

# North Tyneside Council

## Report to Cabinet

### Date: 11 April 2016

#### ITEM 7(e)

Title: Procurement of  
Children's Public Health  
Service 0-19 years

Portfolio(s): Health and Wellbeing

Cabinet Member(s): Councillor Lesley  
Spillard

Report from Service  
Area:

Public Health

Responsible Officer:

Wendy Burke, Acting Director of Public  
Health

Tel: (0191) 643 2104

Wards affected:

All

#### PART 1

##### 1.1 Executive Summary:

The purpose of this report is to seek Cabinet approval to undertake a competitive procurement exercise for a Children's Public Health Service for 0-19 years (the 'Service'). At its meeting on 14 March 2016, Cabinet agreed to the Authority's development of an integrated, preventative and early intervention service for children and young people aged 0-19 years. The Service is an integral part of that overall children's service. The Service will deliver the national 'Healthy Child Programme'. This is an evidenced based prevention and early intervention public health programme and includes mandated (statutorily required) and non-mandated (not statutorily required) elements such as screening tests, measurements, developmental reviews, information and guidance on parenting, and healthy choices. Due to its universal reach, the Service aims to identify families who need additional support or are at risk of poor health outcomes.

The proposals detailed in this Report have been informed by a comprehensive review of the current School Nursing Service, Health Visiting Service and Family Nurse Partnership Programme. Their purpose is to reshape the existing services and procure one all-encompassing children's public health service 0-19 years delivering the entire Healthy Child Programme from 0-19 years as part of the integrated locality teams.

The procurement of a children's public health service 0-19 years is in line with commissioning guidance published by Public Health England in January 2016.

In accordance with Council Standing Order 8(4), this report requests approval to proceed with a procurement exercise as the estimated potential total contract value to be procured will exceed £500,000.

## **1.2 Recommendation(s):**

It is recommended that Cabinet

- (1) agrees to the commencement of a competitive procurement exercise to establish a children's public health service, 0-19 years, as an integral part of the integrated preventative and early intervention service for children and young people aged 0-19 years in North Tyneside; and
- (2) following completion of the procurement exercise referred to in (1) above, delegates authority to the acting Director of Public Health, in consultation with the Head of Law and Governance and the Head of Finance to award a contract for the provision of a children's public health service 0-19 years across the borough for a contract period of three years, with an option for the Authority to extend for a further two twelve month periods.

## **1.3 Forward Plan:**

It has not been practicable to give twenty eight days notice of this report. However, it is required to be considered without the twenty eight days notice being given as the recent planned contract negotiations for these services for 2016/17 with the current provider (Northumbria Healthcare NHS Foundation Trust) can not be agreed and a procurement exercise is urgently required.

## **1.4 Council Plan and Policy Framework:**

1.4.1 The report links to the Our North Tyneside Plan through the Our People priority:

- Our People will be supported to achieve their full potential, especially our children and young people.
- Our People will be supported to live healthier and longer lives.
- Our People are cared for and kept safe if they become vulnerable.

In order to secure the delivery of the Our North Tyneside Plan, Creating a Brighter Future Programme has been developed with an agreed set out outcomes as follows:

- Ready for School.
- Ready for Work and Life.
- Cared for, Safeguarded and Healthy.
- Great Place to Live, Work and Visit.

The Service will make a significant contribution to these outcomes, particularly Ready for School and Ready for Work and Life.

## **1.5 Information:**

### **1.5.1 Background**

Following a comprehensive review of preventative and early intervention services in the Borough, a set of proposals for the fundamental redesign of prevention and early intervention provision have been agreed. It is proposed that an integrated, preventative and early intervention service for children and young people aged 0-19 years is created. The Service will comprise four locality based teams, delivering universal and targeted

services to children, young people and families. The Service will bring together a range of existing practitioners into an integrated service with a clear aim to promote social, emotional and mental wellbeing, building resilient and healthy children, young people and families and work to prevent family breakdown. Ensuring that children and young people are ready for school and ready for life are key outcomes of this new approach.

The proposed procurement exercise is set within the context of the Authority's fundamental redesign of prevention and early intervention provision in the Borough.

The shift in commissioning responsibilities for children's public health services from NHS England to Local Authorities has provided an additional opportunity to identify how best to ensure that coherent, effective and integrated life course public health services for children and young people aged 0 to 19 are in place in North Tyneside. The existing Health Visiting Service, Family Nurse Partnership Programme and School Nursing Service have been the subject of comprehensive reviews. Information considered within the reviews came primarily from the current provider of the services - Northumbria Healthcare NHS Foundation Trust (NHCFT) and from NHS England, following the transfer of a number of additional commissioning responsibilities on 1 October, 2015. Key issues arising from the process have been identified and new service model for a children's public health service 0-19 years has been developed.

It is proposed that this model is subject to open competition in the market place.

Several local authorities in the region are undergoing procurement exercises or have recently procured such services. These include Newcastle upon Tyne City Council, Durham County Council and Middlesbrough Borough Council.

### 1.5.2 Current Provision

Currently, the Health Visiting Service, Family Nurse Partnership Programme and School Nursing Service are commissioned by the Authority from Northumbria Healthcare NHS Foundation Trust (NHCFT).

The School Nursing Service was inherited on the transfer of public health responsibilities to Local Authorities on 1 April 2013. The current contract expires on 31 March 2016.

Responsibility for the commissioning of the Health Visiting Service and Family Nurse Partnership Programme was transferred to the Local Authority from NHS England on 1 October 2015. The current contract expires on 31 March 2016. An extension opportunity to provide the service until 30 September 2016 is to be utilised.

### 1.5.3 Procurement Proposals

During the term of the existing contracts (extended where applicable, as detailed above) the Authority will undertake an open competitive procurement exercise with the aim of awarding a new contract to commence on 1 October 2016. The contract awarded will be for an initial contract period of 3 years with an option for the Authority to extend for a further two 12 month periods.

The aim of the proposed procurement exercise is to:

- develop children's public health service 0-19 years for residents of the Borough;

- explore opportunities for making significant service efficiency/improvements (e.g. service redesign);
- explore opportunities for making significant operational efficiencies;
- improve current performance against outcomes, particularly health inequalities;
- develop public health capacity and expertise; and
- maintain consistency with national and local policy direction.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Cabinet to not approve the suggested children's public health service 0-19 years procurement exercise 2016 set out at 1.2 above and request Officers to consider alternative options.

### Option 2

Cabinet to approve the commencement of the suggested children's public health service 0-19 years procurement exercise 2016 set out at 1.2 above.

## **1.7 Reasons for recommended option:**

Option 2 is recommended for the following reasons:

It provides an opportunity to integrate provision for children from the antenatal period until the age of 19 which will offer co-ordination of public health services for children, economies of scale and an integrated workforce that is better able to meet the needs of children, young people and families through one point of contact.

It will allow for the alignment of externally commissioned services for children, young people and families with prevention and early intervention services provided by the Authority, whilst ensuring that financial efficiencies are achieved.

## **1.8 Appendices:**

None

## **1.9 Contact officers:**

Jacqui Old, Head of Health Education and Safeguarding, tel. (0191) 643 7317  
 Wendy Burke, Acting Director of Public Health, tel. (0191) 643 2104  
 Sheila Watson, Strategic Commissioning Manager, tel. (0191) 643 7007  
 Mark Taylor, Strategic Commissioning Manager, tel. (0191) 643 8755  
 Oonagh Mallon, Commissioning Manager, tel. (0191) 643 6434  
 Alison Campbell, Senior Business Partner, Finance, tel. (0191) 643 7038

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Public Health England (PHE) commissioning guides, ***Best start in life and beyond: Improving public health outcomes for children, young people and families.***

Commissioning Guide 1 – Background information on commissioning and service model

Commissioning Guide 2 – Model specification for 0 to 19 Healthy Child Programme: Health Visiting and School Nursing Services

Commissioning Guide 3 – Measuring performance and outcomes

Commissioning Guide 4 – Reference guide to evidence and outcomes

All available from:

<https://www.gov.uk/government/publications/healthy-child-programme-0-to-19-health-visitor-and-school-nurse-commissioning>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The costs of the children's public health service 0-19 years will be met from the ring-fenced public health grant. The national cuts to local authority public health funding, include the in-year cut in 2015/16 of 6.2% which amounts to £774,000. This reduction is recurrent for 2016/17 and beyond with an additional cut of 2.2% in 2016/17 (£294,000), 2.5% in 2017/18 (£327,200) and 2.6% in 2018/19 (£331,800). However it is anticipated that the costs associated with a new contract can be met within existing public health ring fenced grant provision.

To control risk in terms of affordability of the children's public health service 0-19 years and to ensure that it can be accommodated within the reducing ring-fenced public health grant for 2016/17 and beyond, an indicative ceiling price will be set in the tendering process, informed by the service reviews referred to within this report.

### **2.2 Legal**

2.2.1 It is likely that there will be implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) between the current service and the service proposed by this Report. The Authority is neither the out-going nor the incoming provider of this Service and will therefore not be directly involved in a potential TUPE transfer, and any potential liabilities resulting therefrom. That said, as the commissioner of the current and proposed new service and to ensure a smooth transition and continuity of service, the Authority must be satisfied that TUPE is given due consideration during the procurement process.

2.2.2 The procurement of the new service will be undertaken in compliance with the Public Contract Regulations 2015 and the Authority's Contract Standing Orders.

The successful provider will be required to enter into a contract with the Authority on terms agreed by the Head of Law and Governance. The contracts will be awarded on the basis of the most economically advantageous tenderer.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Staff within the public health team, people based commissioning team and children, young people and learning services have been involved and consulted with in developing these proposals.

### **2.3.2 External Consultation/Engagement**

Consultation has taken place with Northumbria Healthcare NHS Foundation Trust over a number of months in relation to the proposals.

Discussion has taken place with NHS England in relation to the proposals and the impact upon their commissioning of school based immunisation service currently commissioned from the current school nursing service.

Consultation has taken place with Clinical Commissioning Group in relation to the proposals.

### **2.3.3 Consultation with Providers**

A market engagement event will take place in April 2016 prior to the start of the procurement exercise. The event will be used to provide information about the contract and will set out the Authority's approach to supporting people in line with the Target Operating Model.

## **2.4 Human rights**

The proposals contained in this report relate to the following human rights:

- Right to liberty and security
- Right to respect for private and family life
- Freedom of thought, belief and religion
- Freedom of expression
- Protection from discrimination

## **2.5 Equalities and diversity**

An Equality Impact Assessment has been carried out on the proposed procurement of the service and is available on request. The assessment identified a small number of potentially negative impacts on groups with protected characteristics, as defined by the Equality Act and sets out the mitigation that will be put in place to address them.

The contract stipulates that the Provider will not unlawfully discriminate in relation to race, gender, religion, disability and sex orientation for both employees and service users alike. The contract also stipulates that the Provider must ensure that its workforce receives appropriate training in order to understand their roles and responsibilities under the 2010 Equality Act including promoting equality of opportunity and preventing discrimination. A performance management framework will be established, which enables us to collect the information the Authority needs to monitor the impact of the service and its contribution to the Authority's equalities ambitions and duties.

The children's public health service 0-19 years will support the work of public health which is concerned with challenging some of the inequalities in health outcomes for children, young people and their families.

## 2.6 Risk management

Risks have been identified as follows:

- Delay to/failed procurement process
- TUPE prevents providers from tendering for the service
- No Tenders received
- Award decision challenged
- Provider fails to meet contractual obligations

They will be mitigated through detailed project planning, a robust risk register, established programme governance and effective partnership working.

## 2.7 Crime and disorder

There are no direct crime and disorder implications arising from this report.

## 2.8 Environment and sustainability

There are no direct environment and sustainability implications arising from this report.

As part of the procurement exercise providers will be asked to detail the environmental management measures that the organisation uses to demonstrate environmental sustainability as well as how they will contribute to minimising environmental impacts that may arise as part of the operation of the contract.

## PART 3 - SIGN OFF

- Deputy Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy