



ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER in consultation with Theme Committee Chairman

Title	<p>Contracts for Community Based Services:</p> <ol style="list-style-type: none"> 1. Early Intervention and Prevention Services (<u>NHS Health Checks</u>) for the provision of a systematic vascular risk assessment and risk management service for Barnet residents registered with a GP aged 40 – 74. 2. <u>Community Based Barnet Stop Smoking Services</u> delivered in general practices and community pharmacies. 3. Contract for one year for <u>smoking cessation data system</u> provided by North51/Bionical (QuitManager system)
Report of	Director of Public Health, Directorate of Adults and Health
Wards	All
Status	Public
Enclosures	Appendix 1 (appended below)
Officer Contact Details	<p>Luke Kwamya, Head of Public Health Commissioning; Luke.Kwamya@barnet.gov.uk</p> <p>Tim Hoyle, Delivery Commissioner, Primary Care; Tim.Hoyle@barnet.gov.uk</p>

Summary

This report sets out the reason why a Single Tender Action is necessary to ensure

contracts are in place for NHS Health Checks and Smoking Cessation Public Health Commissioned services and the smoking cessation database.

Background to the two community based commissioned services

NHS Health Checks:

NHS Health Checks aim to identify undiagnosed risk of cardiovascular disease (CVD) (heart attacks, stroke, etc.). The eligible population is all adults between 40 and 74 years who do not have a pre-existing diagnosis of CVD.

Smoking Cessation:

The stop smoking service provision in Barnet is a GP and pharmacy led service which is provided by accredited stop smoking practitioners at those premises.

Smoking Cessation database:

This system records the outcomes that the local authority has to report quarterly to Public Health England, as well as in order to make payments to GPs, and pharmacies.

Decisions

- 1. To award contracts for NHS Health Checks to any GP practice in Barnet that wishes to sign up to deliver the NHS Health Checks programme for 2020/1 for 18 months at a cost of £385,500 with the option to extend for an additional period of 6 months at an additional cost of £128,500**
- 2. To award contracts for Smoking Cessation to any GP practice or pharmacy in Barnet that wishes to sign up to deliver community based smoking cessation services for 2020/21 for 18 months at a cost of £182,475 with the option to extend for 6 months at an additional cost of £60,825.**
- 3. To award a contract for the smoking cessation database to North51/Bionical for their QuitManager system for 18 months from 1 April 2020 to 30 March 2021 at a cost of £14,625 with the option to extend for 6 months at an additional cost of £4,875**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Policy and Resources Committee authorised the Annual Procurement Forward Plan 2019/20 on 6th January 2020 which included authorisation for Public Health to procure contracts for the Delivery of NHS Health Checks and for the Delivery of a Smoking Cessation Service.

- 1.2 This report is needed to be able to continue contractual relationships with the providers in regard to the community based public health services for the NHS Health Checks programme as well as the Smoking Cessation delivery and the smoking cessation database system.
- 1.3 The current contracts with multiple GP and Pharmacy providers (see Appendix 1) started on 1st April 2018 and are due to end of 31 March 2020.
- 1.4 This report seeks authorisation to award new contracts for NHS Health Checks; Smoking Cessation and Smoking Cessation Database
- 1.5 **Background to the two community-based commissioned services**

1.5.1 NHS Health Checks:

From April 2013 local authorities were mandated to provide the NHS Health Check programme as part of the transfer of public health responsibilities to local government.

NHS Health Checks aim to identify undiagnosed risk of cardiovascular disease (CVD) (heart attacks, stroke, hypertension etc.), the primary cause of the life expectancy gap in the borough and a significant contributor to health and social care needs. It contributes to the delivery of P2 outcomes¹. The eligible population for NHS Health Checks national programme is all adults between 40 and 74 years who do not have a pre-existing diagnosis of CVD. The requirement is for 20% of the population to be invited per year, to cover the full eligible population over 5 years over 100,000 adults in Barnet.

The Council reports to PHE the number of health checks offered (invited) and completed (uptake).

1.5.2 Smoking Cessation:

The current stop smoking service provision in Barnet is a GP and pharmacy led service which is provided by accredited stop smoking practitioners at those premises. The GP services are only available by appointment to registered patients of that practice.

1.5.3 Smoking Cessation database:

This system is needed to record the outcomes that the local authority has to report quarterly to Public Health England, as well as in order to make payments to GPs, pharmacies and Barnet CCG (to refund the Nicotine Replacement Therapy prescribed in general practice). The commissioner will review this system and decide if changes are needed before recommissioning.

1.6 **Need for Contracts:**

¹ Mortality rate CVD, Long term conditions, high blood pressure, smoking, excessive weight.

- 1.6.1 We are looking to make changes to how these services are commissioned but need to maintain service delivery during this time therefore award of contracts for eighteen month period is sought. Changes are likely to include splitting the services into separate contracts, this is dependent on outcomes of the following:
- 1) We are at early stages of discussing having clinics for NHS Health Checks with a more open access. This could be with Barnet Federated GP's (BFG) or with Primary Care Networks (PCN). This would run in conjunction with GP practices delivering the service.
 - 2) We are currently running a pilot with Barnet Federated GP's who are delivering open access stop smoking clinics in 2 Primary Care Networks (PCN) areas in the borough. This ends on 31st March 2020 and will then be reviewed to see if we extend it across the borough
 - 3) We are planning to make changes to how the smoking cessation services are delivered. This could involve less GP service and more pharmacies together with more targeted specialist services (e.g. for pregnant women and for people with mental health issues).
- 1.6.2 It is difficult to be precise as to when we can make the changes due to the COVID-19 coronavirus. This is making it increasingly more difficult for us to make plans with NHS partners (GP's, BFG and PCN's) and is likely to continue for some months yet as, understandably, they will have different priorities and will not dealing with non-urgent issues. The effects of COVID-19 could also have a serious impact on Public Health Officers' time if this becomes a pandemic and work needs to be diverted for it.
- 1.6.3 We must also wait until the BFG pilot is completed at the end of this month, after which it will need to be evaluated before in can inform decision-making with regard to future commissioning of the Smoking Cessation service.
- 1.6.4 In addition to this the PCN's are still in a forming stage and are therefore not yet in a position to tender or deliver the service as we would require.
- 1.6.5 Due to the delays outlined above which delay the onset of a compliant procurement process, we are recommending an 18-month extension to the existing contracts with the option to extend for 6 months should further COVID-19 further detract from Public Health resources. The contracts will include a break clause so that if changes are agreed before the end of the 18-months, we can serve notice and re-procure as early as possible. This will allow sufficient time for assessing models for service delivery and then the subsequent procurement period.
- 1.6.6 According to Section 6 of the Council's contract procedure rules, direct contract award via single tender action is permitted in exceptional circumstances, for example, where the works, supplies and services can be supplied by a particular provider. In this case, the exceptional circumstances arise from the need to align the procurement of these services with the results of the BFG Pilot, the successful establishment of the PCNs and with wider consultation, and therefore a short-term contract is required to enable this.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The NHS Health Checks programme is a statutory programme that all top-tier local authorities are required to deliver. It is not possible to deliver this programme without access to GP patient lists. In areas where community providers are being used, they are being used *in addition* to contracts with GP practices. It is only through having access to GP patient lists that it can be determined whether a patient is eligible or not and, if they are, they can only be invited by their GP practice for obvious data protection reasons.
- 2.2 Regarding smoking cessation, we currently have a programme in place which is delivered by 38 GP practices and 11 pharmacies in Barnet. We have invested significant resources training over 70 staff in those GP practices and pharmacies. As a result, performance has been improving both in terms of numbers of those setting a quit date, as well as the percentage of those who successfully quit at 4 weeks.
- 2.3 Performance has been improved over the last three years (see below) and by continuing contractual relationships with the current providers for 12 months while alternatives are considered will enable the performance to continue the service and build on this improvement.

NHS Health Checks

	Offered
15/16	10,088
16/17	13,729
17/18	17,938
18/19	20,216
19/20 (first two quarters)	8778

Smoking cessation

	Setting a quit date	Successful quit
16/17	785	232
17/18	975	444
18/19	966	457
19/20 (first three quarters)	796	358

Note, Q4 is traditionally the busiest quarter

- 2.4 For GP practices there is the option of working with Barnet Federated GP's and/or with Primary Care Networks (or other organisation that all Barnet GP practices have data sharing agreements with). This option is under review as we continue to explore and model the service for effective delivery.
- 2.5 In regard to smoking cessation, a smoking strategy has been approved by the Health and Well-Being Board. Commissioning decisions have flowed from this. We are currently looking at re-configuring the service. This could involve awarding the contract to a single

supplier or to continue to have multiple suppliers. However, it is not possible to do this in the short period of time before 1 April 2020 as considerable time and effort will need to be invested in drawing up the commissioning options that will deliver on the aims in the strategy while remaining within the budget level. At this stage it is not practicable to do anything other than award the contract to the existing suppliers.

- 2.6 Regarding the smoking cessation database, it is a significant decision to change systems as there are over 70 trained users of the system in GP practices and pharmacies with over 300 people registered with active quit attempts. It needs to be carefully considered and planned in the context of the wider changes to smoking cessation services. These changes will only be considered in the next financial year. It is a low value contract of under £10,000.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 **Option 1 – Do Nothing**

One option that was considered and rejected was for Barnet Council to do nothing and to let Community Based Service contracts expire on 31st March 2020 without replacing them. This option was rejected as the provision of NHS Health Checks is a mandatory service so cannot be stopped. The Smoking Cessation services although not mandatory, supports the Council to meet its statutory duties under the Care Act 2014 including duties regarding promoting wellbeing.

Reasons for – this would save the value of the contracts.

Reasons against – by identifying risk and encourage lifestyle changes the longer-term savings for health and social care far outweigh the costs of running the programme. Also providing a better quality of life for people in the borough.

3.2 **Option 2 – Deliver services in-house**

Reasons for – Delivering in house could cost less

Reasons against – We do not have the capacity or staffing levels, also we do not have access the patients or the necessary medical information required. Additionally, we do not have the GP EMIS system for delivering HNS Health Checks and for reasons of patient confidentiality are unable to get the require systems.

4. **POST DECISION IMPLEMENTATION**

- 4.1 No significant implementation will be required as it is a continuation of the existing arrangements.
- 4.2 The authorisation of award of contract will be retrospectively reported to the next committee meeting.

5. **IMPLICATIONS OF DECISION**

5.1 **Corporate Priorities and Performance**

- 5.1.1 Both the NHS Health Checks and Smoking Cessation programmes enable the Council to fulfil its pledge to make Barnet a place “where people are helped to help themselves, recognising that prevention is better than cure” in line with its priorities set out in the Council’s Corporate Plan, Barnet 2024. Both programmes also contribute to enabling the Council to “get value for money for the taxpayer” as enabling people to stay fitter in old age should reduce the need for more expensive support. In the case of NHS Health Checks, it also enables the Council to meet its statutory obligations.
- 5.1.2 The smoking cessation database enables the local authority to have a clear audit trail for performance and payment to GP practices and pharmacies. It also enables performance data to be collected and reported internally and nationally.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property,**

Sustainability)

5.2.1 A procurement review has been conducted in accordance with the CPRs to ensure a stable delivery of the service continues and individual's needs are met.

5.2.2 A review to ensure the process for implementing a contract extension/continuing contractual relationships with the providers will deliver value for money during the extension/continuation has been undertaken and it has been identified that the extension/continuation will deliver value for money.

5.2.3 This is all within current budget and staffing resources. Annual and proposed contract budgets are:

Contract	Annual Budget (Actual contract value)	18 months	6 Month Extension	Total proposed Contract Value
NHS Health Checks	£257,000	£385,500	£128,500	£514,000
Smoking Cessation	£131,600	£197,400	£65,800	£263,200
Totals	£388,600	£582,900	£194,300	£777,200

5.2.4 A full OJEU tender will be undertaken to re-procure these services once the commissioning review of the delivery methods and activity has been undertaken. However, this could be delayed due to the COVID-19 coronavirus, we anticipate this could entail a delay of up to 6 months. Then there will be the negotiations and review of providers. There will then be a 9-month period for the tendering process followed by 3 months of mobilisation for the new service providers.

5.2.5 For these reasons we are recommending an 18-month extension to the existing contract with the option to extend for up to 6 months. We would also want a break clause written into the contract so if then changes are agreed before the end of the 18 months then we can re-procure at that point.

5.2.6 There are no TUPE implications associated with these contracts or with this approach.

5.2.7 There are no staffing of IT implications.

5.2.8 There are no quality concerns with the performance of the incumbent providers (see Appendix 1).

5.3 Social Value

5.3.1 In awarding the contracts to local GP practices and pharmacies it will mean awarding them to small local businesses, employing significant numbers of staff living locally.

5.4 Legal and Constitutional References

This Report seeks authority to award single tender contracts for the Community Based Services. The services are for the following:

1. NHS Health Checks with a total budget/cost up to £514,000. (An 18 month contract may cost up to £385,500 and with a possible 6 month extension at £128,500.) Contract is to be awarded to GP surgeries and some pharmacies
2. Smoking Cessation Contract with a total cost of £243,300 (18 month contract costing up to £182,475 with an option to extend for a further 6 months for £60,825) awarded to GP's and Pharmacies.
3. Smoking Database costing £19,500 (an 18 month contract at £14,625 with an option to extend for 6 months for £4,875).

The Council has a statutory duty to provide the community based services. The Community based services are governed by the Light Touch Regime under the Public Contracts Regulations 2015 and the current threshold for these services is £663,540.

- 5.4.1 The Council's CPR rule 6 states for an award of a single tender is permitted only in exceptional circumstances and should be approved in advance by the Commercial & ICT Services Director. Procurement advice should be sought in all cases. Exceptional circumstances may include where the works, supplies or services can be supplied only by a particular supplier. The rationale for recommending this direct contract award via single tender action has been set out in section 1 and section 2 of this report.
- 5.4.2 Under the Council's Contract Procedure Rules, the authorisation for contracts with a total procurement value of over £500,000 which are within Budget and approved by the Policy and Resources Committee Annual Procurement Forward Plan, is via a Full DPR (Chief Officer in consultation with Theme Committee Chairman).
- 5.4.3 In addition, Regulation 72(1)(c) of PCRs says that contracts can be modified without a new procurement procedure where the need for modification has been brought about by circumstances which the Council could not have foreseen, the modification does not alter the overall nature of the contract, and any increase in price does not exceed 50% of the value of the original contract.

Risk Management

- 5.4.4 The intention to award single source contracts to multiple GP and Pharmacy providers (see Appendix 1) for the provision of NHS Health Checks and Smoking Cessation Services is unlikely to raise any public concern as the services are already in operation and there will be no change or disruption to patients.
- 5.4.5 Some of the risks of not awarding are set out in this report including the reputational risk of not meeting our statutory obligations in the case of NHS Health Checks.

5.5 Equalities and Diversity

- 5.5.1 For both services the percentages accessing the programmes are broadly in line with the

ethnic make-up of the borough. This will continue to be monitored.

5.5.2 The 2010 Equality Act outlines the provisions of the Public Sector Equality Duty which requires Public Bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people from different groups.
- Foster good relations between people from different groups.

5.5.3 The broad purpose of this duty is to integrate considerations of equality into day to day business and to keep them under review in decision making, the design of policies and the delivery of services.

5.6 **Corporate Parenting**

5.7.1 There are no direct implications for children and young people. NHS Health Checks is a cardio-vascular check for people aged 40 – 74 and not relevant for children and young people. The smoking cessation service is open to young people with the caveat that some Nicotine Replacement Therapies and pharmacotherapies should not be offered to young people under the age of 18.

5.7 **Consultation and Engagement**

5.7.1 No public consultation has been undertaken on the contract extension due to limited time. During the commissioning review we will consider if wider consultation is needed.

5.9 **Insight**

5.9.1 Not Applicable

6. **BACKGROUND PAPERS**

6.1 Policy and Resources Committee, 6 January 2020, Annual Procurement Forward Plan, line 268:

<https://barnet.moderngov.co.uk/documents/s56940/Appendix%201%20Annual%20Procurement%20Forward%20Plan%20202021.pdf>

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

Chief Officer: Dr Tamara Djuretic, Director of Public Health

Signed: Dr Tamara Djuretic

Dated: 17th March 2020

Committee Chairman has been consulted:

Signed: Cllr Caroline Stock

Dated: 27/03/2020

Appendix I

List of Providers

GP providers for NHS Health Checks and Smoking Cessation

Practice	Health Checks	Smoking Cessation
Addington Medical Centre	Y	Y
Barnet Federated GPs	N	Y
Brunswick Park Medical Practice	Y	N
Colindale Medical Centre	Y	Y
Colney Hatch Lane Surgery	Y	Y
Cornwall House Surgery	Y	N
Deans Lane Medical Centre	Y	Y
Derwent Crescent Medical Centre	Y	Y
Dr Adler & Dr Rosenberg	Y	N
Dr Azim & Partners	Y	Y
East Barnet Health Centre	Y	Y
East Finchley Medical Practice	Y	N
Friern Barnet Medical Centre	Y	N
Gloucester Road Surgery	Y	Y
Greenfield Medical Centre	Y	Y
Heathfelde Medical Centre	Y	Y
Hendon Way Surgery	Y	Y
Jai Medical Centre	Y	Y
Lane End Medical Group	Y	Y
Langstone Way Surgery	Y	Y
Lichfield Grove Surgery	Y	Y
Longrove Surgery	Y	Y
Millway Medical Practice	Y	Y
Mountfield Surgery	Y	Y
Mulberry Medical Practice	Y	Y
Oak Lodge Medical Centre	Y	Y
Oakleigh Road Clinic	Y	Y
Parkview Surgery	Y	Y
Pennine Drive Surgery	Y	N
Penshurst Gardens Surgery	Y	Y
PHGH Doctors	Y	Y
Squires Lane Medical Practice	Y	Y
St Andrews Medical Practice	Y	Y
St George's Medical Centre	Y	Y
Supreme Medical Centre	Y	Y
Temple Fortune Medical Group	Y	Y

The Everglade Medical Practice	Y	Y
The Hillview Surgery	Y	N
The Hodford Road Surgery	Y	Y
The Old Courthouse Surgery	Y	Y
The Phoenix Practice	Y	Y
The Practice @ 188	Y	N
The Speedwell Practice	Y	Y
The Village Surgery	Y	Y
Torrington Park Group Practice	Y	Y
Vale Drive Medical Practice	Y	N
Wakemans Hill Surgery	Y	Y
Watling Medical Centre	Y	N
Wentworth Medical Practice	Y	Y
Woodlands Medical Practice	Y	N

Pharmacy providers for Smoking Cessation

Cootes Pharmacy - Ballards Lane
 Fairview Pharmacy
 Gateway Chemist
 HA McParland Chemist – Hendon
 Hale Pharmacy
 Links Pharmacy
 Oakdale Pharmacy
 Oakleigh Pharmacy
 Parry-Jones & Co
 Superdrug Edgware
 Tesco Pharmacy Coppetts Centre

Smoking Cessation Database

North51/Bionical