



## **PORTFOLIO HOLDER DECISION NOTICE**

### **INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PROFESSIONAL SERVICES RELATING TO THE PROCUREMENT OF NEW OCCUPATIONAL HEALTH PROVIDER**

#### **TOPIC – OCCUPATIONAL HEALTH SERVICES**

#### **PROCEDURAL INFORMATION**

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Head of Legal Services (Interim), the Chief Executive and the Strategic Director: Resources are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

#### **Contact Officers:**

**Case Officer:** Jamie Cann, Head of Human Resources (Interim)

Tel 01962 848437 email: [jcann@winchester.gov.uk](mailto:jcann@winchester.gov.uk)

**Democratic Services Officer:** Matthew Watson [mwatson@winchester.gov.uk](mailto:mwatson@winchester.gov.uk)

#### **SUMMARY**

Approval is sought pursuant to the requirements set out in Council's Contracts Procedure Rules (9.1 a and d) to:

- (a) Authorise Test Valley Borough Council to establish a framework agreement on behalf of Winchester City Council to be used to secure the provision of a new occupational health service
- (b) Undertake an evaluation of tenders received using a model based on 60% quality/40% price.
- (c) Dispense of the requirement to comply with the Council's Contract Procedure Rules by relying on the provisions set out in rule 2.3 which states that the rules do not apply where the procurement is being undertaken on behalf of the Council by another local authority.

- (d) Enter into the framework agreement with the successful supplier for the provision of occupational health services following the completion of the relevant compliant procurement process by Test Valley Council

The effective management of the health and wellbeing of employees contributes to the Council's ability to deliver core services and is an important aspect of employee engagement. An occupational health provider can assist with managing individuals who have long-term health conditions and disabilities to fulfil their potential at work. It will help the Council deliver against the goals of the Employee Strategy:

- working environment/culture and values – an organisation that values the health of its staff and proactively looks after it;
- wellbeing and support/occupational health and counselling – active monitoring of staff health, absence management and return to work, for both physical and mental health
- recruitment and retention – early assessment of employee's health needs enables the Council to support its staff from the day they are appointed.

## **DECISION**

That delegated authority is given to the interim Head of Human Resources in consultation with the Strategic Director (Resources) to:

- (a) Authorise Test Valley Borough Council to establish a framework agreement on behalf of Winchester City Council to be used to secure the provision of a new occupational health service
- (b) Undertake an evaluation of tenders received using a model based on 60% quality/40% price.
- (c) Dispense of the requirement to comply with the Council's Contract Procedure Rules by relying on the provisions set out in rule 2.3 which states that the rules do not apply where the procurement is being undertaken on behalf of the Council by another local authority.
- (d) Enter into the framework agreement with the successful supplier for the provision of occupational health services following the completion of the relevant compliant procurement process by Test Valley Council

## **REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

Winchester City Council has recently used the services of a sole provider for the provision of Occupational Health services. The supplier gave notice of termination earlier this year and ceased providing an Occupational Health service to the Council in February 2018. The Interim Head of Human Resources has subsequently

engaged the services of an alternative provider to maintain service delivery on an interim basis. This approach, while wholly appropriate in the short term is neither financially sustainable nor will it deliver best value.

Test Valley Borough Council are also seeking the services of an Occupational Health provider. TVBC and WCC have a history of shared services, have a similar number of employees and are a similar size, and worked together on a number of shared initiatives and procurements. There is also a shared desire for a truly local provision.

TVBC have dedicated project resource to undertake the procurement work on behalf of both councils with the intention of securing a cost effective and efficient service which would be open to both WCC and TVBC staff. The Interim Head of Human Resources will maintain an overview from a Winchester perspective seeking appropriate inputs from relevant internal teams. It is therefore proposed that TVBC undertake the procurement exercise on behalf of both Councils to develop a framework agreement from which both councils can call off the services they require. TVBC procurement regulations allow for an evaluation of tenders based on 60% quality/40% cost; while any contract awarded would still need to demonstrate Best Value. It is critical for the success of an OH programme that the provider is able to staff a clinic locally, within Winchester/Andover/Romsey, and this is the reason for preferring the 60/40 quality/price evaluation model for this tender, rather than the WCC requirement of 60/40 price/quality set out in rule 9.1d of the Contract Procedure Rules..

A draft tender specification has now been produced, with WCC input from HR, Legal and Procurement. TVBC's intention is go to tender by 5 September 2018, with a contract starting in January 2019.

### **Options Appraisal**

Option 1: Do nothing – WCC continues employing OH Consultancy on an interim basis	This would prove expensive; OHC do not provide local clinics in the desired way; better providers could be available. This option does not comply with the Council's Procurement Regulations and is therefore not recommended.
Option 2: WCC undertakes procurement exercise alone to find new OH provider	Additional resource would be required to undertake such an exercise at this current time due to other priorities identified in delivering the Employee Strategy. As a single small local authority WCC may find it difficult to get best value from national providers. This option is not recommended.
Option 3: WCC undertakes joint procurement exercise with TVBC to find new OH provider	Joint exercise could be unwieldy in terms of legalities; however there is shared history of delivering together. Both authorities are keen to proceed in this way using the purpose-built framework agreement. Both authorities share same concern about the importance

	of local provision. Bulk buying usually ensures better value than going it alone. Preferred Option.
Option 4: WCC call off a national framework agreement	While there are national framework agreements which would be applicable, both WCC and TVBC have experienced the same difficulties with national occupational health providers. The provider supports a clinic in large population centres, which often results in employees being sent long distances for assessments. This is not only stressful for an employee who is already unwell, but also costly, as non-drivers have to be sent in taxis. Many national framework agreements require an element of “mini competition” therefore not achieving the desired efficiencies during the procurement process. This option is not recommended.

### **RESOURCE IMPLICATIONS:**

The Council spends around £20-£25,000 a year on occupational health services. This comprises pre-employment checks, in-work assessments and reports, follow up, contact with GPs and specialist reports. There is also a small amount of health surveillance and immunisations in the Special Maintenance team, costing approximately £400 per year. The Council wishes to contract with a new occupational health provider for four years, making the estimated total value of WCC’s contract £80,000 -£100,000 over four years. The Council is inviting tenders that will include pricing for both core services and additional/optional services such as the promotion of health and wellbeing, health surveillance, immunisations and counselling – for details, the proposed specification is attached as an appendix. There is potential to achieve savings through this joint procurement exercise.

### **DATA PROTECTION IMPACT ASSESSMENT (If none, state “None required”)**

The provider will be required to use fit for purpose technological solutions for efficient and secure delivery of Occupational Health services, for example for referrals and receipt of reports, or to demonstrate clearly how these services can be delivered efficiently through other means. The provider will also be required, in its proposal and contract, to comply with relevant legislation, both current and future, to include:

- the General Data Protection Regulations (GDPR)
- The Equality Act 2010
- The Access to Medical Reports Act 1998
- The Access to Health Records Act 1990

**CONSULTATION UNDERTAKEN ON THE DECISION**

None.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE**

None

**DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED**

None

**DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

N/A

Approved by: (signature)

Date of Decision

**Councillor Godfrey – Portfolio Holder for Professional Services**

**APPENDICES:**

Provision of Occupational Health Services Draft Tender Document

# Provision of Occupational Health Services Tender Document

**Proposed Contract Commencement:** January 2019

**Contract Term:** 4 Years

**Tender Return Date:** **[Return date and Time]**

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**INFORMATION REGARDING DATA PROTECTION, FREEDOM OF INFORMATION (FOI), and CONFIDENTIALITY**

Tenderers should be aware that information provided as part of this tender exercise will be subject to current legislation.

This document is the property of Test Valley Borough Council and Winchester City Council and the information contained herein is confidential. It must not be reproduced, either in whole or part, or used for purposes other than for that which it has been supplied, without the prior written permission of Test Valley Borough Council and Winchester City Council.

Tenderers should note that the contacts and information provided in this tender document may be used to invite tenders for similar future work and may be provided to other authorities.

## **CONTENTS**

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Section 1 of this pack contains all the information you need to draw up a good quality response to our Invitation to Tender. Please read everything in the pack carefully. We aim to provide everything you will require in the pack, however if additional information is required please refer to the contact information in Section 1, Part 1.

In Section 2 you will find the forms which you are required to submit in order to tender. Please use this contents page as a checklist of items to complete and submit. Failure to include any information may damage your Tender's chance of success.

### **SECTION ONE - Information**

- Part 1: Contact Information**
- Part 2: Background Information and Timetable**
- Part 3: Conditions of Tender**
- Part 4: How Tenders will be Evaluated and Awarded**
- Part 5: How to Return Tender Documents**
- Part 6: Specification and Performance Monitoring**
- Part 7: Standard Conditions of Contract**

### **SECTION TWO - Tender Forms**

- Part 1: Company Details**
- Part 2 Technical Details**
- Part 3: Cost**
- Part 3: Declaration**



## **SECTION 1: PART 1 - CONTACT INFORMATION**

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All enquiries must be submitted using the messaging functionality of the Council's eProcurement system.

All enquiries should be submitted before [Date and Time].

## **SECTION 1: PART 2 – BACKGROUND INFORMATION & TIMETABLE**

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### **General Background**

Background information about Test Valley Borough Council and Winchester City Council can be found on the Councils' websites:

<http://www.testvalley.gov.uk/>

<http://www.winchester.gov.uk/>

Tenderers should be aware that information provided as part of this tender exercise will be subject to current legislation.

Tenderers should note that the contacts and information provided in this tender document may be used to invite tenders for similar future work and may be provided to other authorities.

### **Confidentiality**

All information supplied by Test Valley Borough Council and Winchester City Council in connection with the Invitation to Tender shall be treated as confidential and Tenderers shall not, without the prior written consent of the Council that supplied the information, at any time make use of such information for their own purposes or disclose such information to any person (except as may be required by law or where such information is disclosed for the purposes of obtaining sureties, guarantees or comments from insurers/legal advisers and other information required to be submitted with the Tender).

The Invitation to Tender and every part of it and all other information provided by or on behalf of Test Valley Borough Council and/or Winchester City Council must be treated as private and confidential. Tenderers should not disclose the fact that they have been invited to tender or release details of the Invitation to Tender other than on a strictly confidential basis to those parties whom they need to consult for the purposes of preparing the Tender.

Tenderers shall not at any time release any information concerning the Invitation to Tender and/or their Tenders and/or any related documents and/or any clarification and/or discussion with Test Valley Borough Council and/or Winchester City Council in this connection for publication in the press or on radio, television, screen or any other medium.

Each tenderer warrants to Test Valley Borough Council and Winchester City Council that no document that it prepares as part of its Tender shall infringe any Intellectual Property Rights. Each tenderer shall retain Intellectual Property Rights in all documents that it prepares as part of its Tender and Test Valley Borough Council and Winchester City Council shall not copy or use any such documents other than for the purpose of evaluation of Tenders. Test Valley Borough Council and Winchester City Council reserve the right to retain all documents submitted by each tenderer as part of its Tender throughout the period that their Tenders remain valid and open for acceptance.

Each tenderer undertakes to indemnify Test Valley Borough Council and Winchester City Council and to keep Test Valley Borough Council and Winchester City Council indemnified against all actions, claims, demands, liability, proceedings, damages, costs, charges and expenses whatsoever arising out of or in connection with any breach of the foregoing provisions.

**The Contract in Outline**

The Council has a diverse workforce of around 500 employees, including both office-based and manual workers, across a full range of local authority functions. The Council is seeking occupational health contractual provision over a period of 4 years, with the option for an extension beyond that period. Whilst focusing on core provision sought, this tender also seeks information on additional services that may be offered by the provider. **This tender also incorporates the needs of another Council, Winchester City Council who may tender with Test Valley in this venture.**

This is a joint procurement but please note that any contracts awarded as a result of this further competition will be with an individual Council. As such the Councils should be treated separately throughout the contract for the purposes of all tasks including, but not limited to, invoicing, contract management and reporting.

**Timetable & Administration**

It is intended that this procurement will run to the following timetable. In the event that changes are required we will endeavour to keep you fully informed. Every effort shall be made to avoid changes.

Should the closing date for tenders be amended all tenderers will be notified.

Dispatch of Tender:	05 September 2018
*Deadline for return of Tender:	[Date and Time]
*Evaluation of Tenders:	[Date or Date Range]
*All Tenderers informed of preferred supplier:	[Date]
*Cooling-Off period:	[Date] to [Date]
*Contract start date:	January 2019

(\*These are target dates only and subject to review)

## **SECTION 1: PART 3 – CONDITIONS OF TENDER**

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Information regarding the conditions of tender can be found within the tender pack. However, please find below further information regarding this tender.

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### **GUIDANCE NOTES**

Test Valley Borough Council and Winchester City Council propose to enter into contract for 4 Years subject to satisfactory performance and the agreement of both parties), for the provision of occupational health services as described in the specification.

- 1 Prospective Tenderers are advised to read the documentation and any schedules and appendices carefully to ensure that they are fully familiar with the nature and extent of the obligations to be accepted by them if their Tender is successful.
- 2 The Councils do not bind themselves to accept the lowest or any tender and reserves the right to accept the whole or any part of any tender, unless the Tenderer stipulates otherwise. Every effort will be made to reach a decision on award of the framework agreement as soon as possible after submission of tenders.
- 3 Tenderers must submit a Standard Bid for the supply of the whole of the Services specified under the terms of the contract.
- 4 Tenders should be received by Test Valley Borough Council no later than the Date and Time stated in Section 1: Part 2. Late or incomplete Tenders will not be considered.
- 5 The full sub criteria and full scoring mechanism for the tender evaluation are stated in the Invitation to Tender.

### **Freedom of Information Act**

- 6 Test Valley Borough Council and Winchester City Council are subject to the provisions of the Freedom of Information Act 2000 (“FOIA”). The Act, as from 1<sup>st</sup> January 2005, provides that anyone can ask the Council(s) for any information held by them, or on their behalf and, unless an exemption applies, the information must be supplied. This means that all the information which a contractor has provided and may provide in future to the Council(s) will be subject to the Freedom of Information Act 2000.

In the absence of special circumstances, the invitation to tender, framework agreement conditions, specification and any other part of the **tender documentation**, may be regarded as not subject to any exemptions, and therefore capable of being disclosed under the FOIA.

In respect of any **completed tender**, where the Council is required to consider whether any information contained therein should be disclosed

further to the FOIA, it will be necessary to consider whether any exemption applies. Where the tenderer considers that any of the information contained in its tender is subject to any exemption, this shall be stated in the submitted tender.

The attention of tenderers is drawn to Section 43 of the FOIA which provides that information is exempt information if it constitutes a trade secret, or if its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the Council). Tenderers are further advised that, if this exemption applies, it will then be necessary for the Council to determine whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If the Council receives a request under the Act, which involves information provided in an application the Council may, but is not obliged to, consult with you. However, The Council has a very limited time in which to decide whether or not information can be released, so it is imperative that you ensure that the Council has up-to-date contact details and that the contact is able to respond to a request quickly. If a quick response cannot be provided, the Council will have to make a decision without your input.

Further information about the Act and a copy of the code of practice are available from the Information Commissioners website at <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

### Sufficiency of Information

- 7 Information supplied is for the general guidance of Tenderers only. Tenderers must satisfy themselves by their own investigations with regard to the accuracy of all such information and no responsibility is accepted by Test Valley Borough Council and Winchester City Council for any loss or damage of whatever kind and howsoever caused arising from the use of such information.
- 8 The full cost of responding to this ITT and tender process, including but not limited to any costs and/or expenses involved in the preparation of the Tender response and for any subsequent presentations and/or demonstrations and/or negotiations, will be borne by the tenderer. Test Valley Borough Council and Winchester City Council shall have no liabilities in this regard.
- 9 Tenderers shall be deemed to have satisfied themselves before submitting their Tender as to the correctness and sufficiency of the rates and prices stated in their Tender which shall (except in so far as it is otherwise provided in the Contract) cover all their obligations under the Contract and shall be deemed to have obtained for themselves all necessary information as to risks, contingencies and all other circumstances influencing or affecting the Tender.

### Qualification of Offer

- 10 Tenders must not be qualified but must be submitted STRICTLY in accordance with the tender document. Only tenders submitted without qualification strictly in accordance with the tender documents will be accepted for consideration. Tenderers should not include in the tender any extraneous information which has not been specifically requested, for example, standard terms of trading, sales literature etc.

### Confidentiality of Tender Information and Documents

- 11 The tender document must be treated as private and confidential. Tenderers should not disclose the fact that they have been invited to tender or release details of the tender document other than on an 'in confidence' basis to those who have a legitimate need to know or whom they need to consult for the purposes of preparing the tender.
- 12 The Tenderer shall be required to give an undertaking which shall become a condition of the contract that the amount of the Tender has not been calculated or arranged with any person other than Test Valley Borough Council and Winchester City Council, that the amount of the Tender has not been communicated to any person other than Test Valley Borough Council and Winchester City Council and will not be communicated to any person until after the closing date for the submission of Tenders.
- 13 The tenderer shall not approach any employee of Test Valley Borough Council and/or Winchester City Council (other than those designated as contacts in the Invitation to Tender) with a view to providing or requesting information on any part of their tender.
- 14 This section details the key actions that are required by Test Valley Borough Council and Winchester City Council of all Tenderers. Tenderer non-compliance may be regarded as breach and may result in Test Valley Borough Council and Winchester City Council removing the Tenderer from the process.

## **SECTION 1: PART 4 - HOW TENDERS WILL BE EVALUATED AND AWARDED**

These notes provide details on how your tender will be evaluated. The tender process will be conducted to ensure that tenders are treated equally and fairly and in accordance with any legal requirements such as European Procurement Directives.

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### **Basis of Tender Prices**

For the purposes of tender assessment, all prices entered on the Tender Schedule by the Tenderer will be assumed to be as at the date falling 14 days before the closing date for receipt of tenders (unless specifically stated elsewhere in the tender documents). All prices must be excluding VAT (where applicable).

The tender shall constitute an irrevocable offer by the tenderer remaining open for acceptance for a period of 90 calendar days from the day following the closing date from receipt of tenders (unless specifically stated elsewhere in the tender documents).

### **Evaluation of Tenders**

Evaluation of tenders will always rely upon the information that you have provided. If you fail to provide all the information requested, you will put your tender at a disadvantage.

Evaluation scores will be allocated with consideration of the quality of the response for both Councils. The Councils intend to each award a contract to the overall highest scoring bidder.

### **Evaluation Criteria**

Tenders will be evaluated using a method known as MEAT (Most Economically Advantageous Tender). Tenders will be evaluated based on non-price as well as price factors. These will be weighted to reflect relative importance and scored accordingly.

For the purposes of this tender the evaluation criteria is as follows:

Part 1: Quality of proposal/technical ability – 60%:

	Criteria	Weighting
1	[Criteria]	[Percentage]
2	[Criteria]	[Percentage]
3	[Criteria]	[Percentage]
4	[Criteria]	[Percentage]
5	[Criteria]	[Percentage]

To provide transparency in how tenders will be evaluated, the weightings and scoring methodology have been provided below. A tender panel will manage and oversee the scoring process and insertion of final scores into the scoring matrix. Scoring will be as follows with one score being allocated for each criteria:

Score	Classification	Definition
0	Unacceptable	No response, or totally unacceptable and does not meet the requirement in any way, such that the tenderer should be failed at this point and not considered further.
1	Inadequate	Substantially unacceptable and does not meet the Council's expectations in some significant areas. Considerable reservations of the relevant ability, understanding, skills, resources and quality measures.
2	Weak	Weak response that does not fully meet the Council's requirements. Response may be minimal with little or no detail or evidence given to support and demonstrate sufficiency or compliance. Some minor reservations of the Tenderer's relevant ability, understanding, skills, resources and quality measures to provide the service required.
3	Satisfactory	Response largely covers the Council's requirements and some, but patchy or brief, evidence is given to support the answers.
4	Good	Criteria in the specification are met and evidence is provided to support the answers demonstrating sufficiency, compliance and either actual experience or a process of implementation.
5	Excellent	Exceptional response that inspires confidence, and indicates high level of commitment and benefits to be provided. Response is clearly demonstrated and evidenced. Full evidence provided to show how the service will be achieved, either by demonstrating past experience or through clear process of implementation. Response may also identify factors that will offer potential added value, and with evidence to support this.

### Part 2: Cost – 40%

The lowest cost tender will receive 100% of the cost score. Other tenders will receive a proportion of this score relative to the variation between their price and the lowest price.

The Lowest Price is divided by the Tenderer's Price and this is shown as a percentage. This score is multiplied by the overall cost weighting. For example if tender C is the lowest price at £90,000, then tender C will be awarded 40%. Tender E with a price of £120,000 will be scored as follows:

$$90,000 / 120,000 \times 40\% = 30\%$$



## **SECTION 1: PART 5 - HOW TO RETURN YOUR TENDER SUBMISSION**

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The information in this document will help you offer a quality response to our invitation to tender. Please read the notes carefully as they address many of the frequently asked questions.

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### **Returning Tender Documents**

The deadline for delivery is given in Section 1: Part 2. Tenders received after this time will not be considered apart from in exceptional circumstances when they may be considered at the discretion of the Council. Tenders received ahead of the deadline will remain unopened until the tender opening ceremony

Tenders should be returned using Test Valley Borough Council's eProcurement system

Unless the tender requests them do not send any catalogues, brochures or product information. Please only return items that the tender specifically asks for.

### **Clarity**

A clear and easily understood tender increases the chances of success.

## **SECTION 1: PART 6 – SPECIFICATION AND PERFORMANCE MONITORING**

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The following document sets out in detail the requirement. It is intended to be comprehensive and complete. The quality of your tender will depend upon a clear understanding of this requirement. If you are unclear about any of the contents it is essential that you ask for clarification before submitting your tender.

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### **BACKGROUND**

The Council has a diverse workforce of around 500 employees, including both office-based and manual workers, across a full range of local authority functions. The Council is currently in a non-contractual arrangement with a national provider, and is now seeking occupational health contractual provision over a period of 4 years, with the option for a two year extension beyond that period. Whilst focusing on core provision sought, this tender also seeks information on additional services that may be offered by the provider. This tender also incorporates the needs of another Council, Winchester City Council who may tender with Test Valley Borough Council in this venture. Winchester City Council also have approximately 500 employees, mostly located within Winchester city centre.

### **SCOPE OF GOODS AND SERVICES**

This specification outlines the main requirements for both core and additional occupational health services. The nature of the service is such that not all tasks and requirements can be fully specified and quantified. The outcomes sought are for the provision of the core services detailed below. However, the tender should provide information on what additional occupational health services can be provided and whether these can be called off at any time during the life of the contract. The Council will wish to understand any innovative ways in which providers can deliver Occupational Health provision.

#### **Core Services**

The Council is looking for the contract to provide **core** Occupational Health services to support the effective management of health and well-being across its workforce. Please detail in the tender how these core Occupational Health services can be best utilised to support the Council to effectively maintain good levels of attendance and performance:

#### **Pre-Employment Medical Checks**

Pre-employment medical checks fulfil the Council's requirement to ensure prospective employees' fitness for the proposed role. The Occupational Health provider will advise the Council on such matters as there being a pre-existing ill health condition or disability which may impact on the job offer/terms of employment and advising on Equality Act implications including advice on reasonable adjustments.

The Council's requirements are that:

- There is a facility for online and paper-based assessment, as not all

prospective employees have online access;

- Pre-employment questionnaire agreed by both the Council and the provider;
- The Screening of questionnaires will be undertaken by a suitably qualified Occupational Health Nurse who can make a clinical recommendation as to whether the candidate is fit to undertake the duties of the role or if an assessment by a Physician is required;
- The results of each screening and any further assessment will be promptly reported to the Council in accordance with agreed KPIs (detailed later in this tender specification);
- The pre-employment outcome report will include advice on recommendations and reasonable adjustments for those with a disability.

### **Occupational Health Employee Referrals**

The Council seeks Occupational Health provision which provides both quality and efficiency to enable the Council to provide high quality services to its customers.

- Advice for management on employees health and well-being, fitness for work, support and reasonable adjustments to support them in their role
- Advice on managing both repeated short-term and longer-term absences, phased return to work and reasonable adjustments to the role or workplace
- Advice on the capability of employees to undertake their role
- Advice on options for redeployment and ill-health retirement.
- Ability to provide an independent opinion in line with the requirements of the Local Government Pension Scheme for assessment and appeals in relation to ill-health retirement
- To provide advice on the fitness of an employee, to attend a disciplinary hearing or appeal (or other formal proceedings relating to an individual's employment);

### **Triage and Communications**

It is important for the Council to develop mutually beneficial working relationships with the Occupational Health provider. Therefore this tender specification seeks information on how the provider can facilitate this. Options could include:

- Detailed management referrals
- Pre and or post referral discussions with the Occupational Health Nurse / Physician and the manager or HR Adviser
- Advice for managers on reasonable adjustments where employees have a disability under the Equality Act
- Case management discussion to discuss options to best support the employee in line with Occupational Health advice
- A clear professional contact point for follow up enquiries from employees, managers or Human Resources before and after referral;
- Triage facility to enable timely determination of best appropriate Occupational Health support e.g. telephone, face to face appointment or specialist intervention;
- Quarterly meetings between the Council and OH provider to look for opportunities to improve the Occupational Health Provision and staff health and well-being.

- The provider detailing key useful information based on their knowledge and experience within Occupational Health, to provide managers with support and initiatives to improve employee attendance and performance.

### **Occupational Health Referrals and Appointments**

The Council needs to be able to manage occupational health referrals in a confidential, secure, timely and accurate way:

- Facility for prompt and efficient referrals, either through an online portal or with assurances that the referral process can be provided efficiently through another means:
  - Telephone and face to face appointments with an OH nurse/physician to support employee wellbeing and sickness absence management
  - Ill health retirement assessments
- The Occupational health provider to arrange appointments directly with the employee
- Initial case review to determine most appropriate Occupational Health service to be referred to enabling timely and quality intervention e.g. Occupational Health Physician face to face appointment
- Quick turnaround of appointments from the point of referral (See Monitoring requirements elsewhere in this tender specification);
- Prompt availability of face to face appointments with Occupational Health nurse / physician and within reasonable travelling distance
- Access to specialist assessments such as for dyslexia, hearing, psychiatric assessments, and within reasonable travelling distance

### **Occupational Health Reports**

The Council places high value on the health and well-being of employees. Maintaining good levels of attendance and performance are essential for the delivery of high quality services to our residents and to providing great customer service. To enable the Council to successfully maintain good levels of attendance and performance in line with its policies, it requires comprehensive, accurate and directional advice from the Occupational Health provider in a timely manner. Occupational Health reports are key to this quality and timely advice and provide key guidance to management in their support and management of the employee.

Occupational Health reports may be used to inform formal decisions in relation to employees up to and including dismissal. Occupational Health reports may also form part of internal Council investigation reports and an Employment Tribunal bundle, where appropriate.

Therefore the Council has the following requirements of the provider:

- Prompt turnaround of reports (See Monitoring requirements elsewhere in this tender specification);
- Detailed, balanced, high quality reports which provide an easily understandable professional assessment with clear recommendations;

- Neutral and independent reports which take into account both the employee and employer perspective, as supporting the employee's health needs to be balanced with the operational needs of the service they work in;
- Reports should give clear direction on the points sought in the occupational health referral, including any reasonable adjustments to the workplace or role;
- Follow through of same OHP or nurse for subsequent referrals so continuity of care and advice, or assurances that this continuity of approach can be achieved through another quantified means;
- The report, with recommendations should be returned to the named contact on the referral at the Council;
- The provider should indicate if template forms for referrals and reports can be branded with the Council's own logo and/or with the provider's branding, as mutually agreed;
- Those template forms should be in an accessible format.

Occupational Health Reports should specifically include:

- A concise summary of the relevant medical issues, with reference to any additional information which has been provided by the Council, for example GP or specialist medical record and reports;
- Information on fitness for work, prognosis, rehabilitation plan, advice to support case resolution and to help manage any unexpected outcome;
- A clear indication of likely timescale for case resolution or recovery from the underlying issue of ill health;
- Confirmation and clinical justification where a review of the employee's case is required, e.g. where a re-appointment is recommended in a specific timescale;
- An opinion as to whether the Equality Act 2010 is likely to apply, how it is relevant and what adjustments should be considered and the likely duration;
- A separation of employee perception versus clinical opinion;
- Summary recommendations and advice for the Council to consider, supported by medical evidence and providing a clear signpost for the line manager to take action;
- Confirmation that the required consents have been obtained from the employee;
- The nurse or GP's contact details, to encourage clarification if needed.

## **Location of appointments and assessments**

The Council has a diverse workforce and the manual workforce in particular can experience difficulty with transport arrangements for appointments. Long trips to appointments can also be stressful for employees with complex physical or mental health issues. It is therefore important to the Council that the provider can provide venues for face to face occupational health appointments which are accessible within a reasonable timeframe and in the more immediate locality if that can be accommodated without compromising quality of delivery.

The council therefore seeks information, as part of the tender specification, on the following:

- Availability of face to face occupational health appointments in the Andover, Romsey and Winchester areas (where the Councils have their bases);
- Location of appointments outside of Andover/Romsey/Winchester (as appropriate to the employee's work base) to be within a 20 mile radius of Andover/Winchester and easily accessible by road and public transport, as well as easy to find with car parking nearby;
- The ability to provide onsite appointments, both on an individual basis or through full day or half day clinics in Andover/Winchester;
- Access to specialist appointments across the same requirements for more localised provision;
- Provision of home visits in exceptional circumstances.

## **Technology**

The provider will be required to use fit for purpose technological solutions for efficient and secure delivery of Occupational Health services, for example for referrals and receipt of reports, or to demonstrate clearly how these services can be delivered efficiently through other means.

## **Additional Services**

As well as core services detailed above, the Council also seeks to understand the additional services the providers may be able to offer as part of its provision. The provider is required to provide information with its tender submission on any additional services which may be available under this contract. These services may not be sought immediately, or at all, through the contract provision but the Council would wish to have the flexibility to call off extra services during the life of the contract if the need for any of those additional services arose.

The Council therefore seeks information on what additional services, above the core provision sought, could be provided by a provider, as follows:

### Health and Wellbeing

- Any initiatives to support the Council in delivering its health and wellbeing priorities, for example health promotion activities and material, resilience and other proactive activities and events to support the Council in improving employee health and well-being, attendance and performance;

- Any initiatives which focus on improving the wellbeing of employees, for example sharing with the Council their research, providing advice and preventative guidance on health and wellbeing, lifestyle choices, diet;
- Relevant health and wellbeing events each year within the Council, for example workshops promoting a variety of health and wellbeing topics such as: alcohol awareness, healthy eating and lifestyle, smoking cessation sessions, avoiding and dealing with musculo-skeletal problems, general men's and women's health, stress management, drugs;
- Regular updates to the Council on health updates and/or promotion of relevant health services within the local area;
- Whether any publications and promotional materials could be tailored to reflect the Council's culture and communication standards and in formats for uploading on to the Council's intranet;
- Whether the provider has access to such materials directly online through its own portal or through signposting to other online sources, which could also potentially filter into advice on Council policies in these areas;
- Any particular support that the provider is able to give in the area of maintaining good mental health in employees, for example through specific resources or initiatives. This could include support for managers in identifying symptoms of poor mental health and stress in employees and how that should be supported
- Any training the provider can offer to managers in supporting their employees' health needs.

### Health Surveillance

The Council currently utilises a separate health surveillance provision but is interested in what providers can offer if health surveillance services were required in the future, and whether this could be added during the life of the contract if needed.

Provision could include:

- Assessments for a variety of functions, but likely to include: Lung function, vision screening, audiometry, hearing tests, vibration tests;
- These could be arranged through online or paper-based referral, but with the assurance that the process could be managed in such a way as to ensure efficient turnaround and response;
- Ability to undertake these assessments locally in a depot environment, for example through a clinic approach;
- Assessments to be carried out by a suitably qualified practitioner;
- Any facility to review stress risk assessments and make suggestions for improvement if required.

### Immunisation Programmes

Immunisation programmes and sessions for some individuals and/or groups may be required from time to time. The Provider would be required to administer the vaccine, with costs subject to agreement with the Council. Information is therefore sought on what vaccination programmes the provider is able to offer. These could include Influenza and other conditions as identified from time to time, for example in response to pandemic situations. Immunisation programmes for appropriate

employees should be set up by the Occupational Health Nurse in conjunction with the Council. The Provider should maintain records of immunisation of employees so enabling statistics, and programmed forward planning.

### Face to Face counselling

The Council is currently not seeking to procure an employee counselling service as part of this tender as requirements are currently met by an existing counselling service. However, we would be interested in what counselling services could be directly provided as part of this tender, to provide resilience and / or choice in the Council's counselling provision for the future.

This may be provided as follows:

- In conjunction with, or as a separate entity from, any Employee Assistance service offered;
- Provision of a number of face-to-face counselling sessions per employee, per annum, with an appropriately qualified counsellor, with the option to extend the number of agreed sessions only subject to Council approval. This element of the service will only be provided to employees of the Council and not extended to family members;
- Confidentiality of the employee must be ensured;
- Information on duration of sessions should be provided, together with anticipated timescales and KPIs for arranging and undertaking counselling sessions from the point of contact by the employee. This should include details of charges in the event of cancellation;
- Information should be provided on when and how employees will be signposted to other sources of support if needed, and/or whether any direct specialist support is available through this service, for example to support employees in the event of sudden trauma;
- The provider should accept self-referrals (to any helpline and to counselling sessions);
- Counselling services offered must be accessible to employees, both in terms of geographical locations of counselling rooms where face-to-face counselling takes place, and ideally away from an employee's workplace, but also that it does not disadvantage employees by distance or by disability or any other protected characteristic under the Equality Act 2010.

## **SUSTAINABILITY REQUIREMENTS**

The Council needs assurance from the provider that there is sufficient resilience in their organisation to cover the number of appointments for Occupational Health referrals and any additional services that might be procured, in a timely and efficient manner which provides quality of provision within a professional service. The provider will need to evidence this resilience through their proposal, for example through size of operation, number and type of professionals working on the contract and organisational charts.



It is crucial that the provider develops an understanding of the requirements of Test Valley Borough Council and Winchester City Council as local authorities, including organisational structure, operating styles, culture, values and diversity of job roles. This may be through prior knowledge of working with organisations in the public sector and/or more specifically with local authorities.

The provider will be expected to evidence Service Level Agreements which can be developed and tailored to the Council's needs, and to be able to show an effective strategy for developing and adhering to agreed performance measures sought to maintain success of this occupational health provision.

The Provider will allocate a named individual to act as contract manager for the contract, who will be the main point of contact for all communications with the Council. The Contract manager will work with the Council to develop Key Performance Indicators (KPIs) and a Service Level Agreement (SLA) for the service. The contract manager will be required to meet with the Council's designated contacts on a quarterly basis, or as mutually agreed, to review performance against the agreed KPIs and SLA to ensure the effective delivery of the service.

## QUALITY STANDARDS

In addition to the requirements already set out in the previous section, the provider will be required, in its proposal and contract, to comply with relevant legislation, both current and future, to include:

- the General Data Protection Regulations (GDPR)
- The Equality Act 2010
- The Access to Medical Reports Act 1998
- The Access to Health Records Act 1990

The provider will be required to ensure that professional employees have appropriate qualifications to ensure they are qualified and competent to carry out their roles, and to have appropriate professional accreditation, i.e. SEQOHS accredited or a similar pathway. The provider will be required to keep abreast of developments in best practice in Occupational Health and Health and Wellbeing, and to provide advice on how to implement changes and improvements that may arise.

The provider must ensure that where independent advice or consultation is needed, that the independent physicians or consultants have the necessary medical qualifications.

## PERFORMANCE MEASURES

<p><b>Outcomes:</b> The expected changes or benefits sought as a result of the service being delivered by the provider are as follows, in that they will result in the Council receiving a consistent and high standard of medical advice that supports the Council in and improving employee health and wellbeing, supporting employees to be effective in their roles through, maintaining good</p>
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levels of attendance and performance, implementing reasonable adjustments, reducing sickness absence and facilitating rehabilitation back to work:

- Meeting legislative requirements and enabling the Council to maintain a duty of care as a responsible employer;
- Promoting physical and mental wellbeing amongst employees;
- Through pre-employment checks, recruiting employees who are fit to undertake their tasks;
- Promoting physical and mental well-being amongst the workforce to optimise attendance, engagement, resilience and performance to meet business objectives;
- Supporting employees in poor health to assist them in returning to work, if that is possible, so maximising attendance to meet business objectives;
- Supporting employees who remain at work to keep them in work;
- Providing practicable advice and focusing reports on what employees can achieve with support;
- Enabling managers, through effective tools, to support employees to promptly bring them back to work, keep them in work or support them in exiting the organisation if that is appropriate;
- Where return to full and effective service is not achievable, to support the process towards and including redeployment, dismissal or Ill Health Retirement;
- Identifying trends in work related absence, prioritising and tackling significant health and well-being related issues, working with known initiatives to reduce the level of sick absence;
- Providing high quality, prompt information, advice and guidance to Human Resource Advisers (HRAs), managers and employees by telephone, or in person, on sickness, absence and health and safety issues.

**Outputs:**

- High quality of occupational health reports;
- An SLA is agreed and response timescales in the SLA are being met together with any other targets agreed with the Council
- Invoices are presented in a format and with sufficient detail to allow prompt payment;
- Management Information is provided in the agreed format and at the intervals laid down in the SLA.

<b>Output</b>	<b>Target for provider</b>	<b>Supporting evidence (how this is measured)</b>
Pre-employment check completed online by employee	1 working day turnaround from submission	KPIs/SLA Effective system for processing; Prompt employment of new employees
Pre-employment checks face to face	Appointment held within 5 working days	KPIs/SLA Effective system for processing;
Pre-employment check results	Reported within 1 working day	KPIs/SLA Effective system for

		processing; Prompt employment of new employees
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**MONITORING AND RECORDING ARRANGEMENTS** Follow up reports within 3 working days of telephone interview

<b>Output</b>	<b>Target for provider</b>	<b>Supporting evidence/how this is measured</b>
Acknowledge referral	Within 24 hours	KPIs/SLA
Referral appointment date	Within 48 hours	KPIs/SLA
Referral appointment – telephone consultation with a nurse	Appointment held within 5 working days	KPIs/SLA Management and employee feedback
Referral appointment – telephone consultation with a Physician	Appointment held within 5 working days	KPIs/SLA Management and employee feedback
Referral appointment: Face to Face with a Nurse or Physician (including any preliminary consultation e.g. by telephone)	Appointments held within 10 working days;	KPIs/SLA Management and employee feedback
Complete write up and issue of referral report	To be sent to employee within 24 hours of appointment	KPIs/SLA Management and employee feedback
Referral report to be sent to Council	Report to be sent to Council within 36 hours of appointment or 24 hours of employee approval, whichever is sooner.	KPIs/SLA Management and employee feedback
Requests for further medical evidence from 3 <sup>rd</sup> party specialists (GP, Specialist, Occupational Therapist)	Issued within 48 hours of request by employer	KPIs/SLA
Issue report based on 3 <sup>rd</sup> party specialist assessments	Within 5 working days from receipt of 3 <sup>rd</sup> party assessments	KPIs/SLA
Acknowledgement of complaint	Within 48 hours	KPIs/SLA
Complaint resolution	Within 20 working days	KPIs/SLA
100% of referrals must have relevant cost code		Internal Finance checks and spreadsheets

and approval to proceed prior to appointment		
<b>Inputs:</b>		
<b>Input</b>	<b>Target</b>	<b>Supporting evidence (how this is measured)</b>
Number of pre-employment medical checks per year (approx.)	80 – 120 per year (maximum) but averages at 6 per month (both councils)	Current and historical vacancy and turnover figures
Number of referrals for <b>telephone</b> OH appointments per year (approx.)	15 (Andover) 30 (Winchester)	Referral figures for 2017/2018, and based on average over last 3 years
Number of referrals for <b>face to face</b> OH appointments per year (approx.)	24 (Andover) 60 (Winchester)	Referral figures for 2017/2018, and based on average over last 3 years
Number of referrals for Ill Health Retirement Assessments per year (approx.)	2 (Andover) 2 (Winchester)	Referral figures for 2017/2018, and based on average over last 3 years
Type of referrals	As detailed above	Referrals and portal

These usage figures provide volumes based on an average of the last three years' usage of existing provision. The Councils currently have around 1000 employees and this figure is fairly static. These figures of volumes are provided in good faith and should be treated as indicative figures which are not necessarily representative of future volumes.

### Management information and reports

In order to monitor and improve the health of Council employees and the services provided to support attendance at work, the provider will be required to provide management information and comprehensive reports to the Council in accordance with an agreed Service Level Agreement.

The reports and management information should be provided to Council on a quarterly and annual basis, to cover the following:

- Recommendations for occupational health strategies necessary to address any significant issues identified by the monitoring information;
- An analysis of the quality of the service using employee feedback information, to support the process of continuous improvement in the contract;;
- A written response to any problems or complaints encountered and how they are resolved;

- Breakdown of the number of referrals and reports, speed of referrals being managed, etc. in accordance with the required outputs above. This will be through regular, at least quarterly, reports to the Council in accordance with agreed Key Performance Indicators (KPIs);
- To be able to report on emerging themes for the Council based on outcomes and trends identified through the referral and reporting processes.

#### Medical records and data protection

All information about the health of employees or prospective employees will be handled by the provider in accordance with GDPR and legislation outlined earlier in this specification. The provider will ensure that they have robust data storage, management and security systems which comply with security, data protection and confidentiality requirements.

#### **CONTRACT TERMS/POTENTIAL DURATION OF THE OPPORTUNITY**

Contract Start: 1 January 2019

Contract End: 31 December 2022

Award: 13 December 2018

These dates indicate the likely start date.

Extension clause:

- A four year contract is sought, with the option to extend the contract for a further 2 years;
- In addition, the Council seeks the option to take advice from a separate Occupational Health provider by exception, for example where a second opinion is sought as part of an Ill Health Retirement assessment.

## **SECTION 1: PART 7 – CONDITIONS OF CONTRACT**

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Please refer to the Terms and Conditions documentation within the tender pack.

These terms and conditions will prevail over any tenderer's conditions and the Councils reserve the right to reject any additional conditions.

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## **SECTION 2: PART 1 COMPANY DETAILS**

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Please note that these questions are for information only and will not be scored.

1.1 Full name of Company.

1.2 Address of registered office

1.3 Company registration number.

1.4 Name, position and address of principal contact to where any future correspondence is to be sent in connection with this project.

1.5 Contact telephone, facsimile numbers and e-mail.

## **SECTION 2: PART 2 – Technical Ability**

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Please use the space below to give the details of your submission. Please refer to Section one, Parts 4 and 6 for details of the specification and evaluation criteria.

Question 1

Question 2

Question 3

Question 4

Question 5

Question 6



Question 7

Question 8

Question 9

Question 10

## **SECTION 2: PART 3 – COST**

Please provide a full breakdown and details of all costs related to the delivery of the service.

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## SECTION 2: PART 4 – DECLARATION

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I confirm that following enquiry the answers submitted in this tender are correct. I understand that the Council may reject this tender if there is a failure to answer all relevant questions fully or if I provide false/misleading information.

The amount of this Tender has not been calculated or arranged with any person other than TVBC, that the amount of the Tender has not been communicated to any person other than TVBC and will not be communicated to any person until after the closing date for the submission of Tenders.

### FORM COMPLETED BY

Name	
Position	
Telephone Number	
Date	
Signature: (for electronic submissions, please type name or provide an e-signature)	