

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 12 September 2022

Report Title

Officer Decision Record for the award of the 0-19 Children's Public Health Nursing Services

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report outlines the decision to award this contract to TRFT after a tender process which was agreed by Cabinet 22 March 2021.

Recommendations

1. To award the contract for the Children's Public Health Nursing Service, Tender reference 20-154 to The Rotherham NHS Foundation Trust from 1 April 2023 until 31 March 2028 (five years) with the option to extend the contract for up to a further five years.

List of Appendices Included

Background Papers

[Rotherham MBC Cabinet Report](#) – 22 March 2021

[Rotherham MBC Cabinet Report](#) – 22 November 2021

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Name of Committee – Click here to enter a date.

Name of Committee – Click here to enter a date.

Council Approval Required

No

Exempt from the Press and Public

No

Officer Decision Record for the award of the 0-19 Children's Public Health Nursing Services contract ref 20-154

1. Background

- 1.1 Since March 2021, a Project Group chaired by the Director of Public Health has been in place to oversee the commissioning of the service. The Project Group has been supported by additional subgroups focusing on needs assessment, consultation, and the development of the specification. Attendance and engagement of the groups have been excellent from both internal and external partners, ensuring an inclusive and thorough process.
- 1.2 The Healthy Child Programme (HCP) is the national evidence-based programme for children aged 0-19, which aims to bring together health, education, and other key partners to deliver an effective programme for prevention and support that is universal in scope. The local Service is principally staffed by Health Visitors/School Nurses but also includes a wider workforce and is the primary means of delivering the HCP.
- 1.3 Responsibility for commissioning Health Visiting and School Nursing services (usually described as Public Health Children's Nursing) was passed to local authorities in 2015, following the earlier transfer of other public health services resulting from reforms set out in the 2012 Health and Social Care Act. Rotherham's current service was tendered in 2016 and awarded to The Rotherham Foundation Trust (TRFT). The contract was due to expire on 31 March 2022. The Cabinet paper of 22 March 2021 obtained permission for the contract to be extended by one year to allow for the tender process to be undertaken see 1.5 below.
- 1.4 The Service delivers the HCP in Rotherham; this is a universal provision for all of Rotherham's families. The Service shall deliver the following core elements. The Health Visiting services (0-5 years) include:
- leading and delivering the five mandated health reviews
 - delivering against the six high impact areas for early years
 - continuity of family public healthcare from maternity to health visiting services
 - contributing to safeguarding
 - identifying and supporting vulnerable children and families
 - addressing inequalities and contributing to the 'Families for Change' Programme.
 - and contributing to the wider children and young people's (C&YP) system
- The School Nursing services (5-19 years) also include:
- delivering against the six high impact areas for school-aged years
 - supporting the transition for school-aged children, for example, the transition between health visiting and school nursing, and into adult services
 - supporting vulnerable children and those not in school, for example, children in care, young carers or young offenders

- supporting children who are home educated

1.5 A meeting of Cabinet, Monday 22 March 2021 10.00 a.m. ([Item 129.](#)) agreed to an extension of the current contract to the end of March 2023 via a contract modification in accordance with Regulation 72 of the Public Contracts Regulations 2015 (as amended) to enable sufficient time for the recommissioning of the new contract, in light of the disruption caused by the pandemic response. Cabinet agreed on the timeline for publication of the tender in April 2022 for an initial five-year contract term, with annual extension options after that for up to an additional five years, making the total potential contract length ten years. Extensions will only be utilised if performance is strong and there is evidence of continuous improvement. The report also suggested an open tender process.

1.6 A meeting of Cabinet, Monday 22 November 2021 10.00 a.m. ([Item 8.](#)) received an update on the progress of recommissioning of Public Health Children's Nursing services, including an update on procurement options and the specification.

Cabinet noted the good progress made on the recommissioning process against the timeline agreed in March 2021.

Cabinet noted the parallel timeline of the Health and Care Bill, and its implications in respect of the proposed removal of the current rules for NHS and public health service commissioners when arranging clinical healthcare services.

2. Key Issues

2.1 The successful supplier identified through the tender evaluation is The Rotherham NHS Foundation Trust.

2.2 The officer decision confirms the decision to award the contract for the Children's Public Health Nursing Service, Tender reference 20-154 to The Rotherham NHS Foundation Trust from 1 April 2023 until 31 March 2033 (five years) with the option to extend the contract for up to a further five years.

3. Options considered and recommended proposal

3.1 There are no options to consider, the recommendation to undertake an intent to award of the contract to The Rotherham NHS Foundation Trust is generated as a result of the tender evaluation process as summarised in the Tender Evaluation Report to be approved by the Strategic Director of Adult Care, Housing and Public Health.

4. Consultation on proposal

4.1 A Project Group and Specification Group was established with internal partners to the Council and the wider system, including the RCCG (Rotherham Clinical Commissioning Group).

- 4.2 An internal and public consultation has taken place, which sought the views of people who use the 0-19 Service, children, young people, and their families, stakeholders and professionals, including people working in health, education, and the Voluntary Sector. The consultation was delivered through various forums, including 1-1 interviews, focus groups and questionnaires.
- 4.3 Results from the consultation have supported the development of the service model and specification. Key themes from the consultation include a need to focus on mental health and healthy weight. The consultation also prioritised a needs-led/preventative approach, a need to focus on continuity of care as well as more place-based interventions. These have all been integrated into the specification.
- 4.4 A Market Engagement Event on the 7th September 2021 targeted conversation around the proposed changes to the Service. The market expressed no issues with the new guidance and asked the Council to ensure ample time was given to submit tenders due to the size and complexity of the contract. A significant part of the event covered the Social Value aspect of the tender to help build knowledge and capacity in the market.
- 4.5 In addition, the successful bidder has committed to embedding engagement and co-production as part of their bid, this included a commitment to the Four Cornerstones and the You're Welcome criteria for working with young people.
- 4.6 The Officer decision has been reviewed at Adult Care, Housing and Public Health DLT meeting.
- 4.7 The Cabinet Member for Adult Care, Housing and Public Health has been made aware of the Officer Decision.
- 4.8 The Cabinet Member for Children's Social Care & safeguarding has been made aware of the Officer Decision.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Following completion of the procurement standstill period, regular mobilisation meetings will follow to implement the new contract with the provider. Whilst there is no staff transfer or patient record transfers to take place as the incumbent has retained the contract there will still need be a need to undertake detailed meetings to establish and mobilise the new model. The contract commencement is the 1st April 2023.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 The tender was based on a fixed price contract for the first 5 years funded from within the existing Public Health budget. For this reason, price did not form part of the tender evaluation process. The contract can be extended for up to a further 5 years, however, from year 6 inflation will be applied to the contract

price. This will need to be considered as part of the Council's Budget and MTFs in the year proceeding any increase. The financial schedules submitted have been reviewed and no concerns have been identified.

6.2 This procurement has been completed in line with the Councils Financial and Procurement Procedure Rules and Public Contract Regulations (as amended) full details are contained within the Procurement Tender Evaluation Report.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

7.1 As set out in the report, an appropriate lawful procurement process has been followed.

7.2 As stated in the Tender Evaluation report a comprehensive contract will be completed with the preferred supplier incorporating all of the Council's requirements and the suppliers' proposals.

8. Human Resources Advice and Implications

8.1 There are no HR implications in relation to the contract in respect of RMBC.

8.2 Transfer of Undertakings (Protection of Employment) (TUPE) does not apply as the successful bidder is the incumbent.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The implication on care continuity will be minimal there is no requirement to transfer care to a new provider.

9.2 The Service forms a part of the C&YP (children and young people) system and will be universal in reach and personalised in its response. A proportionate needs-led approach will be used, with universal, targeted, specialised and community components. Therefore, this will help reduce health inequalities in relation to social and economic circumstances and identify and address specific needs or risks/vulnerabilities.

9.3 This has been a collaborative commissioning exercise with service model views sought from various stakeholders, including families, children and young people, children, and young people's services, safeguarding, adult care, RCCG and the Voluntary Sector.

9.4 Health Visiting and School Nursing are universal services, and every family will have some level of offer and engagement with these services. The level of engagement will vary according to the need of both the child/ children in the family and the needs of parents/ carers.

10. Equalities and Human Rights Advice and Implications

- 10.1 An equality assessment and a needs assessment has been carried out as part of the procurement process. It is important to note, although the Service is labelled as 0 to 19, it does offer support for young people with complex health needs up to the age of 24
- 10.2 This is a universal Service in Rotherham. It is known that poor physical and mental health is disproportionately experienced by some of the most vulnerable members of our local communities. The recommissioned Service will aim to address inequality in health as a general principle and prioritise certain target groups.
- 10.3 The specification for the recommissioned Service sets out the above requirements to ensure equal access and outcomes across all of Rotherham's communities whilst ensuring that no protected equalities group is being unintentionally disadvantaged or excluded.

11. Implications for CO2 Emissions and Climate Change

- 11.1 A Carbon Impact Assessment form has been completed and highlighted no issues.
- 11.2 All bidders were required to describe the outcomes that the bidder will deliver to support the Council Plan which included a commitment to the theme: A cleaner, greener local environment.

12. Implications for Partners

- 12.1 The implication on partners is expected to be minimal as the provider already has partnership and pathways established.
- 12.2. The Service is an essential part of an existing C&YP system and has existing relationships/pathways. The new specification/model is unlikely to impact this and potentially could improve it.
- 12.3 The key partners are CYPS, NHS England (NHSE) and RCCG. RCCG also commission other children's services from TRFT, and there are interdependencies that are untested as the NHS has always provided these services to date. All partners have been developing the specification to ensure that it takes account of their requirements.
- 12.4 Views have been sought from external partners using consultation and engagement methods. Where a conflict of interest is not established, these partners are invited to participate in the specification development and the moderation of the tender.

13. Risks and Mitigation

- 13.1 The risk register that forms part of the Business Case for this procurement has been reviewed following the receipt of tenders and the identification of the preferred bidder. At this stage in the process, there remain no red RAG status risks.
- 13.2 Given that the successful organisation is the incumbent provider, there are reduced risks as there will be no TUPE transfer or transfer of patient records or changes in continuity of care this will help to ensure continuity of service delivery and a smoother mobilisation and transition to the new contract.

14. Accountable Officers

Ian Spicer - Strategic Director of Adult Care, Housing and Public Health.