Dear Sarah,

CQC update on procurement of our Expert by Experience contract

Further to previous correspondence I understand you had with my predecessor Sir David Behan on this matter, I am writing to provide an update on the procurement of our Expert by Experience contract.

Following the release of the Invitation to Tender in July, we had anticipated that, following evaluation of the tenders in October and November, a new contract would be awarded and put in place by 1 June 2019.

As I am sure you appreciate, the evaluation of bids for a procurement of this complexity, importance and value requires a significant level of input from Evaluation Panel members and this has taken several months to conclude. It is also a confidential process and there were restrictions on any updates we could provide during this stage of the procurement process.

The evaluation process has now completed and we are able to tell you that unfortunately, whilst the tenders evaluated satisfied the minimum thresholds for quality as part of the initial evaluation phase; we did not reach the minimum number of required tenders to be able to proceed onto the further negotiation phase.

It was therefore agreed by the Evaluation Panel to cancel the tender process and instead look to restart this procurement in early 2019.

To accommodate this, the current contracts with Choice Support and Remploy Ltd will be extended until March 2020 and will continue in their current form with our full support and commitment.

Whilst this is not the outcome we envisaged at this stage, we do understand and acknowledge the uncertainty and frustration people may experience during this time, and wish to reiterate that we remain committed to the Experts by Experience programme. We are grateful for the continued hard work of Experts by Experience
and their support organisations in helping us to ensure we continue capture the voice of people who use services throughout our work.

Over the next few weeks we will be speaking to all the stakeholders involved, including Experts by Experience, bidding organisations and evaluation panel members, to review our procurement process and make sure we can generate greater competition in the future. We are also taking this opportunity to ensure the requirement specification remains relevant and in line with our strategic ambitions.

We are committed to keeping you informed of revised timescales and progress and will send you a further update in due course as the procurement progresses.

Ian Trenholm  
Chief Executive
Dr Sarah Wollaston MP
Chair of the Health and Social Care Committee
House of Commons
London
SW1A 0AA

By email: healthcom@parliament.uk

June 2018

Further to my previous correspondence with you on 29 March 2018, I am writing to provide you with an update on the procurement of Experts by Experience services by the Care Quality Commission (CQC) to commence in 2019.

As you are aware, Experts by Experience services deliver a vital service recruiting, training, supplying and supporting members of the public from diverse backgrounds to take part in inspections and other aspects of our work. In the procurement of the new contract, we are aiming to widen public involvement beyond the already well established role of Experts by Experience in our inspections to also support the continuous monitoring of services. To achieve this, we are seeking a single supplying partner able to demonstrate that they have appropriate support from a significant range of third sector organisations across England.

The successful contractor must be able to deliver a service that places social value at the centre of its delivery model, including the requirement to put in place an apprentice scheme, whilst demonstrating an understanding of our values and our objective of being intelligence driven.

The contractor must demonstrate established relationships, as well as the ability to develop new relationships across sectors with organisations that represent, or have access to, people using services and their carers, particularly those whose voices are seldom heard.

The new single contract will offer a flexible approach that will achieve value for money. It will also ensure consistency around terms and conditions, training, development and support for all individuals who are involved in delivering Experts by Experience services. Further information can be found on our website at https://www.cqc.org.uk/news/stories/cqc-seeks-new-contractor-our-expert-experience-programme-0
We will provide a further update upon award of the contract.

Yours sincerely,

[Signature]

Sir David Behan CBE
Chief Executive
Dr Sarah Wollaston MP  
Chair  
Health and Social Care Committee  
House of Commons  
London  
SW1A 0AA  

By email: hsccom@parliament.uk  

29 March 2018

I am writing further to my previous correspondence to you of 8 December 2017, and to provide you with an update on the procurement of Experts by Experience services by the Care Quality Commission (CQC), to commence in 2019.

We have now established the requirements for the future Experts by Experience contract. The draft Invitation to Tender documentation is currently out for consultation with the 21 suppliers registered to take part in the procurement, and internal CQC stakeholders.

In addition to the continued support to inspections, the new service will help CQC to gather the voice of people who use services in-between inspections to support our intelligence led approach. There will be a particular focus on gathering views and experiences of care from community groups who are seldom heard. We have listened to, and taken account of, the feedback from; the public (including former Experts by Experience), current Experts by Experience, providers and internal staff as well as organisations interested in the procurement. This feedback has been used to develop and shape the requirement documentation, as well as the evaluation criteria we will be using to assess bids.

An evaluation panel has been appointed, led by Andrea Sutcliffe CBE, Chief Inspector of Adult Social Care, with representatives from all of CQC’s inspection directorates, people who use services and providers.

We are procuring a single national contract structured around CQC’s regions and hubs. The contract will run for a minimum period of 3 years with the ability to extend by up to a further 2 years. A single contract of this length will give greater assurance to the Experts by Experience and community, and eliminate any disparity of Experts by Experience pay across the regions. The contract will also strive to achieve greater value for money.

Through the Market engagement activity undertaken, we are confident that the procurement will attract third sector organisations, with experience of working with people who use services, who can participate as part of a larger prime supplier relationship.
We will notify you when the Invitation to Tender is released and we will provide a further update upon any award of the contract.

Yours sincerely,

[Signature]

Sir David Behan CBE
Chief Executive
Dear Sarah,

Further to my correspondence with you on 21 September 2017 where I said that I would continue to update you on progress on the re-procurement of Expert by Experience Services, I am now writing to you to provide a further update.

The Care Quality Commission’s (CQC) Engagement and Commercial teams have been busy developing the requirements by engaging with CQC inspection teams, Experts by Experience, members of the public and prospective suppliers to inform the procurement approach, procedure and how this will be deployed and managed.

On 19 September 2017 the CQC Executive Team discussed and agreed the outline requirements and proposed approach for procuring future Experts by Experience services (subject to engagement with the market). In addition, it was agreed that Andrea Sutcliffe, Chief Inspector for Adult Social Care, would be the Contract owner for the future contract and Chair of the procurement evaluation panel. On 18 October 2017 the CQC board discussed and agreed the outline requirements for future provision of Expert by Experience services. Please let us know if you require further information.

I thought it would be helpful to you to outline the broader engagement work we have carried out to date:

<table>
<thead>
<tr>
<th>Current Experts by Experience</th>
<th>ExE focus group</th>
<th>30 people in attendance</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Survey</td>
<td>190 responses</td>
</tr>
<tr>
<td>Members of the public with an interest in the programme</td>
<td>Survey 1 (July 2017)</td>
<td>52 responses from CQC online community</td>
</tr>
<tr>
<td></td>
<td>Survey 2 (Nov 2017)</td>
<td>97 responses (closes Dec 11th)</td>
</tr>
<tr>
<td></td>
<td>Public focus group</td>
<td>15 people</td>
</tr>
<tr>
<td>Providers from all sectors</td>
<td>CQC co-production group meetings</td>
<td>60 providers. Note these groups also include current ExE and inspection colleagues</td>
</tr>
<tr>
<td></td>
<td>(Note these groups also include current Experts by Experience and inspection colleagues)</td>
<td></td>
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</tbody>
</table>
The procurement has generated a lot of interest from prospective supplier organisations as well as members of the public, including former Experts by Experience.

Market engagement - 40 suppliers registered an interest in the procurement and in October and November we engaged with 32 potential suppliers across three market engagement events. The core intention of this engagement was twofold:

- to share and encourage feedback on the high level requirements, the timelines, procurement approach and procedure to be used.
- to facilitate supplier introductions for potential collaboration on future service delivery; this is supportive to the many small organisations who can make a major contribution but may prefer to work through others.

On 21 November 2017, we organised a Market Engagement Workshop. All feedback is currently under review as we move into the next phase, which will be the final development of requirements and decision regarding the procurement process. Please let us know if you require the Workshop presentation.

To ensure that continues to be CQC fully transparent in all of its dealings relating to the procurement, any information provided as a result of questions posed by interested parties will be published alongside the market engagement materials on our website. The first iteration of questions was published within the week commencing 11 November 2017.

To enable ongoing communication with the 800 (approx) current Experts by Experience we have created an online form to enable them to submit questions about the procurement throughout the process. These will be responded to via a regular bulletin to Experts by Experience.

Next steps:

- Finalising requirements: December 2017 – January 2018
- Business case approval from Department of Health: January 2018
- Appointment of evaluation panel: January – February 2018
- Detailed requirements and Pre-qualification questions: January – February 2018

You can find more information on our website here: http://www.cqc.org.uk/what-we-do/how-we-work-people/experts-experience-procurement

We will provide a further update upon release of the Invitation to Tender in March 2018. Thank you again for contacting us and I hope this letter has been helpful.

Yours sincerely,

[Signature]

Sir David Behan CBE
Chief Executive
Dear Sarah,

Thank you for your letter of 25 August 2017 regarding the retendering process for provision of Expert by Experience services.

To date, the Care Quality Commission (CQC) have been engaging with our inspection teams, providers, current suppliers and Experts by Experience to build the requirements of the future service. A paper was presented to CQC’s Executive Team on 19 September 2017, outlining the requirements of future services and the commercial strategy. This will be followed by an agenda item at the CQC Private Board meeting on 18 October 2017.

To announce our intention to procure new services, this week we will be publishing information on our website. This will include a high level timeline, a copy of which is attached for your information. We will also be contacting all current Experts by Experience to provide them with an opportunity to complete an anonymous survey regarding the current programme and to gain their views and ideas on what is working well and what could be improved. We will also be targeting prospective suppliers by making direct contact and inviting them to register their interest.

More detailed timelines will be provided to prospective suppliers as we progress the procurement further.

We will provide you with an update following the Private Board meeting on 18 October, and will also keep you informed at key points of the procurement process in line with the timeline outlined in the attached document.

Should you require any further information at this stage please do not hesitate to get in touch.

Yours sincerely,

Sir David Behan CBE
Chief Executive
Experts by Experience Procurement

The Care Quality Commission (CQC) is seeking expressions of interest from organisations who wish to participate in market engagement activity for the future procurement of the Experts by Experience Programme.

Background

Experts by Experience are people who have experience of using (or caring for someone who uses) health and/or social care services. They take part in CQC’s inspections of health and social care services and our visits to monitor the application of the Mental Health Act in health and social care settings. Experts by Experience also help us in other ways, such as taking part in consultations and delivering CQC staff training.

To aid CQC in developing our ways of working, it is envisaged that the day-to-day activities of Experts by Experience will be managed by an external organisation(s) on CQC’s behalf, which will involve the co-ordination and arrangements of activities including (but not limited to):

- Sourcing a diverse range of individuals that meet the Experts by Experience profiles outlined below
- Interviewing individuals to ensure they are suitable for the role of Experts by Experience
- Undertaking all pre-appointment/background checks (e.g. DBS checks) on all ExE and any support workers they may have
- Carry out training of Experts by Experience, both in conjunction with CQC and separately
- Organise any reasonable adjustments to enable Experts by Experience to perform their work
- Allocate appropriate Experts by Experience for inspections, Mental Health Act visits and other activities
- Remuneration of Experts by Experience and their support workers for carrying out their work
- Provide both ongoing support and performance management to Experts by Experience – including support around benefits, and emotional support where necessary
- Address any performance issues of Experts by Experience in a timely and appropriate manner
- Take part in meetings and discussions with the CQC Programme Management Team
- Take part in programme development activities

Through that organisation, CQC requires access to Experts by Experience with the following (but not limited to) experience or background:

- Person or a primary family carer of someone with experience of using residential services
- Primary family carer of person with severe/complex Learning Disabilities (LD) with experience of residential services
- Person or primary family carer of someone with experience of using Domiciliary Care services
- Primary family carer of person with severe/complex LD with experience of DCA services
- Person with lived experience of Mental Health (MH) inpatients care
- Children and Young Person or primary family carer of someone with experience of using MH services
- Person with experience of detention under the Mental Health Act
- Person with an eating disorder
- Younger adults
- Person with experience of substance misuse services
- Person with an acquired brain injury

**Anticipated Duration of contract(s)**

The duration of any future contract for the delivery of the Experts by Experience programme will be determined following the completion of market engagement activity.

**Procurement Process and anticipated timeline**

As with the proposed duration of any future contract, the specific procurement process which CQC will utilise will be determined following the completion of market engagement activity; however, owing to the scope and anticipated value of the future contract, any process will be undertaken in compliance with the provisions of the Public Contract Regulations 2015.

<table>
<thead>
<tr>
<th>April – October 2017</th>
<th>Setting the outline requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>October - Dec 2017</td>
<td>Pre-Procurement – Market Engagement to inform requirement</td>
</tr>
<tr>
<td>Dec – Feb/March 2018</td>
<td>Pre-procurement – requirements finalisation (Further Engagement)</td>
</tr>
<tr>
<td>March to Aug 2018</td>
<td>Procurement – Invitation to Tender and Evaluation</td>
</tr>
<tr>
<td>August 2018</td>
<td>Contract notice in line with 6 months obligation notice period</td>
</tr>
<tr>
<td>September 2018</td>
<td>Contract award</td>
</tr>
<tr>
<td>Oct 18 – Jan 2019</td>
<td>Mobilisation</td>
</tr>
<tr>
<td>February 2019</td>
<td>Deployment of new contract for service</td>
</tr>
</tbody>
</table>

**Expression of interest to participate in the market engagement**

CQC will be carrying out market engagement activities with interested organisations to inform future development and refinement of the ExE requirements.
Organisations who wish to express an interest in participating in any future procurement exercise are also kindly requested to confirm their interest in taking part in the marketing engagement process, which is anticipated to commence on 5th October in Birmingham. Further details will be communicated to interested parties.

To express an interest, please visit CQC’s E-Tendering Portal (https://cqc-commercial.bravosolution.co.uk/). Please view our current opportunities and select the Project Title “CQC PSO 123 Experts by Experience”. If you organisation has not yet registered on CQC’s E-Tendering Portal, please register via the web-link – you will then be able to access the opportunity and express an interest. Should you encounter any difficulties when registering, a dedicated helpdesk (hosted by Bravo Solutions) is available and can be contacted on 0800 368 4850.
Dear Sir David,

Thank you for your letter of 15 August regarding the remuneration of experts by experience.

It is welcome that within the retendering process for the expert by experience contracts the CQC has recognised the importance of ensuring that remuneration matches the skills and quality required to effectively contribute to inspections. Furthermore, eradicating major regional disparities would represent a positive outcome to this process.

I would be grateful, therefore, if as the retendering process gathers pace you could keep the Committee updated with any developments that will materially impact the pay and conditions of experts by experience. It is my hope and expectation that this process will lead to an outcome which helps to restore faith in the CQC of those experts by experience who had been adversely affected under the existing contract.

I will invite the Committee, once established, to publish our correspondence on its website. I note that you have told us that the timeline for procurement is not in the public domain: I would be grateful if you would arrange for your office to inform the Committee secretariat as soon as it is possible to publish it.

Yours sincerely,

Dr Sarah Wollaston MP
Chair of the Committee
Dear Sarah,

Thank you for your letter of 24 April 2017 relating to the Care Quality Commission’s contracts for the Provision of Experts by Experience Services. I apologise for the delay in responding.

CQC is currently reviewing its requirements for a retender exercise to replace the current Experts by Experience contracts which are due to expire. All lessons learned through the current contract tender exercise and deployment of the contracts will be taken into account as part of this review. Attached is a timeline for our re-procurement exercise.

1. Assurance of engagement with Experts by Experience

We have listened to Experts by Experience throughout the current contract period. We will continue to do so in formulating and clarifying our services requirement and procurement approach, which is currently underway. Once this exercise has been completed, a "route to market" will be determined through the application of the Public Contracts Regulations 2015. The Regulations describe the compliant procedures which must be deployed for the procurement of goods, services and works by a public body.

The proposed timeline outlines all of the phases that will be undertaken including pre-market engagement, engagement with wider stakeholders to assist in determining requirements and also wider government approvals to procure and award. The proposed timeline (attached) it is not currently in the public domain. We intend to put the timeline into the public domain after the following has taken place: the service and contract requirements have been determined; engagement with the market in respect of our proposed procurement strategy has commenced; and the requisite approvals have been provided by CQC’s Board.

August 2017
2. Remuneration of Experts by Experience

CQC cannot specify the pay rates of individuals as part of the tender process, we will, however, ensure that we clearly articulate our expectations to better inform potential tenderers in order that they should take into account the knowledge, skills and experience of Experts by Experience as well as the expected level of quality to be delivered.

3. Wide regional disparity

CQC is in the process of determining how the offer to the market for these services will be broken down. However, in the event that CQC decides to take a regional approach we will seek to eradicate any potential for disparity. We will also be clear in our requirements of the services, how we intend to approach the market including the structure of the contractual arrangements and their deployment.

I can confirm that CQC will draw on lessons learned from the previous exercise in relation to engagement with Experts by Experience and other stakeholders throughout the procurement process, including ensuring there is an understanding on all sides of the level of commercial sensitivity involved and of the restrictions on CQC’s communications during the procurement process.

I hope this answers your queries. I would be happy to meet to discuss further if this would be helpful.

Yours sincerely,

[Signature]

Sir David Behan CBE
Chief Executive

Encl. Procurement timetable
## Procurement timetable

<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>April - August 2017</td>
<td>Setting the outline requirement</td>
</tr>
<tr>
<td>August - October 2017</td>
<td>Pre-procurement: market engagement to inform requirement</td>
</tr>
<tr>
<td>November - February 2018</td>
<td>Pre-procurement: requirements finalisation (further engagement with the Department of Health)</td>
</tr>
<tr>
<td>March - August 2018</td>
<td>Procurement: Invitation to tender and evaluation</td>
</tr>
<tr>
<td>September - December 2018</td>
<td>Post-procurement: contract award, mobilisation and deployment</td>
</tr>
<tr>
<td>January 2019</td>
<td>Mobilisation and deployment of the new contract</td>
</tr>
</tbody>
</table>
Dear David,

I am writing further to our correspondence regarding the remuneration of experts by experience and the CQC’s contract with Remploy.

I understand that the agreement with Remploy is in place until May 2018 but that the CQC is planning re-procurement with a process beginning this Autumn. I hope, therefore, that you can provide an assurance that within the procurement process the CQC will engage with experts by experience to understand their concerns and listen to the frustrations of those that have been required to work for significantly reduced rates of pay. I also hope that as procurement is undertaken the CQC will require successful bidders to remunerate experts by experience at a rate which is commensurate with knowledge, experience and the importance of the service they provide. It should also be a priority to ensure that the new procurement does not lead to a wide regional disparity in the remuneration of experts by experience, something that has been a feature of the CQC’s agreement with Remploy.

Following the Prime Minister’s announcement and the vote in the House this week, the Health Committee will cease to exist on 3 May, when Parliament is dissolved ahead of the general election. I would be grateful therefore if you would prepare and send a response to this letter for the attention of our successors in the new Parliament. Please address the letter to Huw Yardley, Clerk of the Committee, who will pass it on to the Chair of the Committee, once elected.

Yours sincerely

Dr Sarah Wollaston MP
Chair of the Committee