
0-19 (up to 25 for those with special educational needs and disabilities) Public Health Nursing Service Contract Award

Committee considering report:	Executive on 21 November 2019
Portfolio Member:	Councillor Rick Jones
Date Portfolio Member agreed report:	7 November 2019
Report Author:	Zoe Campbell
Forward Plan Ref:	EX3816

1. Purpose of the Report

This paper seeks to inform Members of the tender process and seeks delegated authority to the Head of Public Health & Wellbeing, in consultation with the Executive Director of Resources and the Portfolio Holder for Public Health & Community Wellbeing, to award the contract for the provision of 0-19 (up to 25 years for young people with special educational needs and disabilities) Public Health Nursing Services from the Executive.

2. Recommendation

The Executive resolves to delegate authority to the Head of Public Health & Wellbeing in consultation with the Executive Director of Resources and the Portfolio Holder for Public Health & Community Wellbeing to award the contract to the successful bidder following the evaluation process for the provision of 0-19 (up to 25 years for young people with special educational needs and disabilities) Public Health Nursing Services from 1st April 2020. This procurement has been carried out to align commissioning timescales for a joint contract with Wokingham and Reading Borough Council from 1st April 2021 and align with the emerging Integrated Care Partnership.

3. Implications

- 3.1 **Financial:** From 1st April 2020, the contract will be capped up to a maximum of £1,874,700 per annum for three years. The price of the winning tender is to be confirmed following the evaluation process and will be fixed in years 1 to 3. Subsequent years will be subject to CPI.
- West Berkshire Council made a saving of £19,544.00 per annum on this contract of through inclusion of a specialist continence and enuresis service within the service specification which is currently at an additional cost.

- 3.2 **Policy:** n/a
- 3.3 **Personnel:** TUPE of staff from incumbent provider will be a requirement if the contract is awarded to a new provider, dependant on the outcome of the evaluation.
- 3.4 **Legal:** Contract award process should be in accordance with the PCR 2015 with contracts in place prior to commencement.
- 3.5 **Risk Management:** N/A
- 3.6 **Property:** N/A
- 3.7 **Other:**

4. Other options considered

- 4.1 Commission a joint contract from 2020. This would not be possible due to Reading and Wokingham's commissioning timescales.
- 4.2 Extend the current contract. This was explored but the legal risk of challenge was deemed too high as there was no further provision for extension within the contract.
- 4.3 Do nothing, this is not an option as it is a mandated service.

Executive Summary

5. Introduction / Background

- 5.1 West Berkshire carried out a procurement exercise for the delivery of 0 – 19 (up to 25 for young people with special educational needs and disabilities) Public Health Nursing Services in accordance with national guidance. The current 0 – 19 (25) Public Health Nursing Service was tendered in 2016/17 and awarded to Berkshire Healthcare NHS Foundation Trust (BHFT).
- 5.2 It has been agreed by the Chief Executives from West Berkshire Council, Reading Borough Council and Wokingham Borough Council that the 0-19 (25) contract will be jointly commissioned from 1st April 2021 and this was agreed by Procurement Board on June 7th 2019.
- 5.3 The current West Berkshire contract ends on the 31st March 2020 and there was no provision for extension within the current contract, therefore there was a requirement to tender a one year contract from 1st April 2020 to 31st March 2021.
- 5.4 The tender was published on 9th September 2019, 6 expressions of interest and 2 bids have been received. The results of the evaluation process will be finalised by the end of October 2019.

6. Proposals

- 6.1 The Executive resolves to delegate authority to the Head of Public Health & Wellbeing in consultation with the Executive Director of Resources and the Portfolio Holder for Public Health & Community Wellbeing to award the contract to the successful bidder following the evaluation process for the provision of 0-19 (up to 25 years for young people with special educational needs and disabilities) Public Health Nursing Services from 1st April 2020.
- 6.2 It is anticipated that the procurement of this contract will achieve a saving of £19.5k. As Public Health are funded through a national ring-fenced grant, any identified savings will not be cashable, but can be used to contribute toward other services which improve public health outcomes. As the contract value will be fixed in years 1-3 this will lead to cost avoidance savings at an average 2.5% CPI which equates to £46,867.50 per annum, as there will be no rise with inflation.
- 6.3 As part of the new Berkshire West Integrated Care Partnership (ICP) and drive to establish closer working arrangements with the CCG and neighbouring authorities, West Berkshire Council has agreed to jointly commission the 0-19 (25) Public Health Nursing Service across the West of Berkshire with Reading and Wokingham Borough Council from April 2021. It has been agreed that the joint procurement will be undertaken by the Berkshire Public Health Shared Team with a contract start date of 1st April 2021. In order to align with this procurement timeline, it was a requirement for West Berkshire to tender a 0-19 (25) Public Health Nursing Service to commence on 1st April 2020.

7. Appendices

- 7.1 Appendix A – Equality Impact Assessment
- 7.2 Appendix B – Supporting Information

Appendix A

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.

What is the proposed decision that you are asking the Executive to make:		This paper seeks to inform Members of the tender process and seek delegated authority to award the contract from the Executive.	
Summary of relevant legislation:		2012 Health and Social Care Act	
Does the proposed decision conflict with any of the Council's key strategy priorities?		No	
Name of assessor:		Z Campbell	
Date of assessment:		03/10/19	
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?			
Aims:		Re-tender services to meet service user needs	
Objectives:		Secure new supplier that can deliver specified services	
Outcomes:		Supplier award	
Benefits:		Provision of 0-19 (25) Public Health Nursing Services in line with mandated Public Health Functions to meet the needs of families in West Berkshire.	
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	No change to proposed service model		
Disability	No change to proposed service model		
Gender Reassignment	No change to proposed service model		

Marriage and Civil Partnership	No change to proposed service model	
Pregnancy and Maternity	No change to proposed service model	
Race	No change to proposed service model	
Religion or Belief	No change to proposed service model	
Sex	No change to proposed service model	
Sexual Orientation	No change to proposed service model	
Further Comments relating to the item:		
3 Result		
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?		/No
Please provide an explanation for your answer:		
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?		/No
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](#).

4 Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Z Campbell

Date: 03/10/2019

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