

# Independent Patient Choice and Procurement Panel

## Issues Log – November 2025

Since its establishment in January 2024, the Independent Patient Choice and Procurement Panel (the Panel) has issued advice and recommendations in response to 18 representations about provider selection processes under the Provider Selection Regime.

The Panel has found that certain issues have arisen on multiple occasions during its reviews. As a result, the Panel has put together an issues log to track these commonly arising issues across its different reports. The issues log is presented in this document in six separate tables.

Table 1 supplies background information on the Panel's reports, including the outcome from each review. It also links to the relevant report on the Panel's webpage. Tables 2-6 comprise the issues log.

- Table 2 focuses on pre-procurement planning and highlights the reports where the Panel has addressed: (i) pre-procurement engagement with external stakeholders; (ii) the commissioner's choice of procurement process; and (iii) the application of PSR rules regarding mixed procurements.
- Table 3 focuses on issues that have arisen in Panel reviews of provider selection processes that have used the competitive process. It highlights the reports where the Panel has addressed: (i) concerns about Clarification Questions; (ii) the evaluation or scoring methodology; (iii) feedback to bidders and/or issues around the scoring of individual questions; (iv) moderation processes and records; (v) financial proposals; (vi) mobilisation questions; (vii) provision of staffing and TUPE information to bidders; and (viii) information supplied to unsuccessful bidders.
- Table 4 focuses on issues that have arisen in Panel reviews of provider selection processes that have used Direct Award Process C. It highlights the reports where the Panel has addressed: (i) whether an existing contract was in place with the incumbent provider; (ii) whether the considerable change threshold was met; and (iii) the assessment of the incumbent provider's performance and likely future performance.
- Table 5 focuses on commissioners' publication of notices and recordkeeping.
- Table 6 focuses on the representations review processes carried out by commissioners before a matter is considered by the Panel. It highlights the reports where the Panel has addressed: (i) the review process and/or internal panel used by the commissioner; (ii) whether providers were given an opportunity to explain or clarify their representations; (iii) the supply of information to an aggrieved bidder during the representations review process; (iv) the timeliness of any information supplied to an aggrieved bidder; (v) the review of the decision to award the contract; and (vi) the identity of evaluators.

The Panel is making this issues log available more widely as a way of assisting parties interested in finding out how the Panel has addressed different issues. The Panel has made its best effort to ensure that the issues log is comprehensive and accurate, but there may be mistakes and/or omissions. As a result, any feedback is appreciated.

The Panel plans to continuously update and refine the issues log, publishing new versions as and when it believes this will be helpful.

**Table1: Summary of review outcomes**

Case Reference Number	Provider Selection Process	Panel Advice	Report
CR0001-24	Direct award process C	Outcome 4: regulations not followed, commissioner advised to abandon the provider selection process	<a href="#">CR0001-24-online-adhd-services-for-north-cumbria-psr-panel-case-report-15.05.24.docx</a>
CR0003-24	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0003-24-same-day-urgent-care-unit-service-PSR-panel-case-report-06.09.24.docx</a>
CR0004-24	Most suitable provider process	Outcome 4: regulations not followed, commissioner advised to abandon the provider selection process	<a href="#">CR0004-24-PSR-panel-case-report-final-redacted.docx</a>
CR0008-24	Competitive process	Outcome 1: regulations followed	<a href="#">CR0008-24-drug-alcohol-services-bath-north-east-somerset-psr-panel-report.docx</a>
CR0009-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0009-25-liaison-and-diversion-and-reconnect-services-for-lancashire-and-cumbria-psr-panel-case-report.docx</a>
CR0010-25	Direct award process C	Outcome 1: regulations followed	<a href="#">cr0010-25-psr-panel-case-report-adult-paed-orthotics-wheelchair-service-leics-rutland.docx</a>
CR0011-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">cr0011-25-psr-panel-case-report-community-aural-microsuction-service-norfolk-waveney.docx</a>
CR0013-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0013-25-CR0014-25-intermediate-minor-oral-surgery-services-yorkshire-and-the-humber-psr-panel.docx</a>
CR0014-25	Competitive process	Outcome 2: regulations not followed but Panel considers the breach not to have had a material impact	<a href="#">CR0013-25-CR0014-25-intermediate-minor-oral-surgery-services-yorkshire-and-the-humber-psr-panel.docx</a>
CR0015-25	Competitive process	Outcome 2: regulations not followed but Panel considers the breach not to have had a material impact	<a href="#">cr0015-25-targeted-lung-health-checks-shropshire-telford-wrekin-psr-panel-case-report.docx</a>
CR0016-25	Direct award process C	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0016-25-independent-patient-choice-and-procurement-panel-review-of-a-proposed-contract-award-non-emergency-p.pdf</a>
CR0017-25	Competitive process	Outcome 1: regulations followed	<a href="#">CR0017-25-psr-panel-report-gp-led-out-of-hours-services-shropshire-telford-wrekin.docx</a>
CR0018-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0018-25-pc-partner-urgent-treatment-centre-university-hospital-lewisham-psr-panel.docx</a>
CR0020-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">CR0020-25-whitehawk-apms-primary-care-services-for-sussex-icb.docx</a>
CR0021-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">cr0021-25-cr0022-25-talking-therapies-and-psychological-therapies-for-severe-mental-health-problems-for-mid-and-south-essex.docx</a>

CR0022-25	Competitive process	Outcome 3: regulations not followed, commissioner advised to return to an earlier step in the process	<a href="#">cr0021-25-cr0022-25-talking-therapies-and-psychological-therapies-for-severe-mental-health-problems-for-mid-and-south-essex.docx</a>
CR0023-25	Direct award process C	Other	<a href="#">cr0023-25-and-cr0024-25-community-audiology-services-in-barnet-panel-case-report.docx</a>
CR0024-25	Direct award process C	Other	<a href="#">cr0023-25-and-cr0024-25-community-audiology-services-in-barnet-panel-case-report.docx</a>

**Table 2: Issues in Panel reviews – Pre-procurement planning**

Case Reference Number	Pre-procurement engagement	Choice of procurement process	Application of mixed procurement
CR0001-24		✓	
CR0003-24			
CR0004-24		✓	
CR0008-24	✓	✓	
CR0009-25			
CR0010-25		✓	✓
CR0011-25			
CR0013-25			
CR0014-25			
CR0015-25			
CR0016-25		✓	
CR0017-25	✓	✓	
CR0018-25			
CR0020-25	✓		
CR0021-25			
CR0022-25			
CR0023-25		✓	
CR0024-25		✓	



**Table 4: Issues in Panel reviews – Direct Award Process C**

Case Reference Number	Existing contract	Considerable Change Threshold	Provider Assessment
CR0001-24			
CR0003-24			
CR0004-24			
CR0008-24			
CR0009-25			
CR0010-25			
CR0011-25			
CR0013-25			
CR0014-25			
CR0015-25			
CR0016-25	✓	✓	✓
CR0017-25			
CR0018-25			
CR0020-25			
CR0021-25			
CR0022-25			
CR0023-25	✓	✓	✓
CR0024-25	✓	✓	✓

**Table 5: Issues in Panel reviews – Notices and Recordkeeping**

Case Reference Number	Notices	Record keeping
CR0001-24		
CR0003-24		
CR0004-24		
CR0008-24		
CR0009-25		
CR0010-25		
CR0011-25		
CR0013-25	✓	
CR0014-25	✓	
CR0015-25		
CR0016-25	✓	✓
CR0017-25		
CR0018-25		
CR0020-25		✓
CR0021-25		
CR0022-25		
CR0023-25		✓
CR0024-25		✓

**Table 6: Issues in Panel reviews – Representation Review Processes**

Case Reference Number	Representation review mechanism	Whether providers were afforded further opportunity to explain or clarify representations made (12)(4)(a)	Provision of information under Reg 24 (12)(4)(b)	Provision of information - Timeliness (12)(4)(b)	Review the decision to award the contract, taking into account representations made (12)(4)(c)	Identity of evaluators
CR0001-24						
CR0003-24						
CR0004-24						
CR0008-24						
CR0009-25		✓	✓			
CR0010-25						
CR0011-25	✓		✓			✓
CR0013-25			✓			✓
CR0014-25					✓	
CR0015-25		✓		✓		
CR0016-25			✓			
CR0017-25						
CR0018-25		✓		✓		✓
CR0020-25	✓					
CR0021-25		✓		✓		
CR0022-25	✓	✓		✓		
CR0023-25			✓			✓
CR0024-25				✓		