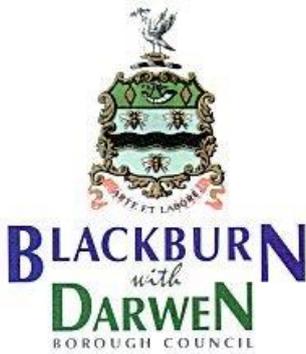


EXECUTIVE MEMBER DECISION



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| REPORT OF: | Executive Member for Public Health and Wellbeing |
| LEAD OFFICERS: | Director of Public Health and Wellbeing |
| DATE: | 18th September 2020 |

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| PORTFOLIO/S AFFECTED: | Public Health and Wellbeing | Public Health and Wellbeing |
| WARD/S AFFECTED: | All | |

SUBJECT: Procurement process for Sexual Health Services

1. EXECUTIVE SUMMARY

To note the provision of Sexual Health services across Blackburn with Darwen will be retendered due to the current contract coming to an end. The sexual health service (including contraception) incorporates a range of service contracts, covering both young people's services through to adulthood. There is a need to ensure that the service is dynamic and innovative to respond to emerging challenges and trends, whilst becoming more efficient, value for money with improved quality and outcomes. The new commissioning model will incorporate provision of PrEP which is a new commissioning responsibility that has transferred to the local authority as well

2. RECOMMENDATIONS

That the Executive Member:

- To note the commencement of a tendering and procurement activity to offer this service to the wider market, with revised contractual and commissioning arrangements to be in place from 1st April 2021. This contract will encompass both adults and young peoples' services and provide advice, prevention, support and interventions across the life course. The contract will be awarded for 3 years with an option to extend for up to 2 year's subject to satisfactory delivery which will be monitored via robust contract review processes.
- The decision to award the final contract can be made via delegated authority

3. BACKGROUND

Since 1st April 2013 upper tier and or unitary Local Authorities (LA's) have had responsibility under the Health and Social Care Act (2012) for improving the health of their local population and for public health services including those aimed at promoting good sexual health and reducing prevalence of sexual health infections.

Each local authority has responsibilities under the Public Health Grant to commission community open access sexual health services. Blackburn with Darwen currently commission the following service provision for sexual health locally:

- Tier 3 provision via LSCFT
- Young Peoples service from Brook
- HIV support and PSE outreach work via Renaissance

4. KEY ISSUES & RISKS

The sexual health service provision was last reviewed in 2016. The current contract started on 1st April 2016 and will expire on the 31st March 2021. Whilst performance has progressed and efficiencies have been made, procurement regulation and the contract term mean that a refreshed model should be considered following a period of consultation and engagement with various stakeholders including service users and non-service users. In conjunction with strategic commissioning, appropriate and relevant processes will be adhered to. This will ensure that any risks will be identified throughout the process and improved monitoring can be explored.

The possibility of an extension with the current provider was considered but terms could not be agreed within Council's budget parameters.

The tender documentation (and subsequent contract/specifications) will incorporate details to ensure that any successful provider will adhere to our quality standards. This includes learning from recent safeguarding cases, clinical governance, national and local standards, NICE and CQC compliance. This will include the recent addition of PrEP provision in the Blackburn with Darwen area, as well as updating the spec in line with other changes to guidance in terms of the sexual health agenda nationally.

Conversations have been undertaken to explore opportunity to further integration elements of service delivery from a CCG and a primary care perspective within the Blackburn with Darwen footprint, and also consideration of a wider delivery across the Pennine Lancashire ICP footprint. These opportunities are explored further in the recently finished Sexual Health Needs Assessment. The new process and exercise can be mindful of the specification requirements and contract lengths and terms in order to allow for future alignment at a time suitable for the ICP and other stakeholders such as Lancashire County Council and Blackpool Council in terms of the sexual health provision across Lancashire and South Cumbria.

TUPE transfer implications will be considered as part of the process. Transfer of estate leases and other assets linked with the sexual health delivery will also be considered as part of the procurement exercise.

A detailed tender timeline has been determined.

5. POLICY IMPLICATIONS

This process will be aligned to both local and national sexual health guidance and recommendations, the Health and Wellbeing Strategy, local Transforming Lives strategy, local Vulnerable People Strategy, the Early Help Strategy, and will also consider implications with regards to a number of other developing strategic agendas.

The EIA checklist has been completed.

The NHS long term plan and also local Pennine Lancashire prevention plans will also be considered.

6. FINANCIAL IMPLICATIONS

The allocation of funding in relation to this tender and future contract arrangements has been kept in line with the projected public health budget for sexual health services 2020/21 before allowing for efficiencies which are being discussed and remain subject to approval.

The current financial allocation for this collective group of services is £830,641, with out of area funding of £50,000 and Agenda for Change monies of £15,116, this equates to a total of £895,757 (projected figures on the basis of savings being offered from PH allocations).

Please see below for funding to date:

| Total costs for contract £ | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|-------------------------------|-----------|---------|---------|---------|
| Total fixed fee | 910,303 | 760,889 | 705,806 | 705,806 |
| Total variable fee | 160,491 | 134,295 | 124,835 | 124,835 |
| Total for year | 1,070,794 | 895,184 | 830,641 | 830,641 |

7. LEGAL IMPLICATIONS

An open tender process will be followed to ensure this tender attracts providers with sufficient knowledge and expertise to enable quality delivery. The tendering process will need to comply with the Public Contracts Regulations and the Council's Contract and Procurement Procedure Rules. The contract will be in a form approved by legal officers in the Contracts and Procurement team. TUPE will be addressed as part of the procurement process.

8. RESOURCE IMPLICATIONS

The management and implementation of the tender will be actioned within BwD team resources including input from Legal, Finance, Integrated Strategic Commissioning and Public Health

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

There is a provider event planned to take place shortly before the commencement of the tender to allow the market place the opportunity to better understand the local need and the proposed process.

This will also allow opportunities for them to raise significant queries via the CHEST procurement system.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

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| VERSION: | 1 |
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| CONTACT OFFICER: | Lee Girvan/Aysha Mulla |
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| DATE: | 18.9.20 |
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| BACKGROUND PAPER: | |
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