

# Midlands and Lancashire Commissioning Support Unit

## Dynamic Purchasing System

### Merseyside Care Homes - Provider Entry Guide

#### Contents

1. MLCSU and *adam*
2. What is a Dynamic Purchasing System (DPS)?
3. How the DPS works
4. How do you join the DPS?
5. Service Categories
6. Requirements, Offers, Weighting and Ranking
7. Service Agreements
8. Suspensions
9. Service Receipting and Billing
10. Communication
11. Next Steps

#### 1. MLCSU and *adam*

Midlands and Lancashire Commissioning Support Unit (MLCSU) is a Commissioning Support Unit that is able to procure services and/or facilitate the procurement of services on behalf of Clinical Commissioning Groups (CCGs) within their geographical coverage.

MLCSU has partnered with *adam* in order to introduce a web-based system, SProc.Net, to manage a Dynamic Purchasing System (DPS) to enable procurement, transaction and management of Continuing Healthcare (CHC) in Care Home services on behalf of two Merseyside CCGs: South Sefton CCG and Southport & Formby CCG.

MLCSU will use this system, over the four year lifespan of the DPS contract. As a potential Provider of CHC Care Home services, this Entry Guide will take you through what a DPS is and set out what you need to do to provide services through the DPS.

## 2. What is a Dynamic Purchasing System (DPS)?

A DPS is a fully electronic system used by public sector bodies to award contracts for works or services. The use of a DPS to award such contracts ensures the end-to-end procurement process is competitive, fair and transparent. Providers must meet the minimum criteria for entry to the DPS, but there are no other restrictions on who can or cannot join. Procurement by NHS England or CCGs of NHS healthcare services via a DPS is governed by Regulation 34 of the Public Contract Regulations 2015 and the 'light touch regime' therein.

## 3. How the DPS works

Providers who wish to supply CHC Care Home services will need to meet the minimum entry criteria by applying online at [www.sproc.net](http://www.sproc.net) and completing an Accreditation and Enrolment. Once enrolled, Providers will receive notifications of tender opportunities (Requirements) sent by MLCSU, on

behalf of the Merseyside CCGs. Providers can respond to these via the system, SProc.Net.

If a tender (Offer) is successful, a contract variation (Service Agreement) will be created on the system between the Provider and the CCGs. The Providers will then submit weekly bills (Service Receipts) through the system. *adam* will invoice the CCGs on a weekly basis for the services the Provider has delivered through the DPS, and then pay the Provider directly for the services they have delivered.

The DPS is a fair and transparent process for all Service Providers, who will benefit from access to all opportunities (Requirements) to provide services in their specialism.

Use of SProc.Net for Providers means:

- each Provider will be competing on a level playing field with other Providers for new opportunities to provide their services;
- reduced administration costs and an easy to use, streamlined process;

- the full history and a complete audit trail of all buying decisions and communications are captured in one easy to access location.

## 4. How do you join the DPS?

It is a simple three step process consisting of Registration, Accreditation and Enrolment:

### 4.1. Registration

You must first register your business on the system at [www.sproc.net](http://www.sproc.net). To complete your registration, you will need to provide the following information:

- Business Name
- Business Tax/VAT Number
- Charity Registration Number (Charities only)
- Company Registration Number (Limited and Public Limited Companies only)
- Address line 1, City, County, Post Code
- Telephone Number

- Email address

The business name you register will be the name shown on the system. You must then create your first administrative user by providing:

- First Name
- Last Name
- Job Title
- Email address

This user will be an administrator on the system and have the ability to create other users for your business at all additional locations you may have. Once completed, the administrator will receive an email containing a username and temporary password to access the system. Upon logging into SProc.Net, you will be prompted to change the password.

Once registered, you will be able to complete the remaining two steps. For further details on how to complete this Registration process, please see the Accreditation and Enrolment User Guide

available in the Help section on both the <http://demand.sproc.net> and [www.sproc.net](http://www.sproc.net).

## 4.2. Accreditation and Enrolment

Accreditation and Enrolment consists of a series of questions which require your response and the submission of certain documentation. To be considered as a Provider of CHC Care Home services, your business must meet the minimum criteria at the Accreditation and Enrolment stage.

At the **Accreditation** stage, you will be asked a series of objective questions that need to be completed at a company level.

Providers will be required to agree and sign the NHS Standard Contract 2017/18 and 2018/19. Particulars (Shorter Form) with Merseyside CCGs. This contract can be found in the 'Legal Documents' section of the MLCSU page at <http://demand.sproc.net>. A signed copy of Page 7 and completed pages 3, 9 and 10 **only** must be uploaded to [www.SProc.Net](http://www.SProc.Net) as part of the Accreditation process.

At the Accreditation stage, Providers will be financially assessed via an *adam* credit check, using Experian UK. Those receiving a 'Delphi' score equal to or above 26 will pass the financial appraisal element of Accreditation and move on to the Enrolment stage. If a score of 25 or less is given, Providers will fail the financial assessment.

Providers that do not pass the *adam* credit check appraisal, or where a credit report is not available (e.g. sole trader), will be subject to an MLCSU financial appraisal. MLCSU will review the financial accounts submitted as part of the enrolment process and will inform providers who do not meet the minimum requirements with reasons why they have not been successful.

At the **Enrolment** stage, you will need to answer a series of questions regarding the management and capacity of the location, and upload supporting documentation. If you have a business with multiple locations (i.e. care homes) from which you intend to submit tenders (Offers), then each location will need to be enrolled separately.

You can view the Accreditation and Enrolment criteria at <http://demand.sproc.net> in the section titled 'How to Become An Approved Supplier'. Prior to starting your application, it is essential that you read the DPS Application Guide. For full details on how to

create and submit your application, please see the Accreditation and Enrolment User Guide available at <http://demand.sproc.net> in the Help section.

### **4.3. Accreditation and Enrolment Evaluation**

Once completed, your application will be checked by *adam's* Supplier Engagement team. Post Go-Live, you will receive an email notification within 10 working days confirming whether or not your application has been approved. If the application is rejected due to you failing to meet the minimum criteria, the *adam* Supplier Engagement team will provide feedback to allow you to rectify any issues and reapply, if appropriate. Please note, there is no limit to the number of application resubmissions.

## **5. Service Categories**

The Supply Category, Care Homes, is broken down into smaller Service Categories. As a Provider, you will be required to identify the Service Categories for which you wish to receive invitations to submit offers. The Service Categories are defined as:

- Fast Track (End of Life)
- Learning Disability
- Mental Health;
- Physical Disability;

At Enrolment, you will stipulate which categories of services you can supply; subsequently you will only be able to make Offers against Requirements relevant to these selections. The Service Categories will be broken down into Service Templates by age – 18-64 and 65+. Throughout the lifetime of the DPS, you can add/remove categories of service you are able to provide.

## **6. Requirements, Offers, Weightings and Ranking**

Once you have successfully enrolled to join the supply base, you will be able to offer to deliver CHC Care Home services, as required, to the applicable Merseyside CCG(s).

### **6.1. Requirements**

When the applicable Merseyside CCG(s) require CHC Care Home services, MLCSU will create and distribute a Requirement to the

supply base on their behalf. A Requirement is the name used for a tender in the SProc.Net DPS system. Requirements will be distributed to Care Homes falling within a pre-determined radius of a selected post code. As requirements, for Service provision start, can vary the MLCSU will stipulate the relevant timescales in the Requirements.

There may arise a situation that offers an exception to the standard DPS process. In this situation, MLCSU reserve the right to contact a single Provider, or specified selection of Providers on behalf of the applicable Merseyside CCG(s). A retrospective Requirement will be placed on SProc.Net. Detailed below is a list of example situations in which this may occur:

#### **1. Service User is already a resident**

- In a situation where the Service User has been placed in an emergency by hospital discharge.
- FNC Service User qualifying for CHC and does not wish to move.

#### **2. Safeguarding cases**

In a situation where a Service User, or a group of Service Users, have to be moved from an existing home at short notice due to safeguarding concerns with an existing Provider.

#### **3. Specialist care**

In a situation where complex care package is required and only a specific Provider can meet the needs of the Service User.

#### **4. Out-of-area placement**

In a situation where the Service User requires a placement outside of the area covered by the CCGs.

### **6.2. Open for Offers**

Once the Requirement has been distributed, Providers can submit an Offer during the 'Open for Offers' period. An Offer is the name used for a proposal submitted by a Provider. MLCSU will stipulate the timescale of this period on the Requirement. Once this period ends, no further Offers can be submitted by the supply base.

To create an Offer, Providers will state whether or not they can meet the requirements ('Attributes') and submit a price ('Price'). On each Offer, there is a weighted split of 60% **Quality** and 40% **Price**.

The **Quality** criterion is comprised of a **Provider Quality Score (PQS)** with a weighting of 30% and **Quality Reporting** with a weighting of 30%.

- **Attributes**

Each service category of care has its own relevant Attributes.

An attribute is a feature of a service user's needs that the service provider must be able to deliver and is comprised of:

- **Features:** core criteria or "must haves" for the service user's needs. This criterion is a "pass or fail" hurdle.

These are displayed as tick boxes on the system.

- **Provider Quality Score (PQS) – 30%**

The PQS is a custom quality score assigned to each Provider.

From Go-Live, the PQS score will be the Provider's Care Quality Commission (CQC) Rating. A Provider can view their PQS via the Supplier Relationship Management (SRM) module on SProc.Net.

As a Provider, if you obtain evidence from CQC of a change in your inspection area ratings, please send to the MLCSU via the SRM module.

Over the lifetime of the DPS, the metrics of the PQS may change. MLCSU will notify Providers in this instance and inform them of the new metrics, which constitute the PQS, and when these will start to affect Providers.

- **Quality Reporting – 30%**

Providers are required to submit completed Quality Reports each month. Compliance with this requirement will score 30%. Failure to submit completed Quality reports for one or more months will result in a score of 0%. This will be adjusted as necessary every 3 months by taking into account the previous 3 month reporting.

- **Price** is made up of two parts;
- Bed Day Cost
- Specific Additional Care Cost (if applicable)

Providers are required to enter the cost of the Requirement as per the above. Providers must refer to the 'Cost Elements' document on the demand site in the 'How Will It Work?' section, which stipulates the care included in the Bed Day Cost.

Price scores are then calculated by the system by comparing Provider's rates using the following formula:

$$(\text{Best Price} \div \text{Bid Price}) \times (\text{Price Weighting})$$

The Price Score is weighted to represent 40% of the Provider's total score.

Total Score is generated by the system based on the combined final Quality (PQS & Quality Reporting) and Cost weighted scores. These scores are then used to rank all Offers in descending order (i.e. the highest score achieves rank 1 and so on).

During the Open for Offers period, all Providers will have visibility of their overall ranking. Whilst the Open for Offers period is open, and quality has been secured, Providers have the opportunity to revise their submitted price in an effort to improve the ranking of their offer.

### **6.3. MLCSU Review**

When the Open for Offers period ends, SProc.Net will place all submitted offers into a ranked shortlist. MLCSU has stipulated that the top 5 Offers will be placed into this shortlist based on their Quality (60%) and Price (40%).

MLCSU will award the contract to the most suitable offer within the shortlist, on behalf of the applicable Merseyside CCG(s). There are no guarantees that the lowest price offer, or the offer with the highest quality score will be accepted; it is based on a combination of both quality and price. MLCSU reserve the right to reject Offers from the shortlist should they be deemed inappropriate. For example, but not limited to, Provider is under financial distress, direct or indirect canvassing.

MLCSU reserves its right to amend the award criteria from time to time, subject to prior notification to Providers, including the use of

Service User feedback and historical Service Provider performance data. Patient/Family preference may be used in the event that an offer is within £30 of the combined Bed Day Price and Specific Additional Care cost, of the winning offer if the Care Home in second position is located significantly closer to the chosen desired post code.

#### **6.4. Messaging Tool**

A messaging tool is available during the Open for Offers period for you to communicate with MLCSU to clarify any specifics of the Requirement. Requirement messages and their responses will be published on the Requirement and can be seen by all Providers who are bidding. As such, you must not include anything which identifies you or your business in any Requirement messages. The following policy must be adhered to for its use. This policy is to ensure a full auditable trail and alleviate any risks to MLCSU or the provider through miscommunication or malicious practice:

##### **1. Identification**

There must be nothing communicated through the messaging system which identifies either you as the Provider or a MLCSU member of staff.

##### **2. Prejudice**

Nothing which portrays a bias for or against you as the Provider should be communicated through Requirement Messaging.

##### **3. Data protection**

There must not be any sensitive information of a personal or commercial nature, pertaining to either you the Provider, MLCSU member of staff or Service User communicated through Requirement Messaging.

##### **4. Off-contract risk**

There will be nothing which incites engagement outside of the system communicated through Requirement Messaging.

##### **5. Clarification**

Further details to support the Requirement and aid Providers in constructing their Offers must always be communicated through Requirement Messaging.

#### **7. Service Agreements**

If the Offer is successful, a Service Agreement will be created on SProc.Net between the Provider and the applicable Merseyside CCG(s). The Service Agreement is a Contract Variation to the NHS

Standard Contract. MLCSU will inform the Provider of the outcome of the offer via SProc.Net following the end of the Open for Offers period.

### **7.1. Changes to Service Agreements**

If a change needs to be made to an active Service Agreement, the Change Order function in the system will be used by either the MLCSU or the Provider.

The Change Order Policy below outlines what changes to an active Service Agreement can be made using the Change Order function in the system, at the discretion of MLCSU:

#### **1. Change to a Service Agreement**

Where an alteration in service is required, it is permissible to request a change with the Service Provider.

Example: Rate/ Unit – additional/reduced care needs for a Service User has arisen.

#### **2. Ending a Service Agreement**

A change, when considered major, may result in the Service Agreement ending. MLCSU reserve the right to end the active Service Agreement and create a new Requirement to distribute to the supply chain. Examples of a major change are, but are not limited to:

- Allegations of abuse and/or Safeguarding concerns
- Upheld complaints concerning Service Provider competence
- In the event a Service User/representative wants to move from the care home

All decisions will be made in consultation with all parties involved, prior to the ending of a Service Agreement and will be consistent with the requirements of the NHS Standard Contract.

### **7.2. Intermissions**

MLCSU may use intermissions on Service Agreements on behalf of the Merseyside CCGs as necessary where, due to a change in circumstances, the Service Agreement needs to be placed into an 'on hold' status:

**Hospital Admission (planned/unplanned):**

First 2 (two) weeks: No discount applicable

From weeks 3 (three) onward: 80% of Standard Weekly rate payable only

From Weeks 7 (seven) onward: 60% of Standard Weekly rate payable only

**Death of a service user:**

Payment will be made up to the date of death of a service user.

On the death of a Service User, the Provider The Provider shall notify the Adam Hub Team at on **01782 601 470** or email: [mlcsu.adam@nhs.net](mailto:mlcsu.adam@nhs.net) MLCSU reserve the right to change the above conditions where they deem it necessary.

**8. Suspensions**

MLCSU reserve the right to suspend Providers from the DPS supply chain, for reasons such as, but not limited to;

- Safeguarding concerns
- Large Scale Investigations (LSI)
- Experian Delphi score <26/Financial assessment
- Local Authorities Notifications of Suspension

- Care Quality Commission (CQC) Notice of Decision to Suspend Placements list
- Continued failure to comply with monthly Quality reporting requirements.

**9. Service Receipting and Billing**

Once a Service Agreement has been created and delivery of care services has commenced, the Provider will be required to submit weekly bills (Service Receipts) through SProc.Net. *adam* will then invoice the applicable Merseyside CCG(s) weekly, and pay the Provider weekly, one month in arrears, against Self-Bills generated from approved Service Receipts. Please refer to the *adam* training user guides for the process on Service Receipting available for GoLive.

**10. Communication****10.1. Supplier Relationship Management module**

MLCSU will be using the Supplier Relationship Management (SRM) module within SProc.Net to communicate with approved Providers.

The SRM module will allow the providers to communicate directly with MLCSU officers in an open and transparent manner. Further information can be found in the System User Guide on SProc.Net (post Go-Live). The Requirements as listed in the Messaging Policy are applicable during use.

## 10.2. Feedback and Complaints

If you wish to request any feedback or to lodge a complaint, please contact MLCSU via email to [mlcsu.adam@nhs.net](mailto:mlcsu.adam@nhs.net)

## 11. Next Steps

Providers need to join the DPS if they wish to supply CHC Care Home services to the Merseyside CCGs. This can be done by successfully completing the Registration, Accreditation and Enrolment processes. *adam* will be available to provide technical assistance with this process and to answer any questions you may have regarding this new procurement process.

*adam* will also provide you with details of SProc.Net training sessions which you can attend. During these sessions, Providers will learn, in detail, what you need to do in order to

provide CHC Care Home services to the CCGs. All scheduled training events until 02/05/17 are provided free of charge. The times and venues for these events will be communicated to you.

Please make sure you register, accredit and enrol on the system as soon as possible, so that *adam* has your details to invite you to the training sessions. If you have any questions, please do not hesitate to contact *adam* at [supplier.engagement@useadam.co.uk](mailto:supplier.engagement@useadam.co.uk).

## Glossary

**Accreditation** – this is the first step that a Provider is required to complete when joining the supply chain, it is a series of objective questions and document uploads.

**Bed Day Cost** – Basic hotel, care and nursing costs (full criteria in offers templates).

**DPS** – Dynamic Purchasing System used for the procurement of services operated via SProc.Net.

**Enrolment** – this is the second step a Provider needs to complete to join the supply base, it is a subjective evaluation of the quality of each location within the organisation.

**Intermission** – a “hold” on the delivery of a service whilst the Service Agreement remains in force.

**Open for Offers** – timeframe in which the Provider is able to submit an Offer against a Requirement.

**Offer** – a Providers submission against a Requirement to state what they are able to deliver and at what price.

**Public Contract Regulations (PCR) 2015** – the regulations within which the DPS and all public sector procurement must operate.

**Provider Quality Score (PQS)** – a score assigned per Provider by MLCSU based on a defined set of quality criteria. The score reflects the quality of service delivery of the organisation.

**Requirements** – the opportunities that are being tendered by MLCSU on behalf of the Merseyside CCGs.

**Self-Billing** – process by which SProc.Net will raise invoices on a Providers behalf for services delivered as per the approved Service Receipts. *Adam* will act as the payment agent on behalf of the Merseyside CCGs, and for the Merseyside CCGs being invoiced on the Providers' behalf.

**Service Agreement** – the contract variation to deliver services, binding the Requirement and Offer to agree what service is going to be delivered and at what price.

**Service Receipt** – this is a weekly electronic bill a Provider must submit via the DPS to confirm the services delivered in the specified week. This is instead of sending a paper invoice.

**Specific Additional Care** – Care over and above the care provided under Bed Day Cost.

**SProc.Net** – this is the internet-based technology platform through which MLCSU will be procuring services ([www.sproc.net](http://www.sproc.net)) on behalf of the Merseyside CCGs.