
Public Health Nursing Service 0-19 (Up to 25 years for young people with special educational needs and disabilities) Contract Award Report

Committee considering report:	Executive
Date of Committee:	14 October 2021
Portfolio Member:	Councillor Graham Bridgman
Date Portfolio Member agreed report:	23 September 2021
Report Author:	Karen Felgate
Forward Plan Ref:	EX4111

1. Purpose of the Report

- 1.1 To award the contract for the supply/provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) following a tender process.

2. Recommendations

- 2.1 The Executive resolves to:

- (1) award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) to the successful bidder
- (2) delegate authority to Service Director Communities and Wellbeing to award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years) services to the successful bidder in consultation with the Head of Finance and the Portfolio holder for Public Health and Wellbeing
- (3) delegate authority to the Service Lead Legal & Democratic Services in consultation to finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments to the terms of the agreement which are necessary to reach final agreement but do not materially affect the intent and substance of the agreement.

3. Implications

- 3.1 **Financial:** The service was procured by Reading Borough Council on behalf of Berkshire West (West Berkshire, Reading and Wokingham).
- 3.2 **Policy:** N/A

3.3 **Personnel:** N/A

3.4 **Legal:** The contract award process was in accordance with the Public Contract Regulations 2015 with contracts in place prior to commencement.

3.5 **Risk Management:** N/A

3.6 **Property:** N/A

3.7 **Other:** N/A

4. **Other options considered**

4.1 Decision to go out to tender was approved by Executive on 19th November 2019.

4.2 Other options for service delivery were considered in the procurement strategy which came to Corporate Board in 2019.

Executive Summary

This report provides an update to Executive on the outcome of the tender evaluation for a provider to deliver the Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities). This report also seeks sign off from Executive to award the contract.

5. Introduction / Background

- 5.1 This contract is for the provision of services known as the Public Health Nursing Service 0-19 (up to 25 years).
- 5.2 This contract was a joint procurement in conjunction with Reading and Wokingham Borough Council's and was led by Reading Borough Council.

6. Proposal

The aim of the procurement is to provide a Public Health Nursing Service 0-19 (up to 25 years) service for West Berkshire Council.

Responsibility for the commissioning of the 0-19 (up to 25 years) Healthy Child Programme has been with the Local Authority since 2013. Market testing was carried out and a Prior Information Notice (PIN) was published to inform the market of the forthcoming tendering exercise and to gauge level of interest in the contract, along with a market testing questionnaire. A market engagement event took place in May 2021.

A Memorandum of Understanding will be put in place between the Berkshire West commissioners. There is ability for one organisation to terminate their contract with the new provider without it affecting the delivery of service for the others.

- Current Supply

The current service is delivered by Berkshire Healthcare NHS Foundation Trust. This contract was commissioned by West Berkshire and was awarded for three plus two years however following the service of 6 months' notice it terminates in 2022. Bidders were informed as part of the 2019 tender process that a future joint tendering process would be taking place with Berkshire West to re-procure this service.

- Advertisement

The tender was advertised by Reading Borough Council on behalf of the three local authorities as an open tender process. Pre-tender consultation was carried out with potential service providers during the spring of 2021. The value of the contract was over the PCR 2015 threshold for Services and the tender was published on Find a Tender and Contracts Finder.

- Selection/Award Criteria

The tender was evaluated on 30% price and 70% quality/technical. The technical evaluation panels included representatives from Public Health in all three local authorities.

The initial term of the contract is from 1st April 2022 until 31st March 2025 with the option to extend for a further 2 years.

7. Conclusions

7.1 The Executive resolves to:

- (1) award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) services
- (2) delegate authority to Service Director Communities and Wellbeing to award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years) services to the successful bidder in consultation with the Head of Finance and the Portfolio holder for Public Health and Wellbeing
- (3) delegate authority to the Service Lead Legal & Democratic Services in consultation to finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments to the terms of the agreement which are necessary to reach final agreement but do not materially affect the intent and substance of the agreement.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Procurement Strategy Report (to follow)

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

Directorate:	People
Service:	Public Health and Wellbeing
Team:	Public Health
Lead Officer:	Matt Pearce
Title of Project/System:	Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities)
Date of Assessment:	4/9/21

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><i>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”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><i>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?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p><i>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

What is the proposed decision that you are asking the Executive to make:	Contract award Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities)
Summary of relevant legislation:	Public Contract Regulations 2015
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Karen Felgate
Date of assessment:	4/9/21

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
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:	Award the Public Health Nursing Service 0-19 (up to 25 years)
Objectives:	To jointly procure the service across the three local authority areas known as Berkshire West to ensure economies of scale and alignment of provision across the three local authority areas.
Outcomes:	This contract will enable provision of an improved, recovery focused, evidence based, and cost-effective integrated service for Public Health Nursing Services across Berkshire West
Benefits:	The new contract will offer integrated service provision for children and young people across Berkshire West as well as a more up to date service that offers a good range of interventions and access opportunities.

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
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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	Positive	Contract monitoring KPI data and meetings. Stakeholder consultation
Disability	Positive	Contract monitoring KPI data and meetings. Stakeholder consultation
Gender Reassignment	N/A	
Marriage and Civil Partnership	N/A	
Pregnancy and Maternity	Positive	Contract monitoring KPI data and meetings. Stakeholder consultation
Race	Positive	Contract monitoring KPI data and meetings. Stakeholder consultation
Religion or Belief	N/A	
Sex	N/A	
Sexual Orientation	N/A	
Further Comments relating to the item:		
N/A		

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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Karen Felgate

Date: 4/9/2021

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.