

## Barnet Health Overview and Scrutiny Committee

7 December 2021

<b>Title</b>	Barnet Healthy Child Programme Services update on contract award decision
<b>Report of</b>	Director of Public Health and Prevention
<b>Wards</b>	All
<b>Status</b>	Public
<b>Key</b>	No
<b>Urgent</b>	No
<b>Enclosures</b>	None
<b>Officer Contact Details</b>	Clare Slater-Robins <a href="mailto:clare.slater-robins@barnet.gov.uk">clare.slater-robins@barnet.gov.uk</a>

### Summary

Public Health and Family Services commission the Healthy Child Programme (HCP) services (health visiting, school nursing, oral health promotion, breastfeeding peer support and healthy weight nurses) for the London Borough of Barnet (LBB) from Central London Community Healthcare NHS Trust since 2015, when it was transferred to the Council from the NHS (as novated NHS contract from 2009).

It is a good practice to procure contracts in open competition in order to improve services and achieve most effective and most efficient offer for Barnet's residents. An option paper on procurement of the HCP was taken to P&R Committee in 2018, following which, it was agreed to go to a Section 75 procurement (protected for the NHS bidders only) in 2019.

Procurement process in 2019 resulted in the LBB awarding contract to the Whittington Health. Subsequent to the decision to award, Whittington Health withdraw their bid. LBB then entered into negotiations with the NHS partners to settle the contract via direct Section 75 award to an NHS provider however this was not supported by NHS colleagues. Contract with CLCH was extended, due to exceptional circumstances of the pandemic and failed procurement. CLCH contract extension was coming to an end in March 2021 and LBB made a decision to go to open procurement, following a successful market testing exercise.

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 LBB. 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.

Solutions 4 Health received the highest score and their bid demonstrated its ability to deliver the Healthy Child Programme services as specified within the service specification and within set budget. Solutions 4 Health demonstrated that they have experience of delivering HCP and other NHS services elsewhere and that they share the values of Barnet Council in putting children and families first.

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 the highest score - Solutions 4 Health - was presented to the Healthy Child Programme Board for approval.

Transition phase has commenced and governance structures have been put in place to ensure smooth transition of the HCP in Barnet.

## **Recommendations**

- 1. That the Committee note the update information and mobilisation of the Healthy Child Programme services to Solutions 4 Health.**

### **1. WHY THIS REPORT IS NEEDED**

A number of members inquiries have been put to officers recently about the procurement process and decision making of the Healthy Child Programme. This paper is therefore intended to update the Committee on the decision-making process during the procurement of Barnet Healthy Child Programme and reassure Committee of the robustness of the procurement process and mobilisation phase.

### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Healthy Child Programme services are mandated by Government to be provided by councils in England. They are essential services and key for the health and development and to post coronavirus pandemic recovery for children and families in Barnet.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

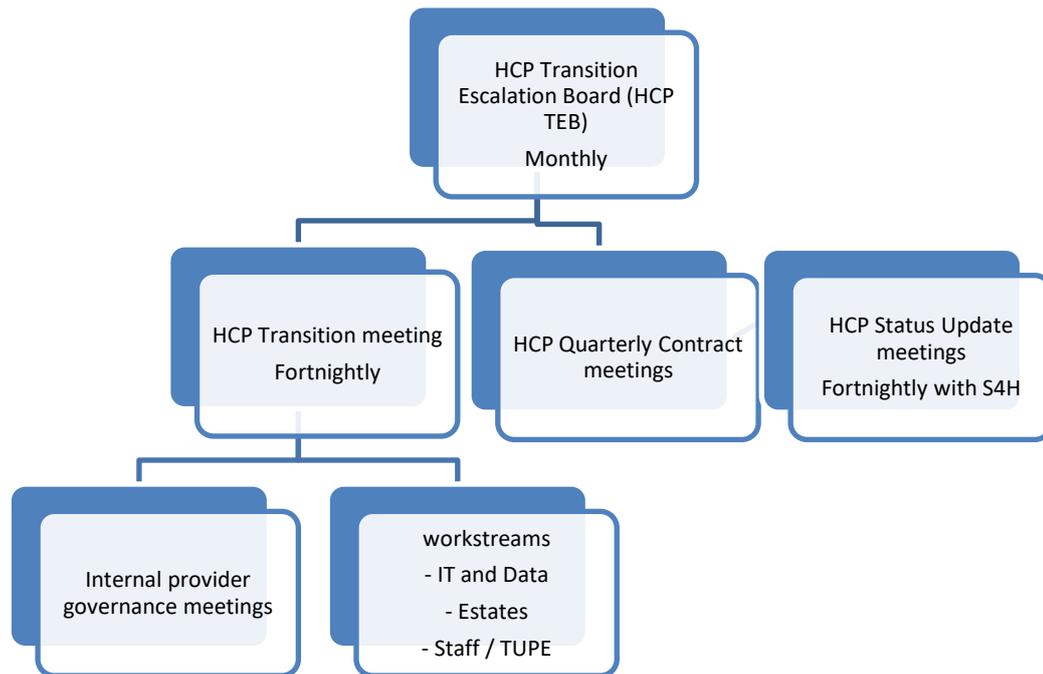
- 3.1 Do nothing was considered, but this would have meant that the service would have ceased. This is not an acceptable option considering the service

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 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 not supported by the NHS at the time and therefore it was decided to follow an open procurement process.

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 The Healthy Child programme Board, Transition Escalation Board and Contract meetings will continue to monitor and progress the mobilisation / de-mobilisation in Barnet to ensure a safe continuation of service delivery.
- 4.2 Mobilisation is underway with an exchange of plans between the incumbent and new provider and workstreams are meeting around estates, HR and IT.
- 4.3 The Governance structure is in place with meetings ongoing as below.



4.4. There is an agreed risk register in place which is reviewed by the Transition meeting and risks plus their mitigations are escalated to the HCP Transition Board on a monthly basis.

## 5. IMPLICATIONS OF DECISION

### 5.1 Corporate Priorities and Performance

5.1.1 The Overview and Scrutiny Committee must ensure that the work of Scrutiny is reflective of the Council's principles and strategic objectives set out in the Barnet 2024 Corporate Plan.

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 services are funded within the Public Health Grant and there are no other financial implications for the Council.

## 5.3 **Social Value**

5.3.1 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.

5.3.2 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.

## 5.4 **Legal and Constitutional References**

5.4.1 Section 244 of the National Health Service Act 2006 and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218; Part 4 Health Scrutiny by Local Authorities provides for the establishment of Health Overview and Scrutiny Committees by local authorities.

5.4.2 The Council's Constitution (Article 7) sets out the terms of reference of the Health Overview and Scrutiny Committee as having the following responsibilities:

*"To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service (NHS) and NHS bodies located within the London Borough of Barnet and in other areas."*

## 5.5 **Risk Management**

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

5.5.2 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.

5.5.3 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.

## 5.6 Equalities and Diversity

5.6.1 Equality and Diversity issues are a mandatory consideration in decision making in the Council pursuant to the Equality Act 2010. This means the Council and all other organisations acting on its behalf must fulfil its equality duty when exercising a public function. The broad purpose of this duty is to integrate considerations of equality and good relations into day to day business, requiring equality considerations to be reflected into the design of policies and the delivery of services and for these to be kept under review.

5.6.2 The specific duty set out in s149 of the Equality Act is to have due regard to need to:

*Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.*

5.6.3 The relevant protected characteristics are – age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Health partners as relevant public bodies must similarly discharge their duties under the Equality Act 2010 and consideration of equalities issues should therefore form part of their reports.

## 5.7 Consultation and Engagement

This was carried out in 2019 and service users were involved in setting the procurement questions. Further service user and stakeholder engagement was undertaken between November 2020 and July 2021 but the results of this engagement was not collated within the tender timescales.

## 5.8 Corporate Parenting:

The Healthy Child Programme is something which is important to all young people and adults and as such is of interest to the Local Authorities children in care and corporate parenting function. The programme is relevant to all Barnet residents from 0 - 19 years (25 for SEND).

## 6. BACKGROUND PAPERS

DPR report 28.10.2021

<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=8688>