



**DECISION OF: JO WALKER, CHIEF EXECUTIVE  
IN CONSULTATION WITH: CLLR MIKE BELL (DEPUTY LEADER OF THE  
COUNCIL AND EXECUTIVE MEMBER FOR ADULT CARE AND PUBLIC HEALTH  
AND REGULATORY SERVICES), CLLR RICHARD TUCKER (CHAIR OF THE  
HEALTH OVERVIEW SCRUTINY PANEL), AND MATT LENNY, DIRECTOR OF  
PUBLIC HEALTH.**

**DECISION NO: CSD102 2019/2020**

**SUBJECT: AWARD OF CHILDREN'S PUBLIC HEALTH NURSING CONTRACT**

**KEY DECISION: YES**

**REASON:** The total value of this contract award is over £500,000

**BACKGROUND:**

Upper tier local authorities are responsible for commissioning health visiting and school nursing services as part of their public health role established under the Health and Social Care Act (2012).

North Somerset Council's Corporate Plan includes a priority outcome of improving the local population's health and wellbeing. One of the identified ambitions under this outcome is to support families to give their children the best start in life. The emerging new Corporate Plan themes also have a focus on better outcomes for children and families. The contract for children's public health services ensures health visiting and school nursing services are delivered to local families with a focus on improving health and wellbeing and reducing inequalities.

Bristol, North Somerset and South Gloucestershire Clinical Commissioning Group (BNSSG CCG) have confirmed that Sirona care & health (Sirona) were the highest scoring bidder following a competitive procurement process to find a single provider of adult community health services across BNSSG. Sirona will be the provider of community health services for adults across BNSSG from 1 April 2020.

The announcement means North Somerset Community Partnership (NSCP), the current provider of community health services in North Somerset, will no longer be viable and will cease operations at the end of March 2020.

North Somerset Council has a contract with NSCP to provide 0-19 public health nursing services. The service is part of a larger contract which North Somerset Clinical Commissioning Group awarded in 2015 with the Council as an associate commissioner. The original term for this contract was from 2016/17 to 2020/21 with the option of a two-year extension.

Given the early termination of this contract arrangement and the closure of the current supplier the Council needs to find a new provider of public health nursing services from April 2020. The 2019/20 contract value for public health nursing services is £3,385,000.

NSCP is currently commissioned by NHS England to be the lead provider of children's immunisations across BNSSG. NSCP also provide some children's services commissioned by the CCG (including children's continence service and diabetes service). NHS England and the CCG also need to find a new provider for these service from 1 April 2020.

#### **DECISION:**

To directly award a contract to Sirona care & health Community Interest Company (Registered office address: 2nd Floor, Kingswood Civic Centre High Street, Kingswood, Bristol, England, BS15 9TR) for the provision of public health nursing services for a period of two years to allow for a full procurement process to take place.

#### **REASONS:**

The exceptional circumstances of the recent CCG procurement, which has ended the viability of the current service provider, means a new host provider must be found to ensure safe and effective services are available for local children and families from April 2020.

A direct award for two years will protect current service delivery and enable a full range of commissioning options to be explored before longer term arrangements come into force through a planned competitive procurement process with new services in place from April 2022.

This procurement will include reviewing opportunities for joint-commissioning with neighbouring local authorities and/or the CCG. Options will be developed to focus on how to improve outcomes and reduce health inequalities in North Somerset. Potential commissioning approaches will be presented back to elected Members to enable a full procurement process to take place. Under this timescale, any final decision will be fully informed by the new Council Corporate Plan and new Health and Wellbeing Strategy for North Somerset.

Given the value of this decision it was intended to be an Executive Decision and was scheduled for approval at the December 2019 Executive meeting, which was cancelled because it falls in the pre-election period.

This contract requires a three-month mobilisation period which necessitates award before the end of 2019, therefore, the contract award is being made under the emergency powers provision (as stipulated in the Council's Constitution). In accordance with the emergency powers, the decision (detailed within this paper) can be made by the Council's Chief Executive and as such is a Director Decision. The decision will be reported to the next meeting of the Executive as required by the constitution.

Under the contract standing orders (2019) the following eligible exceptions are recommended to be used for a direct award:

6.3.2 *reasons of extreme urgency mean that normal time limits cannot be met, including as a result of unforeseen emergency or disruption to Council*

- services. This may include for example, storm damage to public buildings. Not having sufficient time to tender may not in itself constitute urgency.*
- 6.3.3 *the Council would otherwise be exposed to immediate and significant financial, legal or reputational risk that has been identified in the relevant risk register;*

An exception is being used because of the urgent need to provide safe, high quality public health nursing services to meet essential population health needs, for example, the five mandated health checks for all mothers and children provided by health visitors. The impact of the CCG procurement of community adult services has meant the current provider is no longer viable and the timeframe for tendering for a complex service could not be met. Not being able to provide these services effectively from 1 April 2020 would put the authority at significant reputational and potentially financial and legal risk as the provision of these services is required under the Health and Social Care Act, 2012.

### **Contract Management:**

Following contract award, this contract will be managed the Advanced Health Improvement Specialist and will be overseen by a Consultant in Public Health/Director of Public Health.

A detailed outcomes framework including key performance indicators has been produced and will be finalised through the mobilisation process. Monthly performance meetings are currently used to monitor progress with the provider's Children's Service Manager and these will continue. The provider will supply all necessary information with which to provide a clear, robust understanding of the outcomes achieved through the service including a mix of quantitative and qualitative sources of information to measure impact.

### **OPTIONS CONSIDERED:**

The main options for the future provision of 0-19 public health nursing services are:

#### **A. Directly award a contract to a new provider**

This is the recommended option. The performance of the current service model is generally good and would be protected through finding a new host provider. Maintaining public health nursing as part of an overall children's service being transferred to Sirona Care and Health also benefits care pathways and other public health outcomes, for example, immunisation coverage.

#### **B. Transfer the service in-house with direct delivery of the service**

This option would mean 0-19 public health nursing services would sit within the council's management structure, for example, within children's services and/or public health. This is a model that has been recently adopted by a number of other local authorities in the South West, for example, Devon, Cornwall and Somerset. These in-house services went live in April 2019. This would be an option to consider for future delivery but based on the experience of these other local authorities this type of transformation requires a long period of mobilisation to ensure new arrangements are safely enacted. All potential benefits and challenges of an in-house operation would be explored through a full procurement process from April 2020 onwards.

#### **C. Complete a competitive procurement exercise.**

A single procurement exercise for this service where the Council goes to market for children's public health services at a value of just under £3.4 million may not attract enough market interest. The time available for a full procurement exercise is very

limited and may not create the right conditions for a good outcome, for example, investing time in engaging with a wide range of stakeholders including service users and the public or carrying out proper market testing to develop an effective model for services.

## **FINANCIAL IMPLICATIONS:**

### **Costs:**

The current contract for children's public health services is worth £3,385,000 per year. The total maximum spend for two years would be £6,770,000.

### **Funding:**

Funding for this service comes through the Public Health Grant issued to the Council by Public Health England each year on behalf of the Department of Health and Social Care. A high-level announcement has been made about funding for 2020/21 only. The longer-term future of the public health grant is expected to be addressed in the Comprehensive Spending Review looking at funding plans from 2021/22 onwards.

## **LEGAL POWERS AND IMPLICATIONS:**

The Health and Social Care Act, 2012, set out several duties for local authorities around improving public health. Children's public health services are one of the mandated services that must be funded from the public health grant.

## **CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS:**

The service is based on community provision of specialist public health nursing. Consideration of the climate impact of the service, and the potential to reduce carbon emissions, will be included in the service specification for the service from 2020/21 and monitored through performance management meetings with the provider.

## **CONSULTATION:**

During 2019, there has been good engagement with staff from the current service provider around the potential future model of service delivery. This has also included engagement of staff from relevant services in the Council, for example, children's centres and children's social care teams. The aim is to develop options for future ways of working based on population needs and evidence of how to achieve the best possible outcomes. This learning will be incorporated into longer-term commissioning plans to enable a new service to be in place from April 2022.

## **RISK MANAGEMENT:**

The use of a direct award helps to manage the immediate risk of finding a suitable service provider from April 2020.

Current and planned stakeholder engagement is being used to develop a future model of service delivery that can best serve the needs of children and families in North Somerset.

The ongoing assessment of service delivery, legal and financial risks will be part of this approach.

## **EQUALITY IMPLICATIONS:**

No equality impact assessment (EIA) has been undertaken at this stage. However, a population needs assessment was completed in spring 2019. This will support an EIA to inform any future service model. The needs of both children and women going through pregnancy will be particular areas of focus, but all potentially affected groups will be assessed.

**CORPORATE IMPLICATIONS:**

Proposals to develop a new model for children’s public health services will be developed with input from a range of teams from within the council and through local partnership working.

**APPENDICES:**

N/A

**BACKGROUND PAPERS:**

Paper presented to full Council in January 2019:  
<http://apps.n-somerset.gov.uk/cairo/docs/doc29340.pdf>

**SIGNATORIES:**

**DECISION MAKER(S): JO WALKER, CHIEF EXECUTIVE/DIRECTOR OF CORPORATE SERVICES**

Signed:  .....

Title: ..... *Chief Exec.* .....

Date: ...*12/12/2019*.....

**IN CONSULTATION WITH:**

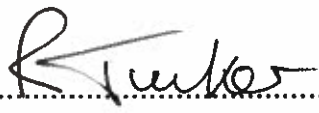
**COUNCILLOR MIKE BELL, DEPUTY LEADER OF THE COUNCIL AND EXECUTIVE MEMBER FOR ADULT CARE AND PUBLIC HEALTH**

Signed:  .....

Title: ..... *EXECUTIVE MEMBER ADULT SOCIAL CARE* .....

Date: ...*18/12/19*.....

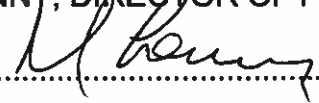
**COUNCILLOR RICHARD TUCKER, CHAIR OF THE HEALTH OVERVIEW SCRUTINY PANEL**

Signed: .....  .....

Title: H.O.S.P. CHAIR .....

Date: ..... 19/12/19 .....

MATT LENNY, DIRECTOR OF PUBLIC HEALTH

Signed: .....  .....

Title: DIRECTOR OF PUBLIC HEALTH .....

Date: ..... 12/12/2019 .....

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**

