

Ref: CCG June 27

Corporate Services  
NHS Liverpool Clinical Commissioning Group  
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30 June 2016

**Re: Freedom of Information Request**

Thank you for your Freedom of Information request that we received on 27 June 2016, with regards to procurement process for the APMS Surgeries.

Request/**Response**

1. Is the identity of the Procurement Panel in the public domain?

**No, Liverpool Clinical Commissioning Group (LCCG) does not reveal the identities of the procurement panel into the public domain.**

2. If the answer to the above question is 'no', why is this the case?

***The anonymity of the panel exists for several reasons;***

- a) ***It prevents any interested parties, including bidders, from canvassing members of the panel or approaching them to gain advantage.***
  - b) ***It provides protection for the members of the panel allowing them to use their judgement in an independent manner without fear of consequence.***
  - c) ***In selecting the panel the CCG will always aim to involve a wide number of people to ensure that if circumstances arise there are always sufficient numbers to cover all aspects of the evaluation. Naming all those involved would therefore be inappropriate as those named may not eventually participate in the process.***
3. If the answer to question one is 'yes', what are the names of the members of the Procurement Panel and what are their positions?

***Please refer to the response to 1) above. Whilst the panel includes employees of LCCG the nature of this procurement means that all those with a conflict of interest are excluded in all respects and a significant proportion of the panel***

**are external to the CCG to ensure the process is as independent as is practical.**

4. How were the 'lay members' of the Procurement Panel chosen?

**The recruitment of lay members for the panel was supported by the volunteer centre. An advertisement was placed in GP surgeries in April/May 2016 asking for interest and following responses to this a general open session was held after which several individuals offered to support the procurement (as well as other procurements). In this case the CCG widened participation to more than the normal number of patient representatives to ensure the voice of patients was well represented and to ensure there was a reasonable cross section across demographic groups. The CCG worked closely with the volunteer centre to identify selected patient representatives from those who came forward identifying who would be best placed, in terms of time, commitment, previous experience and skills and thereby ensuring a balanced mix of perspectives. The CCG did also require that any participants were treated, the same as all evaluation panel members, by completing a conflict of interest declaration as well as a confidentiality agreement.**

5. In what surgeries are the 'lay members' registered as patients?

**NHS Liverpool CCG do not hold this information, this information is not routinely captured as part of the process.**

6. Is there any way in which patients registered at the surgeries for which the contracts are being tendered can have input into the procurement process for their particular surgery?

**No, unfortunately the manner in which procurements are undertaken does not lend itself to widespread patient involvement in the procurement process. LCCG strongly values the independent patient perspective in the procurement process but the CCGs approach needs to balance a number of factors including;**

- a) **The costs involved in undertaking procurement which involves diverting resources from direct patient care and which increase with the number of parties involved in the evaluation process. For this reason we need to limit the numbers of patients involved (although in this case this is higher than would be normal).**
- b) **To be comprehensive and effective, patient participation in procurement is undertaken at LCCG by fully involving patients in the process, granting them access to any support that may be required, and, providing them with as much information as possible, some of which must remain confidential to remain within procurement regulations. The public procurement process involves a panel arriving at a consensus from all parties including such factors clinical effectiveness, quality, risk and patient safety, financial propriety, patient engagement, good governance, effective workforce, equality duties, delivery of social value and appropriate information technology. To be effective, all these (and other factors) need to be considered and balanced and our approach is based on the principle that to be able to**

***exercise judgement about the appropriateness of ALL potential providers patients need to be effectively incorporated within this process rather than be potentially exposed to partial information or possible canvassing by interested parties.***

***The Evaluation panel also includes a Governing Body lay member representative.***

7. Is there any way in which Patient Participation Groups based in the surgeries for which the contracts are being tendered can have input into the procurement process for their particular surgery?

***No, the reason is similar to the response for question 6. Unfortunately the manner in which procurements are undertaken does not lend itself to widespread patient involvement in the procurement process.***

We wish to take this opportunity to inform you that a formal complaints and internal review procedure is available to applicants who are unhappy with responses provided to FOI requests. You can formally request an internal review within a reasonable period of time (2 calendar months) from the date this response was issued.

Where you are not satisfied with the decision of the internal review you may apply directly to the Information Commissioners Office (ICO) for a further review of that decision. Generally, the ICO cannot make a decision unless you have exhausted our complaints procedure in the first instance.

The ICO can be contacted at:

Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.gov.uk](http://www.ico.gov.uk)

Should you require any further information, clarification regarding this response or do not feel that your request has been answered as you would expect, please contact us to discuss.

Yours sincerely,

**Customer Relations Lead  
NHS Liverpool CCG**