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Contract

## **Provision of Deprivation of Liberty Safeguards (DoLS) Assessment Services**

Nottinghamshire County Council  
Nottingham City Council

F03: Contract award notice

Notice identifier: 2023/S 000-010966

Procurement identifier (OCID): ocds-h6vhtk-039469

Published 17 April 2023, 1:44pm

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

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

Nottinghamshire County Council

County Hall, West Bridgford

Nottingham

NG2 7QP

**Contact**

Catherine Flint

**Email**

[catherine.flint@nottscc.gov.uk](mailto:catherine.flint@nottscc.gov.uk)

**Telephone**

+44 1159772009

**Country**

United Kingdom

**Region code**

UKF1 - Derbyshire and Nottinghamshire

**Internet address(es)**

Main address

<http://www.nottinghamshire.gov.uk>

Buyer's address

<http://www.nottinghamshire.gov.uk>

**I.1) Name and addresses**

Nottingham City Council

Nottingham

**Contact**

Melody Hinds

**Email**

[melody.hinds@nottinghamcity.gov.uk](mailto:melody.hinds@nottinghamcity.gov.uk)

**Country**

United Kingdom

**Region code**

UKF1 - Derbyshire and Nottinghamshire

**Internet address(es)**

Main address

<https://nottinghamcity.gov.uk>

## **I.2) Information about joint procurement**

The contract involves joint procurement

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

Regional or local authority

## **I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Provision of Deprivation of Liberty Safeguards (DoLS) Assessment Services

Reference number

DN643052

#### **II.1.2) Main CPV code**

- 85000000 - Health and social work services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Nottinghamshire County Council sought a suitably experienced single provider to deliver Deprivation of Liberty Safeguards (DoLS) Assessment Services using a Framework Agreement.

The Framework Agreement will replace an existing Framework Agreement which has expired

and will be available for use by the following Customers:

- Nottinghamshire County Council
- Nottingham City Council

The Deprivation of Liberty Safeguards (DoLS) provide a legal framework for the deprivation

of liberty for people who lack mental capacity to make decisions about their care arrangements themselves. They apply to people who are in hospital or residential/nursing care and who are subject to restrictions and restraints in their lives, for example, not being free to leave or requiring continual supervision. Local Authorities are required to arrange an

Assessment of their circumstances to determine whether the care provided is in their best interests to protect them from harm, whether it is proportionate and to determine if there is a less restrictive alternative.

The Provider may be asked to complete all six elements of the Best Interests Assessment or

specific elements depending on the requirements. The six elements in scope are:

- Age Assessment
- No refusals Assessment
- Mental capacity Assessment
- Mental health Assessment
- Eligibility Assessment
- Best Interests Assessment

Liberty Protection Safeguards (LPS) - The Government has set out plans to replace Deprivation of Liberty Safeguards with Liberty Protection Safeguards, although the

finalised

Code of Practice and timetable for implementation are still awaited. The framework specification has therefore been developed to maintain arrangements for the provision of assessment in respect DoLS until such time as Liberty Protection Safeguards are implemented. The purpose of Liberty Protection Safeguards are consistent with those of DoLS and there will be a preference to utilise this Framework Agreement to continue to meet the Customers' statutory requirements for safeguarding people whose liberty is being restricted. Once the future requirements of LPS are clear, this Framework Agreement will be reviewed and consideration given to whether delivery of the new requirements within this Framework Agreement is permissible and, if so, what amendments to the specification would need to be made.

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

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £15,000,000

### **II.2) Description**

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

NUTS codes

- UKF1 - Derbyshire and Nottinghamshire

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

The purpose of this single provider Framework Agreement is to define a strong working relationship between the Customers (Nottinghamshire County Council and Nottingham City

Council) and the selected Provider, and to enable these Customers to Call Off, against the

Framework Agreement, Assessment capacity, which will support the Customers to meet DoLS duties, through the delivery of:

- a managed, 'end-to-end' service for DoLS Assessments
- a flexible approach to deliver different elements of the DoLS requirements
- a responsive approach to meet the numbers of Assessments required by the Customers
- a robust approach to quality

The Provider may be asked to complete all six elements of the Best Interests Assessment or

specific elements depending on the requirements. The six elements in scope are:

- Age Assessment – confirming whether the Relevant Person is 18 or over.
- No refusals Assessment – establishing whether an authorisation would conflict with other existing authority for decision-making for that person, such as an advance decision to refuse treatment under the Mental Capacity Act 2005.
- Mental capacity Assessment – establishing whether the Relevant Person lacks capacity to

decide whether or not they should be accommodated in the relevant hospital or care home

to be given care.

- Mental health Assessment – determining whether the Relevant Person has a mental disorder within the meaning of the Mental Health Act 1983. This is not an Assessment to determine whether the person requires mental health treatment – the objective is to ensure that the Relevant Person is medically diagnosed as being of "unsound mind".

- Eligibility Assessment – relating specifically to the Relevant Person's status, or potential status, under the Mental Health Act 1983. A Relevant Person is eligible unless they are:
  - Detained under the Mental Health Act 1983
  - Subject to an obligation placed on them under the Mental Health Act 1983, such as a guardianship order requiring them to live somewhere else.

Or

- If the proposed authorisation relates to a deprivation of liberty in a hospital wholly or partly

for the purpose of treatment of a mental disorder, the Relevant Person will be eligible unless:

They object to being admitted to hospital, or to some or all the treatment, and They meet the criteria for an application for admission under section 2 or section 3 of the Mental Health Act 1983.

#### Call-offs

In order to use the Framework a Customer (Nottinghamshire County Council or Nottingham

City Council) will Call Off Services by placing a Call Off Order for a block value of Assessment activity. Should the value of that Call Off Order be exhausted within the Call Off period, further Call Off Orders can be placed.

Best Interests Assessors completing Assessments under this Framework Agreement must

have at least two years' post qualification experience and must have twelve months' post

BIA qualification experience working as a BIA.

The Provider's quality assurance lead will have at least two years' post qualification experience and will have at least two years' post BIA qualification experience working as a BIA.

#### **II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Open procedure

#### IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number: [2022/S 000-036631](#)

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## Section V. Award of contract

### Contract No

DN643052

A contract/lot is awarded: Yes

### V.2) Award of contract

#### V.2.1) Date of conclusion of the contract

31 March 2023

#### V.2.2) Information about tenders

Number of tenders received: 6

The contract has been awarded to a group of economic operators: No

#### V.2.3) Name and address of the contractor

ID Medical Group Limited

Milton Keynes

Country

United Kingdom

NUTS code

- UKF1 - Derbyshire and Nottinghamshire

The contractor is an SME

No

#### V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £15,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The Royal Courts of Justice

Strand

London

WC2A 2LL

Country

United Kingdom