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Tender

## **Mental Health Treatment Requirements (MHTR) in the South East, as part of the Community Sentence Treatment Requirement (CSTR) Programme for NHS England and NHS Improvement South East**

The NHS Commissioning Board operating as NHS England

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2021/S 000-028860

Procurement identifier (OCID): ocids-h6vhtk-02d78c

Published 18 November 2021, 7:45pm

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

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

The NHS Commissioning Board operating as NHS England

Jubilee House, 5510 John Smith Drive, Oxford Business Park

Oxford

OX4 2LH

#### **Contact**

Evan Williams

#### **Email**

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

#### **Country**

United Kingdom

**NUTS code**

UKJ14 - Oxfordshire

**Internet address(es)**

Main address

<https://www.england.nhs.uk/>

Buyer's address

<https://in-tendhost.co.uk/scwcsu.aspx/ProjectManage/1420>

**I.3) Communication**

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

<https://in-tendhost.co.uk/scwcsu.aspx/ProjectManage/1420>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://in-tendhost.co.uk/scwcsu.aspx/ProjectManage/1420>

**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**

Mental Health Treatment Requirements (MHTR) in the South East, as part of the Community Sentence Treatment Requirement (CSTR) Programme for NHS England and NHS Improvement South East

Reference number

WA11861

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

- 85100000 - Health services

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

Services

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

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services across the South East. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE) and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)
- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities

which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.
- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.
- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

Contracts will be for an initial term of 3 years, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to commence on 01 July 2022, with the exception of Reading Magistrates Court in Lot 1 which is planned to commence on 01 April 2022. The initial contract term for Lot 1 will be 3 years and 3 months to account for the earlier service commencement date for Reading Magistrates Court.

The procurement exercise is split into 5 Lots with the corresponding 3 year contract values (3 years and 3 months for Lot 1).

Lot 1: Reading Magistrates Court and Oxford Combined Court - £780,989

Lot 2: Southampton Magistrates Court and Portsmouth Magistrates Court - £503,865

Lot 3: Guildford Magistrates Court - £331,788

Lot 4: Brighton Magistrates Court - £554,700

Lot 5: Maidstone Combined Court - £444,460

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

### **II.1.5) Estimated total value**

Value excluding VAT: £5,231,604

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

## **II.2) Description**

### **II.2.1) Title**

Mental Health Treatment Requirements (MHTR) for Reading Magistrates Court and Oxford Combined Court

Lot No

1

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

- 85100000 - Health services

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

NUTS codes

- UKJ1 - Berkshire, Buckinghamshire and Oxfordshire

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

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services for Reading Magistrates Court and Oxford Combined Court. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE) and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)

- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.
- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.
- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

The contract will be for an initial term of 3 years 3 month, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to commence on 01 April 2022 at Reading Magistrates Court and 01 July 2022 at Oxford Combined Court.

The 3 years and 3 months contract value is £780,989.

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

### **II.2.6) Estimated value**

Value excluding VAT: £1,561,978

### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

72

### **II.2.14) Additional information**

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 is instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

## **II.2) Description**

### **II.2.1) Title**

Mental Health Treatment Requirements (MHTR) for Southampton Magistrates Court and Portsmouth Magistrates Court

Lot No

2

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

- 85100000 - Health services

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

NUTS codes

- UKJ3 - Hampshire and Isle of Wight

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

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services for Southampton Magistrates Court and Portsmouth Magistrates Court. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE)

and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)
- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.
- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.
- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

Contracts will be for an initial term of 3 years, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to

commence on 01 July 2022.

The 3 year contract value is £503,865.

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

#### **II.2.6) Estimated value**

Value excluding VAT: £1,007,730

#### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

72

#### **II.2.14) Additional information**

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 is instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

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

#### **II.2.1) Title**

Mental Health Treatment Requirements (MHTR) for Guildford Magistrates Court

Lot No

3

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

- 85100000 - Health services

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

NUTS codes

- UKJ2 - Surrey, East and West Sussex

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

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services for Guildford Magistrates Court. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE) and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)
- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.
- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.
- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary

MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

Contracts will be for an initial term of 3 years, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to commence on 01 July 2022.

The 3 year contract value is £331,788.

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

### **II.2.6) Estimated value**

Value excluding VAT: £663,576

### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

72

### **II.2.14) Additional information**

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 is instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

## **II.2) Description**

### **II.2.1) Title**

Mental Health Treatment Requirements (MHTR) for Brighton Magistrates Court

Lot No

4

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

- 85100000 - Health services

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

NUTS codes

- UKJ21 - Brighton and Hove

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

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services for Brighton Magistrates Court. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE) and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)
- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.
- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.

- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

Contracts will be for an initial term of 3 years, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to commence on 01 July 2022.

The 3 year contract value is £554,700.

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

#### **II.2.6) Estimated value**

Value excluding VAT: £1,109,400

#### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

72

#### **II.2.14) Additional information**

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 is instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

## **II.2) Description**

### **II.2.1) Title**

Mental Health Treatment Requirements (MHTR) for Maidstone Combined Court

Lot No

5

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

- 85100000 - Health services

## II.2.3) Place of performance

NUTS codes

- UKJ4 - Kent

## II.2.4) Description of the procurement

NHS England and NHS Improvement South East (the Commissioner) seeks to commission Mental Health Treatment Requirements (MHTRs) Services for Maidstone Combined Court. This forms part of the wider Community Sentence Treatment Requirements (CSTRs) Programme which is a partnership between the Ministry of Justice (MoJ), Department of Health and Social Care (DHSC), NHS England and NHS Improvement (NHSE/I), Public Health England (PHE) and Her Majesty's Prison and Probation Service (HMPPS).

The CSTR Programme aims to develop pathways to enable and facilitate the increased use of all three treatment requirements:

- Mental Health Treatment Requirements (MHTRs)
- Drug Rehabilitation Requirements (DRRs)
- Alcohol Treatment Requirements (ATRs)

ATRs and DRRs in the South East are outside the scope of this specification, beyond the co-ordination of CSTRs for combined orders. However, there is an expectation that MHTR and ATR & DTR providers will work closely together in the best interests of the service user, especially where it can be identified that a combined order is the best outcome.

MHTR in the context of the CSTR programme is intended for the sentencing of individuals convicted of an offence(s) which has crossed the community order sentencing threshold and may be used as an alternative to short custodial sentences for individuals who may have range of mental health, personality disorder and psychological issues/vulnerabilities which do not require forensic or secondary care treatment.

The aims of the service are to:

- Increase the proportion of offenders with mental health issues for whom an effective mental health treatment plan is in place.

- Reduce re-offending by addressing the underlying causes of offending behaviour.
- Prevent custodial sentences (especially short ones), by offering robust community treatment options.
- Provide tailored mental health support to the most vulnerable offenders. Individuals supported by pilot sites included those who suffered from post-traumatic stress, trauma, bipolar, personality and phobia disorders, psychosis and ASD.

Secondary MHTRs are outside the scope of this service specification and its provision should be provided through locally commissioned frameworks for secondary care. Primary MHTRs are the sole focus of this service specification. Treatment should thereby be provided by a suitable trained and experienced team of practitioners, for individuals who do not meet the criteria for secondary mental health treatment.

Contracts will be for an initial term of 3 years, with a possible extension of a further three years, as defined and at the discretion of the Commissioner. Services are planned to commence on 01 July 2022.

The 3 year contract value is £444,460.

This procurement is being carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

#### **II.2.6) Estimated value**

Value excluding VAT: £888,920

#### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

72

#### **II.2.14) Additional information**

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 is instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Form of procedure**

Open procedure

### **IV.2) Administrative information**

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

Notice number: [2021/S 000-020509](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

15 December 2021

Local time

12:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## **Section VI. Complementary information**

### **VI.3) Additional information**

Interested providers will be able to view this notice via the 'current tenders' list on the e-procurement system In-Tend, available on the following link: <https://in-tendhost.co.uk/scwcsu/asp/ProjectManage/1420>

In order to submit a bid, you will need to be registered on the e-procurement system, 'express an interest' and 'Opt in', then complete a response as specified within the procurement documents.

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

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 tendering 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 tender process, treating all Bidders equally. For the avoidance of doubt, the Authority will not be bound by the Regulations or any other regulations or legislation except for the specific parts or circumstances that apply to the procurement of these Services.

Neither the inclusion of a Bidder selection stage, nor the use of any language or terms found in the Directive or Regulations, nor the 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.

The Contracting Authority intends to voluntarily observe the award decision notices provisions and 10 day standstill period described in Regulation 86 of the Regulations.

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

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

High Court in London

London

Country

United Kingdom