



CABINET – 26 OCTOBER 2021

**EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION
TAKEN BY THE CHIEF EXECUTIVE IN RELATION TO THE
APPOINTMENT OF A SUPPLIER TO PROVIDE ENHANCED
SUBSTANCE MISUSE SERVICES IN LINE WITH THE PUBLIC
HEALTH ENGLAND UNIVERSAL AND INPATIENT DETOXIFICATION
GRANTS**

REPORT OF THE DIRECTOR OF PUBLIC HEALTH

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet of urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules which enabled the direct appointment of Turning Point Ltd and Framework Housing (Edwin House) to deliver enhanced substance misuse activity in accordance with the Universal Grant and Inpatient Detoxification Grant made available by Public Health England.
2. The award will enhance existing activity for the provision of substance misuse community treatment and inpatient detoxification services for up to 15 months.

Recommendation

3. It is recommended that the Cabinet notes the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Turning Point Ltd and Framework Housing (Edwin House) to provide services under the Public Health England Universal and Inpatient Detoxification Grants for up to 15 months.

Reasons for Recommendation

4. The Council's Constitution (Contract Procedure Rule 6 (b)(ii)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to it being reported to the Cabinet.

5. The direct award of contracts to Turning Point Ltd and Framework Housing (Edwin House) were required to enable the projects to progress in line with the grant conditions and for Leicestershire to benefit from the additional funding.

Timetable for Decisions (including Scrutiny)

6. The Chief Executive agreed the exception on 16 June 2021 in order for the necessary documentation to be submitted to Public Health England to secure the funding and implement both services.

Policy Framework and Previous Decisions

7. The exception to the Contract Procedure Rules follows the Council's Constitution (Contract Procedure Rule 6 (b) (ii)).

Resource Implications

8. There are no resource implications arising from the recommendation in this report as both contracts are grant funded. There are set amounts of spending on the contracts with a set time period. Public Health England have awarded £327,000 for delivery of the provisions under the Universal Grant April, and £334,988 for delivery of the provisions under the Inpatient Detoxification Grant.
9. The grant funding is being used to enhance existing provision. This means there are minimal set up and implementation costs.
10. The value of each of the two contracts are below the relevant procurement threshold as they are classed as "Light Touch Regime" services under the Public Contract Regulations 2015.
11. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

12. None.

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PART B**Background**

13. Public Health England announced the availability of grant funding for substance misuse related services. The funding was made available to all upper tier and unitary local authorities subject to successful bid submission.
14. The availability of the Inpatient Detoxification Grant was announced in February 2021. The grant focused on increasing capacity within medically managed inpatient detoxification services. For Leicestershire, this service is currently provided by Framework Housing (Edwin House).
15. The availability of the Universal Grant was announced in March 2021. The grant focused on activity related to drug misuse treatment, crime reduction and harm reduction. For Leicestershire, this service is currently provided by Turning Point.
16. Due to the tight deadlines to compile both bids and with the intention that the funding would add to existing service provision, it was necessary to request the Chief Executive to take urgent action to agree the exception to Contract Procedure Rules to make a direct award to Turning Point Ltd (for substance misuse community treatment services) and Framework Housing (Edwin House) (for substance misuse inpatient detoxification services) in order to secure the funding. Alternative procurement routes were deemed unviable given the timescales, and the detailed information required within the bids which included naming service providers that would deliver each element of provision.
17. Public Health England confirmed the award of £327,000 in April 2021 for delivery of the provisions under the Universal Grant April, and £334,988 in June 2021 for the delivery of the provisions under the Inpatient Detoxification Grant with a view to service delivery commencing as soon as possible.
18. The Universal Grant will enhance existing service provision by increasing support and improving care pathways for cohorts at most risk of harm from substance misuse. This will be achieved through greater provision of recovery workers, criminal justice engagement workers, needle exchange services, youth offending service workers and by strengthening community links. The grant will also be used to set up a drug and alcohol related deaths review panel that will work across the Leicester Leicestershire and Rutland area to explore causative factors and share lessons learned across the substance misuse partnership.
19. The Inpatient Detoxification Grant will enable increased capacity within medically managed inpatient detoxification services.
20. It is intended that Public Health England and the Council will oversee delivery of the services provided under the grant funding.

Alternative Options

21. Alternative procurement routes were deemed unviable given the timescales, and the detailed information required within the bids which included naming service providers that would deliver each element of provision.
22. By not submitting bids and by not naming the service providers delivering each service, Leicestershire would not have benefitted from the additional funding.

Equality and Human Rights Implications

23. There are no equality or human rights implications arising from this report. Awarding both contracts allows for additional support for service users at most risk of harm from substance misuse.

Background Papers

None.