



Report for:	Cabinet 18 th March 2014	Item Number:	
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Title:	Commissioned Public Health Services
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Report Authorised by:	Zina Etheridge, Deputy Chief Executive
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Lead Officer:	Susan Oti, Assistant Director of Public Health
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Ward(s) affected: All	Report for: Key Decision
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1. Describe the issue under consideration

1.1. This report seeks approval for the waiver of the requirement for tendering in Contract Standing Orders (CSO) and award of 2 contracts to Whittington Health NHS Trust for public health services respectively for:

- two years for 2014/15 and 2015/16 for services relating to:
 - Dental health promotion
 - The health and wellbeing of mothers, children and young people
- one year, 2014/15, for services relating to:
 - Sexual health

2. Cabinet member introduction

2.1. 2013/14 was the first year that Public Health had this commissioning responsibility. The Public Health team have worked with the various service managers in Whittington Health NHS Trust to gain an understanding of the services, develop a working relationship and align the service outcomes to the Council's prevention and early intervention priority.

2.2. The sexual health services will be part of a wider tendering exercise later in the year. The purpose of the tender is to enable the Council to commission services that focus on prevention and early intervention in order to improve sexual health



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outcomes.

2.3. Cabinet approval is now sought for the award of new contracts covering the services it became directly responsible for in 2013/14 and for related expenditure which the Council will incur for the provision of these services in 2014/15 and 2015/16. I welcome the final outcome of negotiations with Whittington Health NHS Trust for the provision of these important services.

3. Recommendations

- 3.1.** To approve the waiver, under CSO 10.01.1(a) and 10.01.2, of the requirement for tendering in CSO 9.01 of a new contract for the following services: school nursing, dental health promotion, the Family Nurse Partnership programme and the Parent and Infant Psychology Service.
- 3.2.** To approve the award to Whittington Health NHS Trust of the contract referred to in paragraph 3.1 for the two years 2014/15 and 2015/16, in an amount of £2,110,000 over 2 years.
- 3.3.** To approve the waiver, under CSO 10.01.1(a) and 10.01.2 of the requirement for tendering in CSO 9.01 of a new contract for sexual health services.
- 3.4.** To approve the award to Whittington Health NHS Trust of the contract referred to in paragraph 3.3 for the year 2014/15 for an amount falling in the range set out in Table 2 in the exempt report.
- 3.5.** To approve the delegation to the Director of Public Health, acting in consultation with the Cabinet Member for Health and Adult Services, of the authority for finalisation of the contract price in the range set out in Table 2 in the exempt report, as noted in 3.4.

4. Alternative options considered

- 4.1.** The services recommended for award in paragraph 3 of this report only became the Council's responsibility a year ago. Since then Public Health has concentrated on improving the scope of the school nursing service, the dental health promotion programme, the family nurse partnership programme, and the parent and infant psychology service, in order to strengthen the focus on prevention and early intervention. This approach should enable the services to develop more effectively, in an emerging market, and enable Public Health to go out to a more mature market with a tested product in 18 months time. Given that the market for these services is underdeveloped, no alternative options were considered at this time, for the reasons set out above.
- 4.2** Similarly for sexual health, no alternative options were considered at this time as the market for integrated sexual health services is currently in a period of transition, across London and the rest of England. Public Health undertook a rigorous review of existing sexual health services in Haringey in the autumn of 2013, which by



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working closely with existing local providers, has enabled us to gain a better understanding of what is currently provided, and what is required. By adopting a strategic approach, Public Health has been able to begin the process of re-shaping delivery in the community, with the aim of commissioning more prevention focused sexual health services starting in 2014-15. The findings from this initial 'step-change' in the commissioning and delivery of integrated sexual health services in Haringey, will inform the development of the planned tender process later this year.

5. Background information

- 5.1.** Whittington Health NHS Trust provides a number of hospital and community services. In 2011 NHS North Central London negotiated a two year block contract with NHS Whittington Health Trust for 2012/13 and 2013/14.
- 5.2.** In April 2013 in accordance with regulations under the Health and Social Care Act 2012 commissioning responsibility for various services transferred to different organisations as NHS North Central London ceased to exist. A number of local authorities, various Clinical Commissioning Groups and NHS England were given responsibility for different elements of the block contract. Haringey Council's Public Health was one of these authorities.
- 5.3** Under this transfer of responsibilities, a number of the services for which the NHS North Central London was previously the commissioner under the block contract, including those recommended for award in paragraph 3 of this report, became the responsibility of the Council's Public Health Directorate (Public Health) with effect from 1st April 2013.
- 5.4** As a result, Public Health first assumed responsibility as the commissioner of these services from 2013/14. The Public Health team have worked with the various service managers in Whittington Health NHS Trust to gain an understanding of the services, develop a working relationship and align the service outcomes to the Council's prevention and early intervention priority.
- 5.3.** The service specifications were reviewed and in December 2013 Cabinet approved a formal variation of the Whittington Health NHS Trust block contract (for which the lead commissioner is the Islington Clinical Commissioning Group and the Council is also a commissioner). The variation clarifies the Council's commissioning responsibilities under the block contract effective from 1st April 2013 including the Council's share of expenditure for the provision of the public health services deliverable under it. The contract as varied relates to the period 2013/14 and covers the following services: school nursing, sexual health, dental health promotion, the Family Nurse Partnership programme and the Parent and Infant Psychology Service. These services make an important contribution to improving the health of Haringey residents, delivering on priorities in the Council's corporate plan and the Health and Wellbeing strategy.



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5.4. However, as this block contract expires on 31st March 2014 the services covered by it need to be re-let. Public Health is proposing that the Council should do so by awarding the two contracts referred to in paragraph 3.

5.5. The services within the new contracts will support the Council in reducing health inequalities and improving wellbeing through:

- Enabling young people and adults to exercise choice in reproductive and sexual health
- Ensuring children and young people develop the skills for healthy living and healthy relationships
- Reducing the number of young people not in education, employment or training
- Increasing access to maternity services by 12 weeks
- Reducing Haringey's under 18 conception rate
- Halting the rise in childhood obesity amongst 4 – 5 year olds

5.6. In addition the services within these contracts will support the Council's Corporate Plan in:

- Adopting a strategic approach to prevention and early help and
- Adopting a targeted approach to the delivery of non-universal services.

6. Procurement process

6.1 The Public Health team has reviewed and revised the service specifications for the services to be awarded to continue a journey started in April 2013 and has negotiated increased capacity within a number of the services and/or reduced costs. This will improve service delivery to meet the needs of Haringey residents and provide value for money.

6.2 For each service, Public Health has regular performance monitoring meetings to manage activity and expenditure.

7. Comments of the Chief Finance Officer and financial implications

7.1 The contracts are still subject to negotiations however the expected costs are shown in the exempt report. There is sufficient budget provision within the Public Health grant in 2014-15 and 2015-16 to cover the expected cost.



7.2 As the new contracts have not been subject to a formal tender process and there is not a particularly strong market for these services, there is reduced assurance that the service offers value for money. However the Council's commissioners have worked on improving the specifications and outcomes and reducing costs in order to improve the value of the services and the contract awards are part of a medium term strategy to drive up quality and cost effectiveness.

8. Assistant Director of Corporate Governance comments and legal implications

8.1 This report relates to health services which are categorised as residual services under the Public Contracts Regulations 2006 (PCR 2006). This means there is no requirement to tender the services under current national law. However, there is a requirement to tender them under Contract Standing Order (CSO) 9.01.

8.2 The report is seeking a waiver of the CSO requirement for tendering specifically in relation to 2 health services contracts (respectively for sexual health services & other health services).

8.3 This request is made on the ground provided for under CSO 10.01.2(a) that the nature of the market justifies departure from CSOs.

8.4 Cabinet has the power under CSO 10.01.1(a) to grant the waiver provided it is satisfied that the ground relied on for the waiver referred to in para. 8.3 justifies a departure from the usual CSO requirement for tendering.

8.5 Once Cabinet grants the request for a waiver, it has the power, under the CSO 9.07.1(d), to award the contracts as recommended in para. 3 of this report.

8.6 Further considerations on the exercise of the discretion to approve a waiver and award in respect of the proposed contracts are set out in para. 3 of the Exempt Information.

8.7 The report is also recommending the delegation to the Director of Public Health of authority to finalise the contract price for one of the contracts for award within the price range stated in the Exempt Information. Cabinet has the power under the Local Government Act 2000, section 15(5) to delegate the discharge of this function to the Director.

8.8 Subject to the further considerations referred to in para. 8.7, there are no legal reasons preventing Members from approving the recommendations in para.3 of this report.

9. Equalities and Community Cohesion comments

9.1. The various public health services support the delivery of a key element of the Council's equality objectives and one of the priorities in the Council Plan namely to reduce health inequalities and improve wellbeing for all. The sexual health services will also help deliver the priority to enable young people and adults to exercise



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choice in reproductive and sexual health. In both these respects, the proposals outlined in this report will support the Council's performance on its public sector equality duty.

10. Head of Procurement comments

10.1 The recommendations are compliant with the Procurement Codes of Practise

10.2 The recommendation for a 2 year contract for school nursing, dental health promotion, the Family Nurse Partnership programme and the Parent and Infant Psychology Service will enable the emerging markets for these services to develop and the council to continue to define and improve the service delivery. This will enable a competitive process to test the market to take place in 18 months time. Public Health will seek to negotiate increased capacity within the services and/or reduced costs, to ensure Value for Money is achieved for the council.

10.3 Central Procurement are working with Public Health on the tendering of the Sexual Health Services and a competitive process will be taking place late in 2014 , to award a new contract for 2015-16.

10.4 Contract monitoring is in place to ensure contract compliance and to minimise any risk to service delivery.

10.5 Central Procurement supports the recommendations.

11. Policy implication

11.1. These services are linked to the Corporate Plan and its four key council priorities: outstanding for all (enabling all Haringey children to thrive), safety and wellbeing for all, opportunities for all, and a better Council.

11.2. In the Corporate Plan there is a specific sexual health priority. Priority 6: Reduce health inequalities and improve wellbeing for all through: Enabling young people and adults to exercise choice in reproductive and sexual health.

12. Reasons for decision

12.1. The proposed contracts focus on a number of services that will contribute to the Council's priorities.

13. Use of Appendices

13.1. None

14. Local Government (Access to Information) Act 1985



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14.1 This report contains exempt and non exempt information. Exempt information is contained in the exempt report and is not for publication. The exempt information is under the following categories: (identified in the amended schedule 12 A of the Local Government Act 1972 (3)):

(3) Information in relation to financial or the business affairs of any particular person (including the authority holding that information);

(5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.