

INTERIM CONTRACT FOR THE PREVENTION OF SEXUAL ILL HEALTH SERVICES

To: **Health Committee**

Meeting Date: **23 May 2019**

From: **Director of Public Health**

Electoral division(s): **All**

Forward Plan ref: **n/a** *Key decision:* **No**

Purpose: **To seek the support and approval of the Health Committee for the following.**

- a) **To award an interim contract for the delivery of the Prevention of Sexual Ill Health Services to the current provider, DHIVERSE. This Cambridgeshire County Council interim contract will run for six months commencing October 1 2019 and terminate on the 31 March 2020**
- b) **To re-commission the Prevention of Sexual Ill Health Service as a shared service across Cambridgeshire County Council and PCC.**

Recommendation: **The Health Committee is asked to agree the following.**

The award of an interim contract for the Prevention of Sexual Ill Health Service

- a) **Review the rationale for the request to award an interim contract.**
- b) **Support the interim contract being awarded to DHIVERSE for the delivery of the Prevention of Sexual Ill Health Service in Cambridgeshire.**

If the request is supported to agree the following.

- c) **Authorise the Director of Public Health, in consultation with the Chairman and Vice Chairman of the Health Committee, to formally award the interim contract subject to compliance with all required legal processes.**

- d) Authorise the Consultant in Public Health, Health Improvement, in consultation with the Executive Director of LGSS Law to approve and complete the necessary contract documentation.

Recommissioning The Prevention of Sexual Ill Health Services

- a) Support a competitive procurement for the re-commission of the Prevention of Sexual Ill Health Service as a shared service contracted to work across the Cambridgeshire County Council and Peterborough City Council areas.

If the request is supported to agree the following.

- b) The establishment of a legal agreement between Cambridgeshire County Council and Peterborough City Council that assigns Cambridgeshire County Council as the lead commissioner.
- c) Delegate sign off for the agreement to the Director of Public Health in consultation with the Chair and Vice Chair of the Committee.
- d) Authorise the Director of Public Health, in consultation with the Chairman and Vice Chairman of the Health Committee, to formally award the new shared contract, effective from April 2020, subject to compliance with all the required legal processes.
- e) Authorise the Consultant in Public Health, Health Improvement, in consultation with the Executive Director of LGSS Law to approve and complete the necessary contract documentation.

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1. BACKGROUND

1.1 Cambridgeshire County Council (CCC) commissions the voluntary organisation DHIVERSE to provide the Prevention of Sexual Ill Health Service across Cambridgeshire. The aim of this Service is to contribute to the improvement of sexual health through enabling Cambridgeshire residents to make informed, healthy and responsible choices around their sexual health, as it relates to themselves and their sexual partners. It contributes to the achievement of a number of high level public health outcomes.

- Under 18's conceptions
- Improving late HIV diagnosis rates
- Reducing sexually transmitted infections and specifically HIV infection
- Reducing inequalities in sexual health
- Reducing the stigma associated with HIV and other sexually transmitted infections

For Cambridgeshire reducing the number of under 18s conception rate in Fenland and the number of late HIV diagnosis are particular challenges.

1.2 The contract also includes the requirement to provide HIV support services funded by CCC Adult Social care which Public Health commissions on its behalf.

1.3 Specific service deliverables are focused on the following activities.

- Provide general and targeted information to improve knowledge and awareness of sexual health and contraception issues through promotional activities and campaigns using appropriate media for the target population groups, which includes all age groups.
- Increase awareness and knowledge about late testing for HIV; targeting high risk groups.
- Build capacity and skills for improving sexual health by working with partner organisations, communities and target groups and through providing a range of interventions which include appropriate presentations/workshops/groups sessions/online fora.
- Provide advice, information and support to enable adults living with HIV to continue to live independently in the community.

1.4 The current DHIVERSE contract commenced in October 1st 2016 and will end on the 30th. September 2019. Throughout the course of the contract DHIVERSE has consistently achieved its key performance indicators.

2. MAIN ISSUES

2.1 The context for the request for an interim contract is that it will enable the CCC Prevention of Sexual Ill Health service contract to be aligned with the one held by Peterborough City Council (PCC) which ends on the 31st March 2020. Then secondly for a joint procurement and contract to be undertaken for a Prevention of Sexual Ill Health Service across the two local authority areas during 2019/20, commencing on April 1 2020.

2.2 Therefore the proposal is for the award of an interim contract to the current provider DHIVERSE from October 1st 2019 to March 31st 2020.

- 2.3 The current value of the DHIVERSE contract is £130,000 per annum. This includes the contribution of £27,000 from Adult Social Care. The value of the proposed interim contract is £65,000.
- 2.4 It is proposed to undertake a joint procurement between CCC and PCC for a shared service to be delivered across Cambridgeshire and Peterborough with CCC as the lead commissioner. A legal agreement between the two local authorities will capture this and provide the appropriate assurances for the new contract that will start in April 2020.
- 2.5 The value of the proposed new shared service contract for the Prevention of Sexual Ill Health Service across the CCC and PCC areas is below £500,000 for a three year contract. The funding allocations made by CCC and PCC are as follows.
- CCC annual value: £130,000 including the £27,000 contribution from Adult Social Care.
 - PCC annual value: This is to be confirmed.
- 2.6 There are a number of benefits associated with this proposal.
- The rationale for having one contract for both Authorities is that it has the potential for the more effective use of resources.
 - During 2019/20 the Integrated Contraception and Sexual Health Services (iCaSH) are being commissioned as one contract for a shared service across the two Authorities. The Prevention and the iCaSH services work collaboratively in some aspects of their work. This will enable any synergies between the contracts to be considered in the development of the two service specifications.
 - The focus of the Prevention of Sexual Ill Health Service is generally non-clinical and provision is usually from the voluntary sector. Across Cambridgeshire and Peterborough there are a small number of voluntary organisations, each have varied experiences and skills in relation to sexual health prevention and HIV support. A procurement that favours a collaborative approach between voluntary organisations would enable the best use of experience and skills.
- 2.7 The following alternative options have been considered
- a) Do not award an interim contract but accelerate the commissioning process.
The advantages of shared contract with PCC would not be realised along with the opportunity to develop through consultation a new more collaborative approach amongst voluntary sector providers.
- b) Undertaking a competitive tender for an interim period.
Completing a tender for a maximum contract length of 6 months raises a number of issues.
- Competitive retendering within the short time frame would be very challenging, impacting upon the quality of the exercise and award result.
 - Multiple short term procurements are discouraged due to the destabilising effect on service provision and staffing.

- 2.8 The risks associated with this proposal for a direct award reflect the legal position Advice has been sought from the legal and procurement teams in both CCC and PCC and is summarised as follows.
- a) It is only a short term arrangement and the intention is to proceed with a procurement process during 2019.
 - b) The Authority could issue a Voluntary Ex Ante Transparency Notice (VEAT) as a means of advertising the intention to let a contract without opening it up to formal competition. The VEAT notice would provide sufficient information for the justification of the decision and would allow potential providers the opportunity to challenge the approach. This reduces the risk of claims against a direct award of the contract by the Local Authorities being upheld and it does demonstrate transparency. The use of VEAT notice in this case was considered to be inappropriate for such a low value and short length contract.
 - c) The publication of similar notice, in the interest of transparency, on the procurement portal, Pro-Contract, was the recommended approach.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

The report above sets out the implications for this priority in **1.1, 1.2 and 1.3**

3.2 Thriving places for people to live

The report above sets out the implications for this priority in **1.1, 1.2 and 1.3**

3.3 The best start for Cambridgeshire's children

The following bullet points set out details of significant implications identified by officers:

Young people are especially at risk of sexual ill health. This Service targets young people with prevention messages and skills to avoid risk taking behaviour.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The report above sets out details of significant implications in **2.3 ,2.4 and 2.5**

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The following bullet points set out details of significant implications identified by officers:

- Any implications for procurement/contractual/Council contract procedure rules will be considered with the appropriate officers from these Departments and presented to the Health Committee before proceeding.

4.3 Statutory, Legal and Risk Implications

The following bullet points set out details of significant implications identified by officers:

- Any legal or risk implications will be considered with the appropriate officers from these Departments and presented to the Health Committee before proceeding.

4.4 Equality and Diversity Implications

The following bullet points set out details of significant implications identified by officers:

- The current Service is required to demonstrate that it is accessible to the whole population including those groups hard to reach and high risk.
- Any equality and diversity implications will be included in the consultation for the new Service. A Community Impact Assessment will be completed.

4.5 Engagement and Communications Implications

The following bullet points set out details of significant implications identified by officers:

- The current Service has remit to communicate and engage with communities and groups.
- The new procurement will include consultation with service providers and users.

4.6 Localism and Local Member Involvement

The following bullet points set out details of significant implications identified by officers:

- The commissioning of sexual health prevention services will involve working with individuals and communities to identify how they can best protect and improve their sexual health.

4.7 Public Health Implications

The following bullet points set out details of significant implications identified by officers:

- The re-commission will improve the sexual health of the population through interventions designed to prevent sexual ill health
- These service developments will need to include targeted actions that will address any inequalities and improve the outcomes for the most vulnerable and at risk populations.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes : 15 May 2019 Name of Financial Officer: Clare Andrews
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes : 15 May 2019 Name of Officer: Gus de Silva
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes : 15 May 2019 Name of Legal Officer: Fiona McMillan
Have the equality and diversity implications been cleared by your Service Contact?	Yes Liz Robin
Have any engagement and communication implications been cleared by Communications?	Yes : 15 May 2019 Name of Officer: Matthew Hall
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Liz Robin
Have any Public Health implications been cleared by Public Health	Yes Liz Robin

Source Documents	Location
None	