

**By:** Graham Gibbens  
Cabinet Member, Adult Social Care and Public Health  
Andrew Scott-Clark, Director of Public Health

**To:** Adult Social Care and Health Cabinet Committee

1<sup>st</sup> May 2015

**Subject:** Kent and Medway Prison Based Substance Misuse service - contract extension

**Classification:** Unrestricted

**Decision No.:** 15/00044

**Past pathway:** This is the first committee by which this issue will be considered.

**Future pathway:** Key decision by Cabinet Member.

**Electoral Division:** All

### **Summary**

Kent County Council, on behalf of NHS England, commissions substance misuse services in prisons across Kent. NHS England fully funds this service.

The current contract for the Kent and Medway Prison Based Substance Misuse Service contract is a three year contract, with the option to extend for a further two years. The initial three year period concludes on 30<sup>th</sup> September 2015. The current provider, the Rehabilitation of Addicted Prisoners Trust (RAPt) are a strongly performing provider who have demonstrated an ability to respond to service users' needs.

Members of the Committee are asked to:

- i. comment and either endorse or make recommendations to the Cabinet Member for Adult Social Care and Public Health on the proposed key decision to invoke the contract extension option within the Kent and Medway Prison Based Substance Misuse Service contract until 30<sup>th</sup> September 2017.

## **1. Introduction**

- 1.1. The purpose of this paper is to seek the committee's endorsement of a proposed key decision to invoke the contract extension option within the Kent and Medway Prison Based Substance Misuse Service contract.

- 1.2. The current contract began 1<sup>st</sup> October 2012 and ends 30<sup>th</sup> September 2015, there is a 2 year extension clause built into the contract.
2. KCC commissions substance misuse services in prisons across Kent on behalf of NHS England. NHS England fully fund this service. NHS England have requested that this clause is invoked to extend the contract.

### **3. Background**

- 3.1. The Kent and Medway Prison Based Substance Misuse Service is delivered into 7 secure establishments in Kent and 1 in Medway. These establishments are: Her Majesty's Prisons (HMP) Elmley, Swaleside, Standford Hill, Blantyre House, East Sutton Park, Maidstone and Rochester as well as Dover Immigration Removal Centre. The contract began in October 2012 and was awarded via a competitive procurement to RAPt.
- 3.2. The current contract is a three year contract with an option to extend for 2 years. At the time of award the contract was worth £4.75million per annum and covered 9 secure establishments, however in 2013, HMP Canterbury was closed and the contract varied to £4,260,400 per annum.
- 3.3. The contract is 80% core funding and 20% payment on service credits for achieving the required targets.
- 3.4. The funding for this service is provided by NHS England through a Service Level Agreement.
- 3.5. Generally performance is good with higher than the national average of planned discharges from treatment, for example; 100% of all discharges at HMP Rochester in Quarter 2 of 2014-15 were planned discharges (N 147) compared to a national average of 93%.
- 3.6. In Quarter 1 2014-15, 100% of all discharges at HMP Elmley in Quarter 1 of 2014-15 were planned discharges (N 316) compared to a National average of 97%. The number of clients transferred in custody and picked up in treatment within 3 months within the receiving establishment is also above the national average across all establishments in Kent.

### **4. Contract extension**

- 4.1. The current contract is performing well and is embedded within the prison healthcare environment. The service has responded well to changing service user needs within the differing establishments that make up the contract.
- 4.2. The service is funded entirely by NHS England, who have committed to funding this contract for the full length of the extension period. NHS England have requested that KCC extend this contract to allow for a reprocurement in 2016-17.
- 4.3. The table below provides a breakdown of the cost of the contract extension per annum:

#### 4.4.

<b>Cost Type</b>	<b>Cost (£)</b>
Core contract	3,408,320
Activity based payment (service credits)	852,080
<b>Total</b>	<b>4,260,400</b> This cost is fully funded by NHS England

### 5. Risks and alternative options

- 5.1. The alternative option to the proposed contract extension would be to re-procure the service in time for 1<sup>st</sup> October 2015.
- 5.2. This option would be the most sensible option if the service was deemed to be underperforming or there were any significant concerns about the quality of the service.
- 5.3. In addition there are particular requirements in relation to Transfer of Undertakings Protection Employees (TUPE) for Her Majesty's Prison Service Staff (HMPS) which would need to be followed should the next procurement result in another TUPE arrangement.

### 6. Conclusion

- 6.1. KCC Public Health commissioners are seeking to extend the existing contract for Kent and Medway Prison Based Substance Misuse Services for 2 years (as per the contract) until 30<sup>th</sup> September 2017.
- 6.2. The contract will continue to deliver significant efficiency savings and represents good value for money for KCC and NHS England. Public Health therefore considers that the proposed contract extension represents the most favourable solution for KCC given the risks associated with any alternative course of action.

### 7. Recommendations

- 7.1. Members of the Committee are asked to:

comment and either endorse or make recommendations to the Cabinet Member for Adult Social Care and Public Health on the proposed key decision to invoke the contract extension option within the Kent and Medway Prison Based Substance Misuse Service contract until 30<sup>th</sup> September 2017.

**Background documents**

None

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