



GOVERNING BODY

Agenda Item No.	06
Reference No.	IESCCG 19-13
Date.	26 March 2019

Title	Chair and Chief Officer Action – No 01/2019	
Lead Chief Officer	Jane Webster, Acting Chief Contracts Officer	
Author(s)	Jane Webster, Acting Chief Contracts Officer	
Purpose	To present to the Governing Body for endorsement recent action taken by the Chair and Chief Officer.	
Applicable CCG Clinical Priorities:		
1.	To promote self care	
2.	To ensure high quality local services where possible	
3.	To improve the health of those most in need	
4.	To improve health & educational attainment for children & young people	
5.	To improve access to mental health services	
6.	To improve outcomes for patients with diabetes to above national averages	
7.	To improve care for frail elderly individuals	
8.	To allow patients to die with dignity & compassion & to choose their place of death	
9.	To ensure that the CCG operates within agreed budgets	
Action required by Governing Body:		
To endorse action taken by the Chair and Chief Officer in respect of GP Direct Access Pathology Services.		



CHAIRMAN AND CHIEF OFFICER ACTION – No: 01/2019

SUBJECT: GP DIRECT ACCESS PATHOLOGY SERVICES

1. Background

The paper regarding the GP Direct Access Pathology Services was presented to the Governing Body during the private session on Wednesday 23rd January 2019.

The paper provided options for procurement of the service and the Governing Body ratified the progression of option 1, to undertake a Most Capable Provider (MCP) / Direct Award process, which has been commenced.

This Chairman and Chief Officer Action request is sought in order to allow a slight change to the Most Capable Provider process.

2. Key Points

A Voluntary Ex-Ante Transparency (VEAT) Notice is released via the Official Journal of the European Union (OJEU) and signals to the market the intention to award the contract without competition. The release triggers a 10 calendar day opportunity for other providers to register their concern / challenge around the intended award.

Previously processes of this type run by the CCG have seen the publication of the VEAT Notice once the process has been completed, the outcome is understood and ratified by Governing Body; however, due to the restricted timeline of this process there is an option to release the VEAT notice earlier. In this instance it is requested that the VEAT notice is released once the evaluation of the MCP has been completed, but before the Governing Body ratification has been received.

The release of a VEAT notice only indicates the intention to award a contract, and does not bind the CCG into a course of action. Releasing this notice earlier will save time which the process is restricted by, and on a practical note will allow any challenge to be understood earlier in the process.

The decision from the paper presented on the 23rd January 2019 stated the following in the minutes:

“After consideration the Governing Body subsequently;

Ratified the proposal that the CCGs progress Option 1 as set out within the report, to undertake a Most Capable Provider / Direct award process”

The sentence could be perceived to indicate that the Governing Body are happy to undertake the process and as there is only one organisation involved in the process, subsequently award the contract after a positive conclusion of the evaluation. However, in order to remove the potential for a different perception of the ratification this paper requests clarity around the following.

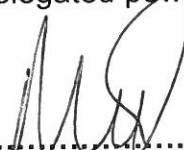
Please could the Chairman and Chief Officer indicate that they approve the release of the VEAT notice earlier in the MCP process prior to receiving Governing Body ratification of the evaluation outcome by approving and signing this action note. It should be noted that no contractual arrangement will be entered into prior to the Governing Body ratification of the outcome of the MCP process.

As a learning point from this Chairman and Chief Officer Action any future papers regarding the MCP process will ensure that they are clearer regarding the decision needing ratification, and will ensure to consider when in the process the VEAT Notice should be released depending on the level of risk anticipated.

3. Approval

Approval by Chair/Chief Officer Action under delegated powers is therefore sought to:


APPROVED


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Chair

DATE

7/3/19
.....

APPROVED


.....
Chief Officer

DATE

5 MARCH 2019
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