



Our Ref: RH/ac

14<sup>th</sup> April 2023Letter sent by Email only [SeneddHealth@senedd.wales](mailto:SeneddHealth@senedd.wales)

Russell George MS  
Chair  
Health and Social Care Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
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Dear Mr George

### **Health Service Procurement (Wales) Bill**

Thank you for your letter dated 4<sup>th</sup> April 2023 and for the invitation to provide views if there was a change of legislation in Wales.

The proposal for changing legislation in Wales to match that of England would generally be favourable for Health Boards, depending on the final form of legislation.

Currently, external private sector commissioning is encompassed within a national framework contract arrangement managed through NHS Wales Shared Services Partnership (NWSSP) on behalf of Health Board commissioners. This process is renewed every few years and provides a once for Wales due diligence process for providers to be part of the framework within NHS Wales. The specification has been clinically and operationally efficient and allows a degree of flexibility to commissioners as part of mini competition local procurement.

Key implications of matching the English legislation may encompass:

- To allow health boards to take advantage of a 'leaner' procurement mechanism.
- To enable the use of NHS England frameworks by NHS Wales (if these continue).
- To avoid NHS Wales losing market share to NHS England from a potentially less rigorous procurement process.

Cont/d

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- There will still be the need to perform due diligence on providers as part of any selection process and there will remain the requirement for commissioners to undertake local clinical governance due diligence regardless of tendering processes to ensure provider evaluation is based on current circumstances at time of procurement.

Currently, the Health Board has external contracts in place for endoscopy, cardiology and pathology but is likely to require further capacity as part of regional elective solutions, most imminently ophthalmology. The Health Board does not consider the potential change to the English regime to present a high level of risk and is confident of securing capacity, however this assessment will be kept under review.

I hope the above information is helpful to the Committee.

Yours sincerely



**Robert Holcombe**  
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**Executive Director of Finance, Procurement & VBHC**

Copy to: Alex Curley, Head of Operational Procurement, NWSSP