

Mental Health Procurement Plan for England & Wales

Procurement Summary

We intend to make a total of 40,000 New Matter Starts (NMS) available across England and Wales for the provision of face-to-face Mental Health advice.

1. Mental Health Procurement Areas

For the majority of Mental Health services, we will use the ten Strategic Health Authorities (SHAs), along with Wales, as our Procurement Areas. A detailed breakdown of these areas is set out at Appendix 4.

Using the above areas to procure the majority of Mental Health services will enable us to align our service provision with that of other public bodies and allow providers flexibility to deliver advice across the whole of a Procurement Area.

In addition to the SHAs, we will also procure services separately in the three High Security Hospitals (HSHs) of Ashworth, Broadmoor and Rampton.

Table 1, directly below, shows how the NMS will be allocated between the respective SHA Procurement Areas and HSHs.

Table 1: NMS by Mental Health Procurement Area

Strategic Health Authority Procurement Area	NMS Allocation 2010/11
East Midlands (excluding Rampton Hospital)	2840
East of England	3420
London	9940
North East	1800
North West (excluding Ashworth Hospital)	5550
South Central (excluding Broadmoor Hospital)	2150
South East Coast	2410
South West	2330
Wales	1850
West Midlands	3130
Yorkshire and the Humber	3630
High Security Hospital	
Ashworth Hospital	280
Broadmoor Hospital	290
Rampton Hospital	380
Total	40,000

2. Service Specifications

Strategic Health Authorities

As set out in *Civil Bid Rounds for 2010: A consultation response*, Mental Health services in SHAs will be procured on a non-competitive basis. As such, we will invite bids based on Service Specification B. The essential criteria for this specification are as follows:

- Providers will be required to tender for and undertake at least 30 Mental Health Matter Starts per contract year in each Procurement Area where they successfully apply to deliver services
- Providers will be required to have an Office which is a Permanent Presence in at least one procurement area, though this does not need to be in an area where they have been granted a Scheduled Authorisation to deliver services
- Providers will be required to have a Permanent Presence in the Procurement Area or meet the alternative arrangements relating to presence for Mental Health Services (see Section 9 of the Standard Civil Contract Specification)
- Providers must be able to deliver Legal Representation through either the employment of an Authorised Litigator or have a formal referral process with an organisation employing Authorised Litigators
- Providers must be able to provide advice and representation for those currently or previously detained, and for non-detained clients for:
 - Mental Health Tribunal Work; and,
 - Non-Mental Health Tribunal Work

High Security Hospitals

It is an essential requirement that an organisation is awarded a contract for Mental Health services in at least one SHA Procurement Area (including Wales) in order for any of its tenders for services at a HSH to be considered.

For applicant organisations meeting this requirement, a competitive procurement process will then be used to procure NMS at these locations. As such these services will be based on Service Specification A. The essential criteria for this specification are as follows:

- Providers will be required to tender for and undertake at least 30 Mental Health Matter Starts per contract year in each HSH where they successfully apply to deliver services
- Providers must be able to deliver Legal Representation through the employment of an Authorised Litigator
- Providers must employ at least one caseworker with experience of advising in restricted cases
- Providers must ensure that all caseworkers who represent clients before tribunals in HSHs are members of the Law Society Mental Health Review Tribunal Accreditation Scheme

3. Access

In Mental Health, we are seeking to focus the delivery of advice on where clients are located, and have allocated NMS to areas on that basis. Along with the contractual provisions that require 70% of NMS awarded in an area to be delivered in that area, we aim to ensure a minimum level of access for clients across England and Wales.

This approach differs from previous procurement exercises, where allocations were advertised on the basis of the number of NMS we wished to award to providers in a particular area.

Appendix 3 shows the difference between the NMS allocations for 2010, and the number of NMS recently started by providers located in each Procurement Area. Organisations should be aware of this difference, and bid according to the work they realistically believe they can undertake in each area.

4. Appendices

The following appended information is designed to assist potential applicants in preparing their tenders. In summary, each appendix contains the following information:

Appendix 1 – Controlled Work: This gives up to date information on the volume and cost of Controlled Work carried out in Mental Health.

Appendix 2 – Licensed Work: This gives up to date information on the volume and cost of Licensed Work carried out in Mental Health.

Appendix 3 – Comparison of 2010 NMS Allocations and Recent NMS Usage: This shows the difference between the allocations in 2010 against the number of NMS started by providers based in a procurement area.

Appendix 4 – Mental Health Procurement Area Map: This gives a map of England and Wales divided according to the Mental Health Procurement Areas.

Appendix 5 – List of Mental Health Procurement Areas: This lists the Mental Health Procurement Areas and outlines the Social Welfare Law Procurement Areas contained within them.

APPENDIX 1 – Controlled Work

The table below gives high-level data on the volume of Controlled Work matters started and closed, and financial value of the closed cases. All the figures are based on the location of the provider that undertook the work. In order to ensure that the figures are up to date, they cover the period from September 2008 to August 2009 (inclusive) rather than the most recent financial year.

Strategic Health Authority	New Matters Started	New Matters Closed	Controlled Work Spend (£s)
East Midlands	2,810	2,903	2,344,575
East of England	3,730	3,317	2,585,986
London	15,464	15,092	13,831,717
North East	1,404	1,430	1,122,609
North West	4,714	4,693	4,195,339
South Central	1,068	1,108	962,340
South East Coast	2,209	2,052	1,735,344
South West	1,835	1,799	1,363,099
Wales	1,414	1,341	1,094,924
West Midlands	1,545	1,499	1,368,007
Yorkshire and the Humber	2,996	3,360	2,725,114
Total	39,189	38,594	33,329,054

APPENDIX 2 – Licensed Work

Licensed Work represents only a relatively small area of legal aid spend in Mental Health. The table below shows how many certificates were opened and closed by providers in each Procurement Area, as well as the net financial value of the closed certificates. In order to ensure that the figures are up to date, they cover the period from September 2008 to August 2009 (inclusive) rather than the most recent financial year.

As you can see more certificated have been issued than closed. This is likely to be due to the implementation of the Mental Capacity Act 2005 in October 2007, which will have prompted a number of cases to have been opened in Mental Health that are yet to reach a resolution. This increase will be investigated in due course.

Strategic Health Authority	Certificates Issued	Certificates Closed	Net Cost of Closed Certificates (£s)
East Midlands	28	11	55,884
East of England	5	5	10,827
London	167	70	384,681
North East	12	6	54,709
North West	77	36	151,200
South Central	16	17	57,602
South East Coast	3	2	4,460
South West	23	9	42,518
Wales	9	3	4,063
West Midlands	23	5	14,518
Yorkshire and the Humber	46	18	41,539
Total	409	182	822,000

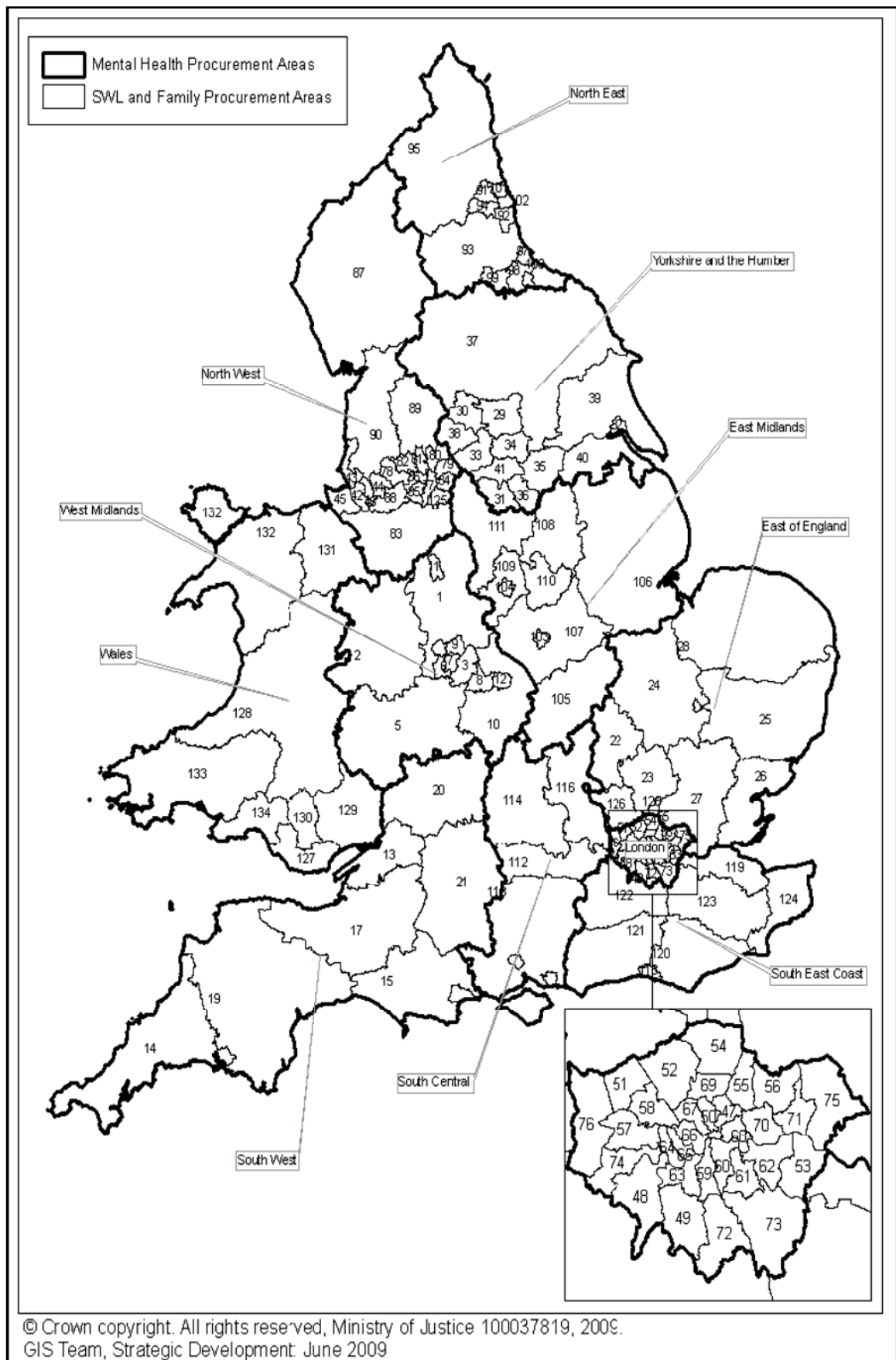
APPENDIX 3 – Comparison between 2010 NMS Allocations and Recent NMS Usage

The table below shows the difference between the 2010 NMS allocations and the NMS started by providers based in each Procurement Area between September 2008 and August 2009 (inclusive). This table illustrates the effects of the revised approach of advertising NMS allocations in line with client locations and should be read in conjunction with section 3 of the main Procurement Plan.

As you will note, there are no NMS starts listed for the High Security Hospital (second column below). This is because such data is derived from the number of matters started by providers based in each area, and is therefore not relevant to individual hospitals.

Strategic Health Authority/High Security Hospital	2010 Allocation	Reported Matter Start Usage Sept 08-Aug 09
East Midlands (excluding Rampton Hospital)	2840	2,810
East of England	3420	3,730
London	9940	15,464
North East	1800	1,404
North West (excluding Ashworth Hospital)	5550	4,714
South Central (excluding Broadmoor Hospital)	2150	1,068
South East Coast	2410	2,209
South West	2330	1,835
Wales	1850	1,414
West Midlands	3130	1,545
Yorkshire and the Humber	3630	2,996
Ashworth Hospital	280	-
Broadmoor Hospital	290	-
Rampton Hospital	380	-
Total	40, 000	39,189

APPENDIX 4 – Mental Health Procurement Area Map



APPENDIX 5 – List of Mental Health Procurement Areas

Strategic Health Authority Procurement Areas

Mental Health Procurement Area	Component Social Welfare Law Procurement Areas
East Midlands	City of Derby, City of Leicester, Greater Nottingham, Leicestershire & Rutland, Lincolnshire, North Derbyshire, North Nottinghamshire, Northamptonshire, South Derbyshire
East England	Bedfordshire, Cambridgeshire, East Essex, Norfolk, North Hertfordshire, South Hertfordshire, Suffolk, West Essex
London	Barking and Dagenham, Barnet, Bexley, Brent, Bromley, Camden, City of Westminster, Croydon, Ealing, Enfield, Greenwich, Hackney & City of London, Hammersmith and Fulham, Haringey, Harrow, Havering, Hillingdon, Hounslow, Islington, Kensington and Chelsea, Kingston upon Thames & Richmond upon Thames, Lambeth, Lewisham, Merton & Sutton, Newham, Redbridge, Southwark, Tower Hamlets, Waltham Forest, Wandsworth
North East	Darlington, Durham, Gateshead, Hartlepool, Middlesbrough, Newcastle upon Tyne, North Tyneside, Northumberland, Redcar and Cleveland, South Tyneside, Stockton-on-Tees, Sunderland
North West	Bolton, Bury, Cheshire, Cumbria, East Lancashire, Knowsley, Liverpool, Manchester, Oldham, Rochdale, Salford, Sefton, St. Helens, Stockport, Tameside, Trafford, Warrington & Halton, West Lancashire, Wigan, Wirral
South Central	Berkshire, Buckinghamshire, City of Southampton, Hampshire, Oxfordshire, Portsmouth & Isle of Wight
South East Coast	City of Brighton and Hove, East Sussex, Mid and South West Kent, Surrey, Thames Gateway, The Kent Coast, West Sussex
South West	Bournemouth & Poole, City of Bristol, South Gloucestershire and North Somerset, City of Plymouth, Cornwall, Devon, Dorset, Gloucestershire, Somerset, Wiltshire
Wales	Bridgend, Cardiff and the Vale, Central Wales, Neath Port Talbot and Swansea, North East Wales, North West Wales, Rhondda Cynon Taff & Merthyr Tydfil, South, East Wales, South West Wales
West Midlands	Birmingham, City of Stoke-on-Trent, City of Wolverhampton, Coventry, Dudley, Herefordshire & Worcestershire, Sandwell, Shropshire, Solihull, Staffordshire, Walsall, Warwickshire
Yorkshire and the Humber	Barnsley, Bradford, Calderdale, City of Kingston upon Hull, Doncaster, East Riding of, Yorkshire, Kirklees, Leeds, North East Lincolnshire & North Lincolnshire, North Yorkshire, Rotherham, Sheffield, Wakefield

High Security Hospitals

Ashworth Hospital
Broadmoor Hospital
Rampton Hospital