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Planning

## **NHS England South East - Liaison and Diversion (L&D) services**

NHS England South East

F21: Social and other specific services – public contracts

Prior information notice without call for competition

Notice identifier: 2023/S 000-006921

Procurement identifier (OCID): ocds-h6vhtk-03b0fd

Published 9 March 2023, 2:17pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NHS England South East

Reading

##### **Email**

[scwcsu.procurement@nhs.net](mailto:scwcsu.procurement@nhs.net)

##### **Country**

United Kingdom

##### **Region code**

UKJ - South East (England)

##### **Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.england.nhs.uk/south-east/>

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://health-family.force.com/s/Welcome>

Additional information can be obtained from the above-mentioned address

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Health

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

NHS England South East - Liaison and Diversion (L&D) services

Reference number

C149650

**II.1.2) Main CPV code**

- 85100000 - Health services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

NHS England (NHSE) is seeking Expressions of Interest (EOIs) from providers who have the capability and capacity to deliver Liaison and Diversion (L&D) services across the South East of England. Interested providers will need to complete a Market Engagement Questionnaire in order to register their EOI (see details below).

The contracts will serve all ages of service users across all points of intervention in the youth and criminal justice pathways, addressing a wide range of health issues and vulnerabilities, including those with protected characteristics as set out in the Equality Act 2010.

The requirement will most likely be split across 5 (five) discrete lots, as follows, with a contract awarded for each lot:

- Hampshire
- Thames Valley
- Kent
- Surrey
- Sussex

The proposed contracts are due to commence on 1st April 2024 and will run for a duration of 7 (seven) years, with an option to extend for a further 1 (one) year, at the discretion of the Commissioner.

EOIs received will be used to help NHSE identify any existing or potential capacity and determine commissioning and contracting options for these services. As such, only organisations with appropriate experience, capability, and actual/potential capacity to mobilise in this timeframe should respond to this notice.

There are high numbers of people with mental health, learning disability, substance misuse and other psychosocial vulnerabilities entering the youth and criminal justice systems, who can be managed more appropriately in the community, or diverted from the justice pathway altogether.

The service will be available to people of all ages, to ensure that it addresses the needs of children and young people, those transitioning between youth and adult services, and adults. The entry point to the service will be as and when an individual comes into contact with the police (or other criminal investigating authority) under suspicion of having committed a criminal offence.

L&D services provide a prompt response to concerns raised by the police, probation service, youth offending teams or court staff, and provide critical information to decision-makers in the justice system, in real time, when it comes to charging and sentencing these vulnerable people. L&D also acts as a point of referral and assertive follow up for these services users to ensure they can access, and are supported to attend, treatment and rehabilitation appointments.

In this way, L&D services are expected to help reduce reoffending, reduce unnecessary use of police and court time, ensure that health matters are dealt with by healthcare professionals, and reduce health inequalities for some of the most vulnerable in society.

Critical drivers of effective provision include:

- a clear definition
- connectivity across different local agencies with a local post-diversion infrastructure underpinned by a shared commissioning strategy
- accessibility
- skilled staff
- outcome-focused measures and
- proportionate and minimal intervention.

In order to submit an EOI, you will need to be registered on the e-procurement system and complete the market engagement questionnaire. Interested providers will be able to view the opportunity via the 'Live Opportunities' list on the e-procurement system, Atamis, available at the following link: <https://health-family.force.com/s/Welcome>. Upon doing so you will also be able to access the associated provider questionnaire. **IMPORTANT:** Please ensure that you complete the questionnaire in order to fully submit your EOI. The deadline for registration, EOI and questionnaire returns is 12:00 5th April 2023.

On registration, please include at least two contacts to allow for access to the system in times of absence.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 85100000 - Health services

### **II.2.3) Place of performance**

NUTS codes

- UKJ - South East (England)

### **II.2.4) Description of the procurement**

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The contracts will be awarded on a block basis at this point, however, should national changes in funding approach be introduced the provider/s must be prepared to work with the commissioner to assess any impact and work collaboratively to safely implement any such alterations during the life of the contract.

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations"), which are not subject to the full regime of the Regulations but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

The process will be conducted in accordance with the requirements and flexibilities provided by Articles 74 to 76 of the Directive, and Regulations 74 to 76 of the Regulations. The Authority will run a transparent process, treating all Bidders equally. For the avoidance of doubt, the Authority will not be bound by the Regulations or the Treaty on the Functioning of the European Union or any other regulations or legislation except for the specific parts or circumstances that apply to the procurement of these Services.

Neither any inclusion of a Bidder selection stage, nor the use of any language or terms found in the Directive or Regulations, nor a description of the procedure voluntarily adopted by the Authority ("Open", "Restricted", "Competitive Procedure with Negotiation", "Competitive Dialogue" or any other description), nor any other indication, shall be taken to mean that the Authority intends to hold itself bound by the Directive or Regulations, save by the provisions applicable to services coming within the scope of Annex XIV of the Directive / Schedule 3 of the Regulations.

In the case of a procurement process, the Contracting Authority will observe award decision notice provisions and (in the case of a competitive tender) may observe a 10-day standstill period, as described in Regulation 86 of the Regulations. Unsuccessful Bidders will receive scores and reasons for the decision, including the characteristics and relative advantages of the winning bid and the reasons why the Bidder/application was unsuccessful.

### **II.3) Estimated date of publication of contract notice**

19 October 2023