



# THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

## DECISION RECORD FORM

**REQUEST:**  
CPC-0001537 approval for the award of the provision of a Force Medical Advisor (FMA)

**Title:**  
Force Medical Advisor

**Executive Summary:**  
The Police Pension Regulations and Home Office Guidance outline the requirement for each Police Force to have access to Occupational Health Medical Advisors, known as Force Medical Advisors (FMA). The previous provider invoked a 3 month termination notice as following a review of the Practice they were unable to continue providing the services of an FMA to Cleveland Police.  
  
It was imperative that the Force continued the services of an FMA and therefore an emergency process was invoked whereby various suppliers were contacted by telephone and email as to their ability to provide the services of an FMA for a short time whilst the Tender process was finalised. This temporary arrangement expires on 26th November 2015  
  
The investigation and evaluation of all procurement routes has been conducted in a fair, comprehensive, thorough and transparent process and the results and further details are provided in the attached report.

**Decision:**  
The PCC is asked to approve the award for the provision of a Force Medical Advisor to Bidder 1 on a 3 year award basis to achieve maximum savings.

**Implications:**

Has consideration been taken of the following:	Yes	No
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(If yes please provide further details below)**

**Decision Required – Supporting Information**

Financial Implications: (Must include comments of the PCC's CFO where the decision has financial implications)

The overall costs of the new contract are likely to be around £10k per annum higher than the previous contract, that was cancelled by the supplier. The overall contract is expected to cost around £213,120 over a 3 year term with the new prices reflected in the financial plans going forward.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

Cleveland Police Terms & Conditions, noting the change for a 6 month termination period to be included.

**Equality and Diversity Implications**

There are no diversity & equal opportunity implications associated with the aware of this contract.

**Human Rights Implications**

There are no Human Rights Act implactions associated with the award of this contract.

**Sustainability Implications**

There are no sustainability implications associated with the award of this contract

**Risk Management Implications**

There are no known risks associated with the award of this contract

**OFFICER APPROVAL****Chief Executive**

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed: 

Date: 4 November 2015

**Police and Crime Commissioner:**

The above request HAS / ~~DOES NOT HAVE~~ my approval.

Signed: 

Date: 4/11/15



## **Report of the Chief Constable to the Police and Crime Commissioner for Cleveland – October 2015**

**Status: For Decision**

### **Procurement Report for the Provision of a Force Medical Advisor (FMA)**

#### **1. Purpose**

- 1.1 The Police Pension Regulations and Home Office Guidance outline the requirement for each Police Force to have access to Occupational Health Medical Advisors, known as Force Medical Advisors (FMA).
- 1.2 As the result of the previous contract being terminated by the provider, the Force is required to re-Tender for this service via Eu-Supply.

#### **2. Recommendations**

- 2.1 That the Police and Crime Commissioner note the Procurement process used to appoint a supplier for the provision of an FMA.
- 2.2 The Police and Crime Commissioner approve the procurement methods investigated and recommendations put forward by the Evaluation Team.

#### **3. Background**

- 3.1 The previous provider invoked a 3 month termination notice as following a review of the Practice they were unable to continue providing the services of an FMA to Cleveland Police.
- 3.2 As the Force currently utilise the West Yorkshire Framework Contract for the provision of the Senior Medical Practitioner (SMP) contact was made to Healthwork to also provide the FMA service to the Force. This service was agreed.
- 3.3 On further investigation by the Director of Healthwork, unfortunately due to other commitments they were unable to provide this service. Due to the length of time remaining on the termination period, this meant that there was insufficient time for a further tender process to be completed.

- 3.4 It was imperative that the Force continued the services of an FMA and therefore an emergency process was invoked whereby various suppliers were contacted by telephone and email as to their ability to provide the services of an FMA for a short time whilst the Tender process was finalised. This temporary arrangement expires on 26<sup>th</sup> November 2015.
  - 3.5 Due to the anticipated value of this service over a 3 year term and the changes to Procurement Regulations in February 2015, the procurement process was checked to ensure that it still met Procurement Regulations. This service had previously been procured under a Part B service, however the new regulations have moved away from Part A and B services. They have however introduced a new Light Touch regime for services which fall under the Health and Social categories as it is felt that these categories will have no cross border interest. The Light Touch regime does not require advertising in OJEU for contracts under the value of 750,000 Euros (£538,935).
  - 3.6 The Tender was advertised on the basis of a 1+1+1 year contract via Eu-Supply and additional emails were sent to all of the suppliers involved in establishing the emergency provision.
  - 3.7 Only one response was received, a full Evaluation process commenced on 22<sup>nd</sup> October 2015 as the Force had not previously used the services of this provider.
  - 3.8 The Evaluation Team were very impressed with the responses provided by the Bidder, scoring full marks in every category. They have current and previous contracts with other Police Forces and the Fire & Rescue Service and the Doctors identified had a wealth of experience in Police Pensions, Police Medical Appeal Boards and Employment Tribunals.
  - 3.9 All of the Doctors are fully qualified in their field and all undertake Continuous Professional Development activities on a regular basis.
  - 3.10 Within their response to pricing they made comment that the price quoted was open to discussion and could be negotiated.
  - 3.11 Contact was made with the Bidder and on approval from the Forces Head Finance Officer it was agreed to offer an award of a 3 year contract. This has resulted in a saving over the 3 year term and the inclusion of an added value service called the Trinity Audit which initially was costed separately.
  - 3.12 The Bidder has acknowledged that all Doctors working on this contract will need to be vetted to NPPV2 and there is a 6 month termination clause.
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## 4. Implications

### 4.1 Finance

4.1.1 The below figures are based on the current spend and 72 days per annum

Daily Rate of original supplier	£	850.00
Daily Rate of emergency supplier	£	1,250.00

4.1.2 The below figures are from the winning Bidder if the 3 year option is accepted based on 72 appointment days per annum:

Initial Daily Rate (based on 1+1+1 yrs)	£	1,007.50
<b>Total over 3 years</b>	<b>£</b>	<b>217,620.00</b>

Negotiated Daily Rate (based on 3 year award)		
Year 1 - £968 x 72	£	69,696.00
Year 2 - £987 x 72	£	71,064.00
Year 3 - £1,005 x 72	£	72,360.00
<b>Total over 3 years</b>	<b>£</b>	<b>213,120.00</b>

<b>Saving on initial cost over 3 years</b>	<b>£</b>	<b>4,500.00</b>
<b>Added value services (provided at no extra cost) In Years 1 &amp; 2</b>	<b>£</b>	<b>9,750.00</b>

### 4.2 Legal

Cleveland Police Terms & Conditions, noting the change to a 6 month termination period.

### 4.3 Diversity & Equal Opportunities

There are no diversity & equal opportunity implications associated with the award of this contract.

### 4.4 Human Rights Act

There are no Human Rights implications associated with the award of this contract.

### 4.5 Sustainability

There are no sustainability implications associated with the award of this contract.

### 4.6 Risk

There are no known risks associated with the award of this contract.

## **5. Conclusions**

- 5.1 The evaluation has been conducted in a fair, comprehensive, thorough and transparent process.
- 5.2 The Evaluation Team is confident that the procurement exercise has achieved Best Value and the market has been thoroughly researched.
- 5.3 The Evaluation Team recommends that the PCC awards this contract to Bidder 1, contract period is for 3 years. Savings against original quotation over a 3 year term is £4,500.

Jacqui Cheer  
Chief Constable

### Evaluation team:

Procurement Category Leader – SopraSteria (on behalf of Cleveland Police)  
Deputy Head of Human Resources - Cleveland Police  
Occupational Health Nurse – SopraSteria (on behalf of Cleveland Police)

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