respective expiry dates of 9<sup>th</sup> May 2023 and 7<sup>th</sup> June 2023 to a new expiry date of 30<sup>th</sup> September 2023. A Single tender waiver process has been approved by the Director of Law and Assurance and Director of Finance for a 4 month extension. The proposal is to extend the current contract for drug and alcohol recovery services with CGL and the Framework Agreement for residential rehabilitation and inpatient detoxification from 10<sup>th</sup> May 2023 and 8<sup>th</sup> June 2023 respectively to 30<sup>th</sup> September 2023.

- 2.2 This will give time for planned procurement work to more fully respond to the recently published National Drug Strategy, and to incorporate the OHID grant funding. It will allow the new specification(s) and requirements to better take account of these recent developments.

### **3 Other options considered (and reasons for not proposing)**

- 3.1 The other option is to maintain original timelines, ie not extending current contracts by four months. This would not make use of nor derive benefit from the proposed short extension in timeline which is requested to allow fuller planning on how the procurement incorporates wide ranging ambitions as set out in the new Drug Strategy and the new grant funding secured from OHID.

### **4 Consultation, engagement and advice**

- 4.1 The procurement was scoped and presented at West Sussex County Council Commercial Panel (January 2022).
- 4.2 A market engagement event has been held March 2022.
- 4.3 The approach to extend the existing contracts as described in this report has been supported by Commercial Panel (April 2022)

### **5 Finance**

- 5.1 Revenue consequences

The budget for the contract in 2022/23 is £5.76m. The extension will be at the current price, so the cost will remain affordable within that amount.

	Current Year 2022/23 £m	Year 2 2023/24 £m
Revenue budget	5.76	5.76
Cost of recommendation	5.76	5.76
Remaining budget	0	0

- 5.2 The effect of the proposal:

(a) **How the cost represents good value**

The proposed extension is to hold the contract price at 2022 value.

**(b) Future savings/efficiencies being delivered**

The proposed extension is to hold the contract price at 2022 value.

**(c) Human Resources, IT and Assets Impact**

The proposal has no identified adverse impact upon human resources, IT and assets.

**6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Legal Challenge from other Providers	There is a very small risk of legal challenge of the required single tender waiver (Low) as other Providers will have the opportunity to bid for the new contract following the extension. Providers have attended a Market Engagement Event (March 2022) which suggested that tendering was the most effective procurement route.

**7 Policy alignment and compliance**

**7.1 Our Council Plan**

The provision of an effective and quality drug and alcohol service makes clear contributions to West Sussex goals of improving the health and wellbeing of residents of all ages, and to supporting strong and safer communities.

**7.2 Legal implications**

There is no provision within the current contract for further extension. Any risk of challenge is mitigated by the fact that extensive market engagement has been undertaken and the fact that the Council will commence a competitive procurement process in time for the extensions to expire.

A recent market engagement event (March 2022) suggested the potential bidder pool is limited.

The existing terms and conditions comply with West Sussex County Council's Standing Orders on Procurement and Contracts. The planned procurement will be conducted in accordance with the Public Contracts Regulations 2015.

**7.3 Equality duty and human rights assessment**

As there is no change to the specification and contract terms, as previously considered and assessed at award of contract, there is no impact on Equality.

**7.4 There are no Human Rights implications arising from this contract variation.**

**7.5 Climate change**

There are no foreseeable climate change implications to this proposal.

## 7.6 Crime and disorder

The Council has a responsibility to minimise crime and anti-social behaviour which can be associated with drug and alcohol misuse.

The service provided under the proposed extension will continue to focus on improving health and wellbeing which in turn reduces the likelihood of the above behaviours. There is no change proposed to service which includes dedicated criminal justice provision, working with adults known to the criminal justice system.

## 7.7 Public health

Provision of drug and alcohol services is a non-prescribed function of the Public Health Grant.

## 7.8 Social value

To provide a therapeutic offer for children and drug dependent parents, who may otherwise be disadvantaged, reducing health inequality.

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**Alison Challenger**

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**Appendices** None

**Background papers** None