

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE DECISION RECORD

To be completed in cases where a decision is required

DECISION OF POLICE AND CRIME COMMISSIONER

Date: 18/02/2016

Officers present: Paul Stock (Chief Executive), Andrew Dale (Resources Manager and Deputy Section 151 Officer), Simon Down (Commissioning Manager)

Received in OPCC Date:

OPCC Ref: EXE0001/tb

Title: Substance Misuse Commissioning

Summary of Issue:

The OPCC's commissioning arrangements for substance misuse treatment provision are coming to an end across Leicester, Leicestershire and Rutland (LLR). As such, the OPCC has entered into commissioning arrangements with Leicester City Council, Leicestershire County Council and NHS England (North) for the procuring of a single Substance Misuse Treatment Service (SMTS) to commence on the 1st July 2016.

The procurement process is currently in the "standstill" period. This joint commissioning needs to be formalised via a partnership agreement and the OPCC also needs to enter into further discussions/ negotiations with Rutland County Council and the successful SMTS provider in relation to further service provision to ensure that there is a single cohesive substance misuse service across LLR that meets our strategic requirements as set out in the Police and Crime Plan.

In brief, substance misuse (misuse of both alcohol and drugs) has a large negative impact across LLR from a health, social and crime perspective. Through joining up with our commissioning partners we are able to tackle these impacts in a holistic manner ensuring that a person centred approach is taken which has been shown to be successful.

The partnership agreement will set out the funding commitments from each party, their responsibilities, contractual arrangements to be had with the provider, governance arrangements, and legal protections for each party.

Further details of the background to this decision are set out in Appendix 1.

Recommendations presented:

1. Sign up to the partnership agreement with Leicester City Council, Leicestershire County Council and NHS England (North) which commits us to pay amounts as per table 1 towards the SMTS across Leicester and Leicestershire.
2. Work with Rutland County Council to agree how to make best use of the funding amounts outlined within table 2 towards substance misuse provision.
3. Enter into negotiations with the successful SMTS provider to deliver additional

elements under the above partnership agreement and related contracts with respect to the Integrated Vulnerability Management Initiative (funded through the Strategic Partnership Development Fund (SPDF) - exact amount to be agreed separately).

4. Enter into negotiations with the successful SMTS provider to deliver education sessions as part of out of court disposals. This will be delivered via a separate contract held and managed by the OPCC.

Table 1. OPCC contributions to the Leicester and Leicestershire SMTS

Financial Year	OPCC funding commitment within initial period of contract	OPCC funding commitment for optional extension to contract
2016/17 (funding already approved through the Commissioning Framework 2016/17)	£335,568	N/A
2017/18	£447,424	N/A
2018/19	£447,424	N/A
2019/20	£447,424	N/A
2020/21	£111,856	£335,568
2021/22	N/A	£111,856
Total	£1,789,696	£447,424

Table 2. OPCC contributions to Rutland County Council for substance misuse provision

Financial Year	OPCC funding commitment	OPCC funding commitment in the event that the Leicester and Leicestershire SMTS contract is extended
2016/17 (funding already approved through the Commissioning Framework 2016/17)	£1,114	N/A
2017/18	£1,485	N/A
2018/19	£1,485	N/A
2019/20	£1,485	N/A
2020/21	£371	£1,114
2021/22	N/A	£371
Total	£5,940	£1,485

NB. The funding in relation to the optional extension (£447,424 + £1,485) will be subject to a further decision paper in due course.

As such, the total funding committed by this decision is **£1,795,636** (£1,789,696 + £5,940) phased across the financial years as set out above.

Key discussion points at meeting:

It was resolved that :

Police and Crime Commissioner for Leicestershire

Signature



Date

18/2/16

OFFICE OF THE PCC REPORT

To be completed by either Chief Executive or Chief Finance Officer

OFFICE OF PCC APPROVAL

Chief Executive or Chief Finance Officer:

I have been consulted about the proposal and confirm that appropriate advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Signature



Name

ANDREW DALE

Date

18/2/16

Publication Scheme

Subject:

Decision of Monitoring Officer:

As Monitoring Officer for the Office of Police and Crime Commissioner for Leicestershire I have determined that :

It is appropriate to publish this record of decision made by the Police and Crime Commissioner : Yes / ~~Part Redacted~~ / ~~No~~

It is appropriate to publish the contents of the assessment of the decision by either of the senior post holders in the Office of the Police and Crime Commissioner for Leicestershire (i.e. either the Chief Executive or Chief Finance Officer) :
Yes / ~~Part Redacted~~ / ~~No~~

It is appropriate to publish details of the decision by the Police and Crime Commissioner for Leicestershire : Yes / ~~Part Redacted~~ / ~~No~~

Reasons for any non Publication (referencing appropriate legislation):

Signature 

Name PAUL STOCK

Date 18/2/16.

NOT PROTECTIVELY MARKED
Appendix 1 – Additional background information

Background

The OPCC commissioned substance misuse provision was put in place in April 2014. This complemented wider provision funded by the respective top tier/unitary councils and NHS England. Since 2014 it has become clear that provision is unnecessarily fragmented into different services and that a single service could be achieved across Leicester, Leicestershire and Rutland (LLR). To this end a substance misuse service redesign board was set up and a new service specification created.

Leicester City Council, Leicestershire County Council, NHS England (North) and the OPCC have formed a partnership which now needs to be formalised through signature of the partnership agreement. The formal partnership have commissioned against the agreed specification whilst Rutland will be negotiating separately with the successful provider which will essentially create a single LLR wide service.

As part of the Strategic Partnership Development Fund (see publically available Strategic Partnership Board papers for further details of this) an Integrated Vulnerability Management Initiative (IVMI) pilot will be taking place and this will include making available some further funding to the Substance Misuse Treatment Service (SMTS) to provide staffing resource towards the pilot.

Before and after

Table 1 below summarises the before and after picture and hence, in part, the rationale for the re-commissioning of this work. In short, the new provision will ensure that criminal justice requirements are met whilst ensuring a more cohesive and simplified system of provision.

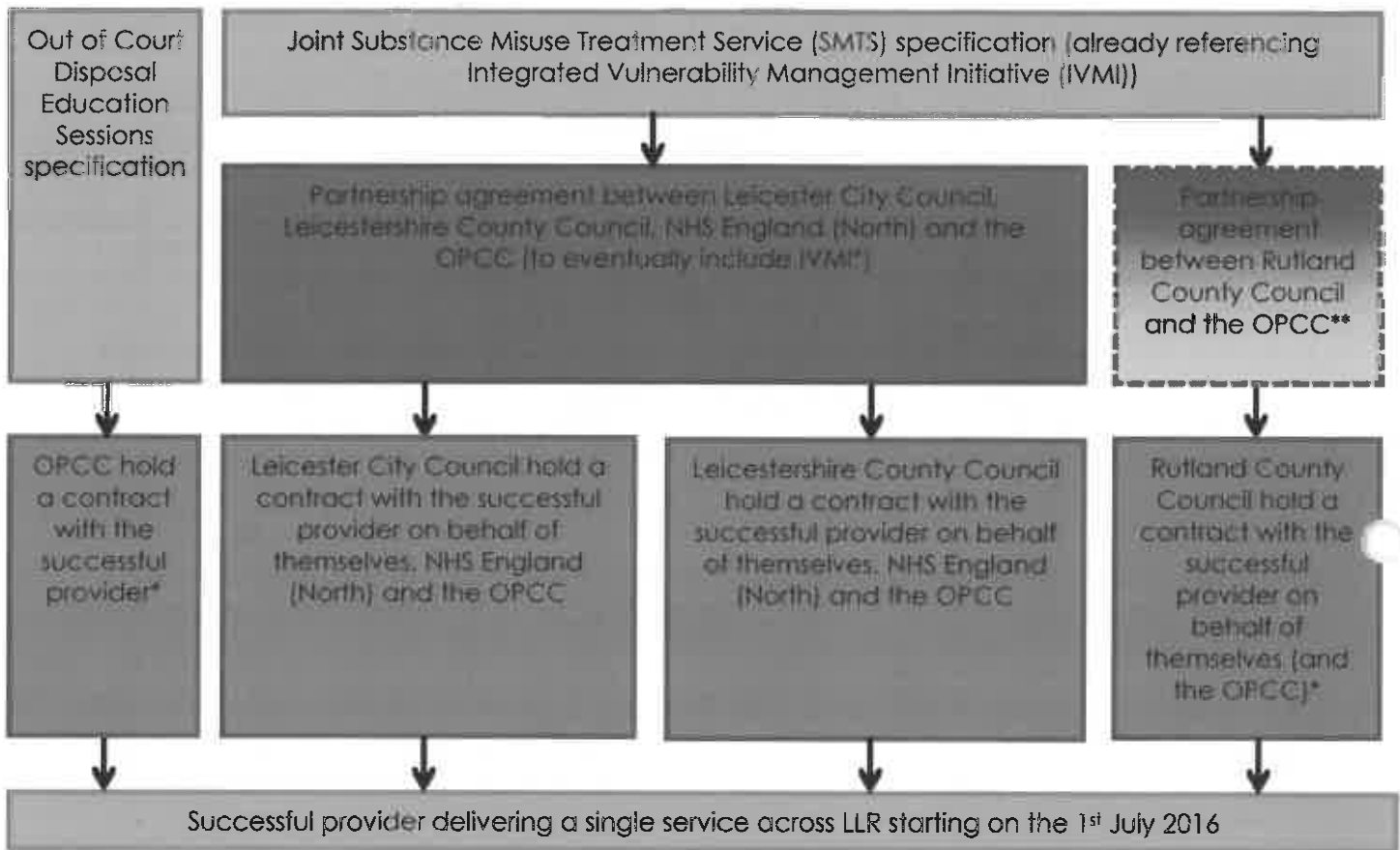
Table 1

What	Before	After
Number of services/ service providers	There are currently a number of different services and service providers across the community and prisons with different provision across prisons, county/Rutland and the city and young people vs adult's provision.	A single service provider across LLR including within prisons, custody suites etc which will ensure continuity of provision across the criminal justice system/the community and across the age range as people move from young people to adults provision (still ensuring that age appropriate support is given to young people).
Out of court disposals	Out of court disposals (OCD) have been delivered out of "good will" from the existing provider with no formal arrangements in place to cover these.	The initial appointment/screening and any subsequent treatment sessions will be delivered through the single LLR wide service. Education sessions (for those given a substance misuse OCD but who are assessed as not having a treatment need) will be provided by the single LLR wide provider but through a separate contract held directly by the OPCC (still to be negotiated).
IOM coverage	Coverage provided by the Adult's contract	Coverage to be provided by the single LLR wide service
Custody Suite coverage	Coverage provided by the Adults contract	Coverage to be provided by the single LLR wide service
Payment by results	Only some contracts operating under payment by results conditions	All provision covered by the SMTS specification subject to payment by results conditions.

Contractual perspective

The contracting arrangements for the single LLR wide service are as per figure 1 below.

Figure 1.



*Only the contracts held by Leicester City and Leicestershire County councils can immediately be awarded as a result of the recent procurement exercise. The additionality of the Integrated Vulnerability Management Initiative (IVMI) and the separate contract that Rutland will hold can then be negotiated with the successful provider under that set out within the procurement documentation (which mention that both of these things were likely to be added on). The OPCC will also be able to commence negotiations with the successful provider with regards to the OOD education sessions under the expectation that a single source dispensation will be completed and considered once the amount of funding has been established.

**As the funding contribution from the OPCC towards provision in Rutland is minimal (in line with levels of need as per the national criminal justice substance misuse allocation formula), it may not be economically advantageous to create a partnership agreement and it may be considered more sensible to either provide Rutland with a simple grant or to award the money to the Community Safety Partnership to cover substance misuse from a non-treatment perspective (i.e. a "don't drink and drive" campaign).