



Cabinet

18 JULY 2011

**CABINET MEMBER
FOR COMMUNITY
CARE**

*Councillor Joe
Carlebach*

**REQUEST FOR DELEGATED AUTHORITY TO
AWARD CONTRACT FOR DRUG
INTERVENTION PROGRAMME (DIP) AND
OPEN ACCESS SERVICE**

**Wards;
All**

Seeking authority to award the contract for the Drug Intervention Programme and Open Access Service.

A separate report on the exempt part of the Cabinet agenda provides exempt information on the procurement process.

Recommendation:

That authority be delegated to the Cabinet Member for Community Care, in conjunction with the Director of Community Services, to award the contract for the Drug Intervention Programme (DIP) and Open Access Service.

**HAS A EIA BEEN
COMPLETED?
YES**

**HAS THE REPORT
CONTENT BEEN RISK
ASSESSED?
YES**

1. BACKGROUND

- 1.1 The Drug Interventions Programme (DIP) is a key element of the Government's National Drug Strategy. It is the responsibility of local authorities to ensure the provision of the programme in their area, which is generally contracted out to specialist providers.
- 1.2 Established in 2003 by the Home Office, DIP places renewed emphasis on the need to break the cycle of crime and drugs by providing opportunities for drug misusing offenders to access programmes of help at all points of contact within the criminal justice system. Its principal focus is to reduce drug-related crime through effective engagement with drug users and move them into appropriate treatment and support. DIP partnership consists of criminal justice and drug treatment providers working together with other support services to provide a tailored solution for adults who commit crime to fund their drug use.
- 1.3 The Open Access service aims to reduce the risks and harm related to substance misuse, through promoting reduction, cessation and stabilisation. Services offered include, one to one key working, group programmes, specialist needle exchange, hepatitis clinic, alternative therapies, support for families and carers, onward referral and assessment.

2. JOINT PROCUREMENT WITH THE ROYAL BOROUGH OF KENSINGTON & CHELSEA

- 2.1 As current contractual arrangements for the provision of DIP in both Hammersmith & Fulham and the Royal Borough of Kensington & Chelsea are due to time expire at the approximate same date a decision was taken in January 2011 to jointly procure a DIP service for both boroughs to commence in Autumn 2011. It is considered that this will result in a more cost efficient service than would have been achieved if both boroughs procured their own DIP service.
- 2.2 Westminster City Council have not been involved in this joint tendering exercise as they have recently recommissioned their services in this field.

3. OPEN ACCESS SERVICE

- 3.1 Hammersmith & Fulham commissioned an Open Access Service for Substance Misusers and the current contractual arrangements are due to expire at the approximate same date as both boroughs' existing DIP services. An Open Access Service remains integral to Hammersmith & Fulham's Substance Misuse Commissioning Strategy. It is considered that a more competitively priced Open Access Service is achievable if this forms part of the two borough DIP contract than if it was procured as single

service. The Open Access Service is only available to Hammersmith & Fulham Service Users.

4. FINANCE

- 4.1 The Hammersmith & Fulham element of the DIP Service will be funded by the main DIP grant. This grant is comprised of approximately two thirds Department of Health and approximately one third Home Office funding. The two funding streams are pooled and managed as one grant which comes to the council via Hammersmith & Fulham PCT.
- 4.2 Hammersmith & Fulham PCT receives a Department of Health grant which fully funds the Open Access Service.

5. RISK MANAGEMENT

- 5.1 The subject of this report is not included on a departmental or corporate risk register.
- 5.2 The main risk associated with any tendering exercise is the failure to meet timetable deadlines and thereby not achieve the proposed contract start date. This would impact on continued service delivery if contingency arrangements with incumbent providers cannot be negotiated.
- 5.3 This procurement exercise is being conducted in accordance with the authority's Project Management Tool kit. If slippage occurs in the tendering timetable outstanding milestone dates are reviewed and adjusted accordingly. Should any delays to the tendering timetable mean the proposed contract start date is not achievable officers will negotiate with existing providers to affect an extension of the current contractual arrangements.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

- 6.1 These are in the separate report on the exempt agenda.

7. EQUALITY IMPLICATIONS

- 7.1 The Equality Impact Analysis has demonstrated that the activity has a low impact with regard to the Public Sector Equality Duty and a positive impact with regard to any protected characteristic(s).
- 7.2 The effect of this activity will be to let a contract to one organisation for the provision of services currently being provided under existing contractual arrangements by two organisations. It is not intended that the proposed contractual arrangements will result in any reduction to the existing level of

service. Arrangements will be made to ensure service users accessing existing arrangements of provision are transferred to the incoming provider without any disruption to the continuity of service they receive.

- 7.3 Staff employed by the two external incumbunt providers are considered to have employment rights under the Transfer of Undertaking (Protection of Employment) Regs and will transfer to the incoming provider.

8. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

- 8.1 The AD (Legal and Democratic Services) is represented on the TAP and where instructed will advise upon commercial contracts and procurement matters related to the tender.
- 8.2 Given the potential for TUPE to apply, the client department must seek legal advice in respect of TUPE and pension matters.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	All background papers.	Tim Lothian Procurement Manager Community Services Department (x 5377)	CSD Partnerships & Procurement 4 th Floor 77 Glenthorne Road. Hammersmith London W6
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