	<h2 style="margin: 0;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
Title	Healthy Child Programme Contract Award – Health Visiting and School Nursing, (Including Healthy Weight Nurses, Oral Health, and Infant Feeding)
Report of	Tamara Djuretic - Joint Director of Public Health and Prevention for Barnet Council and Royal Free. Chris Munday - Executive Director Children and Family Services
Wards	All
Status	Public
Enclosures	None
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Summary

1. The Healthy Child Programme is a mandated Public Health function.
2. Following a Policy and Resources committee decision in February 2018 and a Council Officer decision in May 2019, the Healthy Child Programme services were tendered using the council procurement portal in September 2019 for a three year plus one year plus one year contract term with a c£25m budget.
3. The tender was awarded to the Whittington Health NHST on 6 December 2019, but following withdrawal of their tender on 8 January 2020 the service contract with CLCH was extended for 18 months, which also took into account the Coronavirus pandemic (Lockdown 1).
4. The extended pandemic, made it necessary to extend the contract with Central London Community Healthcare for a further 6 months to March 31 2022. This allowed time for a new procurement process to be completed, taking into account the Coronavirus flu pandemic, which would have made it difficult for Health Trusts to write bids at the time.
5. Following this extension, no further extensions were legally possible so strategic agreement through the delegated power report was sought to re-procure the services with a budget of £5.3m per annum.
6. In August 2021 the Healthy Child Programme services were tendered using the councils' procurement portal for a three year plus one plus one contract. The winning bidder was Solutions 4 Health.
7. The re- procurement of the service will be delivered within planned 2022 budget (£5,330,000). The successful bidding organisation submitted a bid for £4.9m per annum.
8. This DPR is requesting an award agreement following the procurement process.

Decisions

The Healthy Child Programme services contract should be awarded to Solutions 4 Health with a start date of 1 April 2022 for a 3 year contract term and the option of a one year + one year contract extension.

1. WHY THIS REPORT IS NEEDED

- 1.1 Following due council procurement and legal process, the award decision requires sign off before the winning bidder can be informed.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The procurement process was carried out between August and October 2021 and involved service users in the method question setting. Four bids were received following the invitation to tender by Barnet Council. One bid was non-compliant with the selection questionnaire as they did not have past experience of delivering the Healthy Child Programme. Three bids were evaluated and moderated in accordance with the Council's Contract Procedure Rules and legal processes.
- 2.2 Solutions 4 Health received the highest score and their bid demonstrated its ability to deliver the Healthy Child Programme services as specified within the specification and accompanying documents. They demonstrated that they have experience of delivering similar services in Slough and that they share the values of Barnet Council and are experienced in putting children and families first.
- 2.3 Following the moderation board where all individual Panel members' scores were added and calculated independently, a recommendation to award the contract to the bid with highest score - Solutions 4 Health - was presented to the Healthy Child Programme Board for approval.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Do nothing was considered, but this would have meant that the service would have ceased. This is not an acceptable option considering the service provision is essential and Council's mandatory function for children and families in Barnet.
- 3.2 In – house option was considered, but it was not recommended. The reasons included recruitment and retention risk, the extensive clinical governance procedures that would need to be put in place including a preparation for CQC inspection and the Council's readiness and capacity to support the transition as well as management of the services.
- 3.3 Service contracts to be extended with Central London Community Healthcare NHS Trust was considered but legal advice was that further extensions were not possible under the current contract.
- 3.4 A Section 75 to a North Central London NHS Provider was considered but the option

was deemed unsuitable at the time and therefore it was decided to follow an open procurement process.

4. POST DECISION IMPLEMENTATION

- 4.1 The Healthy Child Programme services will be awarded to Solutions 4 Health via a service contract that enables the level of integration desirable for Barnet children and families.
- 4.2 Barnet Council commissioners will work with the current provider and the new provider to ensure a smooth transition of services with minimal disruption to staff and service users and mitigate any risk of transition.
- 4.3 The Healthy Child Programme board will oversee the transition from current to new provider ensuring safety, quality and continuation of service are paramount.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 One of Barnet's 2024 Corporate Plan outcomes is to improve services for children and young people and ensure the needs of children are considered in everything we do. The Healthy Child Programme contract award will achieve population prevention aims and better integration of services at the point of delivery. This service will also help Barnet meet its priorities for reducing obesity, improving oral health, support children to have healthy start, improve school readiness and promote greater integration of services with social care, early help and children's centres. The Barnet children and young people's plan 2019 – 2023 has a vision focused on making Barnet an even better place to live for all families. The young people at the youth convention wanted improved health education and access to health support which a fully integrated model. The Healthy Child Programme contract award will contribute to this vision.

5.1.2 Best Start in Life is one of the Health and Wellbeing Strategy's priority and commissioning of mandatory Healthy Child Programme contributes to this priority.

5.1.3 The Health and Wellbeing strategy 2021- 2025, has a priority to 'Improve children's life chances' stating that Barnet 'will improve children's life chances by supporting their health and wellbeing from very early age and through to their transition into adulthood.' The Healthy Child Programme is instrumental in helping Barnet to achieve this priority.

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

5.2.1 The Healthy Child Programme is a mandatory service funded by the Public Health Grant (currently £17.817m in 2021/22).

5.2.2 The budget for the contract award was £5.330m per annum with an approximate total contract value of £26.650m. However, the successful bidding organisation submitted a bid of £4.9m per annum giving a total value of £24.5m over the maximum 5 year period.

5.2.3 There are Transfer of Undertaking (TUPE) implications which are covered within the contract price

5.3 Legal and Constitutional References

The critical nature of the services means that the Council must continue to ensure its provision. The unforeseeable chain of events commencing with the failed procurement and then the pandemic has left the Council in exceptional circumstance which has meant that the Council has had to resort to relying on several contract extensions under Regulation 72 of the Public Contract Regulations 2015 (Regulations). The Regulations permits extensions or modifications of a contract without a new procurement where the need for the modification/ extension has been brought about by circumstances which a local authority could not have foreseen and this doesn't result in an increase in price which exceeds 50% of the value of the original contract. It is unlikely that the Council can compliantly rely on Regulation 72 for a further extension of their current contract.

Under the Council's Constitution, Contract Procedure Rules (the CPR), Table A, Bid Acceptance Process and Documentation in relation to a Procurement with a value of more than £5,00,000 is subject to authorisation by the Council Officer as designated by the approved Scheme of Delegation and the relevant documentation (if within budget which applies in this case) is an Officer Delegated Power Report. Therefore, for the purpose of this decision, the appropriate bid acceptance documentation is a full DPR.

5.4 Insight

5.4.1 This report is written within the context of the Joint Strategic Needs Assessment 2015 – 2020 and the requirements of the people of Barnet for a seamless service that takes into account their changing needs. The Healthy Child Programme is a national model for health visiting and school nursing and places them with a lead role in the delivery and coordination of care for children and families

5.5. Social Value

5.5.1 The Public Services (Social Value) Act 2012 requires people who commission certain public services to think about how they can also secure wider social, economic and environmental benefits.

5.5.2 The Healthy Child Programme ensures an efficient health and wellbeing service for children and families whilst delivering benefits to individuals in a coordinated fashion. The programme also includes supporting parents and young people when they need it and providing the right amount of advice to individuals to develop the skills they need to make choices for their own well-being in the future. Services working together derive social capital from each other and this in turn supports a collaborative approach towards sustainability within an ever-changing economy.

5.6 Risk Management

5.6.1 Agreeing the reprocurement mitigates the risks to the Council of ceasing the contract and not providing the services.

5.6.2 The procurement project plan had a comprehensive risk register which was monitored at the Healthy Child Programme board on a monthly basis and mitigation actions discussed.

5.6.3 Risks identified include the potential withdrawal of the winning bidder post award; the Health and Social Care Act and its implications for procurement practice and the risk of problems occurring within the mobilisation period.

5.7 Equalities and Diversity

5.7.1 The Healthy Child Programme Board oversees procurement and implementation of this service contract.

5.7.2 The Public Sector Equality Duty at section 149 of the Equality Act 2010 applies to local authorities who as public authorities must, in the exercise of their functions, have due regard to the need to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the 2010 Act. As well as advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are - age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

5.7.3 The Healthy Child Programme is a universal service offered to all children and young people across the borough, with a specific focus on those who are from vulnerable families. Section 149 of the Act imposes a duty on 'public authorities' and other bodies when exercising public functions to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.8 Corporate Parenting

5.8.1 There are no implications for the London Borough of Barnet's corporate parenting responsibilities with this contract.


5.8.2 The Health visiting and school nursing services have safeguarding responsibilities as part of their overall health and development surveillance supporting children who have been placed in care with their health needs.

5.9 Consultation and Engagement

5.9.1 Previous reviews of the services have involved wide consultation with multi agency stakeholders including the consultant for public health; the clinical lead in the clinical commissioning group. A stakeholder reference group met three times in 2018/19 to discuss the delivery model and recommend how it could be improved and embedded into Barnet. This reference group included a community paediatrician; voluntary sector representatives; early help and children centre managers as well as members of the early years and public health nursing teams.

- 5.9.2 A service user and stakeholder feedback exercise was completed in March 2018 with a total of 449 respondents to the online and paper questionnaires. Responses were compiled into a report and were used to direct the remodelling of the services delivery offer.
- 5.9.3 Due to the timescale of the unsuccessful procurement process and the need to ensure business continuity urgently, no consultation took place around the previous extensions.
- 5.9.4 A commissioner led service user and stakeholder feedback exercise closed in July 2021 and while its responses did not inform the reprocurement exercise they will be part of the mobilisation phase and help to determine any amendments to the service delivery model post contract award.

6. BACKGROUND PAPERS

- 6.1 Policy & Resources Committee February 2018 – Item 10, Public health nursing
<https://barnet.moderngov.co.uk/documents/g8742/Printed%20minutes%2013th-Feb-2018%2019.00%20Policy%20and%20Resources%20Committee.pdf?T=1>
- 6.2 Line 272 of the Annual Procurement Forward Plan agreed by the Policy and Resources Committee [Appendix 1 Annual Procurement Forward Plan 202122.pdf \(moderngov.co.uk\)](#)
- 6.3 Chief officer decision 21 May 2019

Chief Officer Decision
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- 6.4 Delegated powers report 15 July 2019
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7314>
- 6.5 Chief Officer in consultation with Chairman Delegated Powers report published 12.12.2019
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7422>
- 6.6 Chief Officer in consultation with Chairman Delegated Power report published 23.4.2020
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7482>
- 6.7 Chief Officer in consultation with Chairman Delegated power report published May 2021
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=8624>
- 6.8 Chief Officer in consultation with Chairman Delegated power report Published July 2021
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=8669>

Chief Officer: Tamara Djuretic
Decision maker



Signed

Date 11 October 2021

Chief Officer: Chris Munday
Decision maker



Signed

Date 6 October 2021

