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# Contract award (exception) for the Public Health Enhanced Services Contract (Services include NHS Health Checks, Long Acting Reversible Contraceptions Service and Shared Care Opiate Substitute Prescribing Programme)

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**Committee considering report:** Executive on 20 December 2018

**Portfolio Member:** Councillor Rick Jones

**Date Portfolio Member agreed report:** 6 December 2018

**Report Author:** Edward Clintworth

**Forward Plan Ref:** EX3662

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## 1. Purpose of the Report

- 1.1 To seek approval from Executive for an exception from the contract rules of procurement to award the Public Health Enhanced Services Contract to each of the 13 GP Practices across West Berkshire from 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2022.
- 1.2 The 3 year contract (2+1) will be delivered by 13 GP Practices across West Berkshire. The exception will enable the Council to extend the current provision of the service fulfilling public health functions and mandatory directives guidance.

## 2. Recommendation

- 2.1 To seek approval from Executive to award the Public Health Enhanced Services contract 19-22 to all (13) GP Practices across West Berkshire.

## 3. Implications

- 3.1 **Financial:** The existing funding for these services derives from the annual Public Health grant, designated to West Berkshire Council from Central Government for the purpose to improve health and reduce health inequalities across West Berkshire.
- 3.2 **Policy:** None of the services outlined in this report are subject to the West Berkshire District Council's Public Consultation exercise on the 2019/20 budget proposals.
- 3.3 **Personnel:** N/A
- 3.4 **Legal:** N/A
- 3.5 **Risk Management:** The Public Health Enhanced Services Contract consists of 3 Public Health services, 2 of which must be delivered locally under statutory local authority regulations\*. These are:

**Contract award (exception) for the Public Health Enhanced Services Contract (Services include NHS Health Checks, Long Acting Reversible Contraceptions Service and Shared Care Opiate Substitute Prescribing Programme)**

- The NHS Health Checks Programme\*
- The Long Acting Reversible Contraceptions Service\*
- The Shared Care Opiate Substitute Prescribing Programme

If this contract is to be re-tendered, there is a risk that the process may deter and weaken relationships with GP practices.

3.6 **Property:** N/A

3.7 **Other:** N/A

**4. Other options considered**

4.1 Re-tender the service across West Berkshire ASAP

## Executive Summary

### 5. Introduction / Background

- 5.1 The Public Health Enhanced Services Contract consists of 3 Public Health services, 2 of which must be delivered locally under statutory local authority regulations\*. These are the NHS Health Checks Programme\*, The Long Acting Reversible Contraceptions Service\* and the Shared Care Opiate Substitute Prescribing Programme. These services have been delivered by West Berkshire GP Practices across West Berkshire since 2009. Previously under the umbrella of NHS Berkshire West Primary Care Trust, GP Practices agreed to deliver these services under a Locally Enhanced Service Agreement (LES) as a bolt on to existing General Medical Services (GMS) and Personal Medical Services (PMS). Since 1st April 2013, these services were delivered under a contractual agreement between West Berkshire Council and each GP Practice across West Berkshire.

### 6. Proposals

- 6.1 The new 3 year contract will provide stability to the continued commitment and delivery of key health and wellbeing outcomes across West Berkshire at a quality and price which is unmatched in today's economic environment. The length of the contract will allow flexibility and an opportunity to vary if required. Whilst there are very few providers in the market who can effectively deliver this contract, GP Practices currently deliver this service at optimum value for money. The criteria is tailored to specific need and requires a specialist service to deliver the key service outcomes. A potential provider would need existing infrastructures, facilities and equipment in place within various venues across West Berkshire to deliver these services effectively. This has acted as a barrier to the wider market.

### 7. Conclusion

- 7.1 Executive agrees to the exception to award the Public Health Enhanced Services contract 19-22 to all (13) GP Practices across West Berkshire.

### 8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information

## Appendix A

### Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

Directorate:	Resources
Service:	Contracts and Commissioning
Team:	Commissioning
Lead Officer:	Edward Clintworth
Title of Project/System:	N/A
Date of Assessment:	N/A

## Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will you be processing data on a large scale?</b></p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will any decisions be automated?</b></p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<b>X</b>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:***
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:***
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	Executive agrees to award the Public Health Enhanced Services contract 19-22 to all (13) GP Practices across West Berkshire.
<b>Summary of relevant legislation:</b>	Public Contract Regulations 2015
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	N/A
<b>Name of assessor:</b>	Edward Clintworth
<b>Date of assessment:</b>	05.11.18

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	No
Service	Yes		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
<b>Aims:</b>	<p>The overarching aims of these services are;</p> <p><u>NHS Health Checks Services</u></p> <p>The aim of this service is to provide support to service users through joint participation of healthcare professionals in the planned delivery of care for service users at risk of developing CVD. The service aims to develop and provide information and support for patients identified at moderate to high risk of CVD and offer a behavioural lifestyle intervention with the aim of further informing service users of the risk of CVD in the future.</p> <p><u>Long Acting Reversible Contraception Service</u></p> <p>The Long Acting Reversible Contraception Service (LARC) aims to contribute to reductions in unplanned pregnancies, teenage pregnancy rates, repeat abortions and use of emergency hormonal contraception.</p>

	<p><u>Shared Care Service</u></p> <p>The aim of this service is to provide support to service users through joint participation of specialists and GPs in the planned delivery of care for service users with drug problems, informed by an exchange of information beyond routine referral and discharge letters. The service aims to develop and coordinate the care of opiate drug users that have been assessed as stable and therefore suitable for management in primary care with the aim of freeing time and resources in secondary care to work with patients with complex needs.</p>
<p><b>Objectives:</b></p>	<p><u>NHS Health Checks Services</u></p> <ul style="list-style-type: none"> <li>• Provide support and information to service users of the risks associated with CVD.</li> <li>• Provide on-going review of a patient's development of care where appropriate.</li> <li>• Encourage behavioural lifestyle changes by addressing the patient's wider physical, mental and social health and wellbeing.</li> <li>• Promote continuity of care.</li> <li>• Promote access to additional lifestyle services or input where required</li> <li>• Actively promote healthy lifestyle behaviour change.</li> </ul> <p><u>Long Acting Reversible Contraception Service (LARC)</u></p> <ul style="list-style-type: none"> <li>• Ensure that a range of LARC methods (sub dermal Nexplanon™ implants (Nexplanon implant), coils (IUD) or hormonal coils (IUS)) are provided by practices to women of reproductive age, for contraceptive purposes only, in line with national standards and guidance, including safeguarding practice.</li> <li>• Increase availability of post-coital fitting of IUD for emergency contraception as an additional means of reducing unwanted pregnancies.</li> </ul> <p><u>Shared Care Service</u></p> <ul style="list-style-type: none"> <li>• Provide care closer to patients.</li> <li>• Improve access to primary care based treatment for patients who meet the locally agreed criteria.</li> <li>• Normalise the drug treatment process.</li> <li>• Encourage a holistic approach by addressing the patient's wider physical, mental and social health and wellbeing.</li> <li>• Promote continuity of care.</li> </ul>



	<ul style="list-style-type: none"> <li>Promote access to additional specialist clinical treatment or input where required</li> <li>Actively promote recovery from drug misuse.</li> </ul>
<b>Outcomes:</b>	The public health outcomes framework includes a range of health and wellbeing outcomes which these services are measured. The framework focuses on high level outcomes we want to achieve. The outcome measures are continuously monitored for marked improvements and are embedded into the KPIs of each service.
<b>Benefits:</b>	The Physical and Mental Health and Wellbeing of eligible Men and Women aged 40-74 (NHS Health Checks), eligible Women over the age of 25 (LARC) and eligible Men and Women aged 16+ (Shared Care). Key performance indicators and quality outcomes are available on request.

**2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.**

**(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)**

Group Affected	What might be the effect?	Information to support this
Age	The decision to award the existing Public Health Enhanced Services Contract directly to GP Practices across West Berkshire will not affect people with particular characteristics. The exception will not include a major change to an existing policy or not significantly affect how functions are delivered. The existing service will operate as normal and within the current parameters of best practice, governance and clinical standards. The decision will not have an impact on how other organisations operate in terms of equality.	The Public Health Enhanced Services Contract is managed by the Public Health and Wellbeing Team which continuously reviews supporting guidance to maintain effective local delivery of the services. These are in the form of national policy, NICE guidance, and evidence/research publications.
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		

**Further Comments relating to the item:**

<b>3 Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
Please provide an explanation for your answer:	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	

Name: Edward Clintworth

Date: 11.12.18

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Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.