

Title of report: Contract Variation for The Public Health Nursing Service 0-25 years

Decision maker: Cabinet member health and adult wellbeing

Meeting date: Thursday 24 March 2022

Report by: Senior Commissioning Officer

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Wards affected

(All Wards);

Purpose

To approve a one year contract extension to the Public Health Nursing Service (0-25) years from 31 March 2023 to 31 March 2024.

Recommendation

- a) **To approve a 1 year extension to the Public Health Nursing Service contract from 31 March 2023 to 31 March 2024**

Alternative options

- 1) Do nothing and end the contract on 31 March 2023. This is not advisable as the service is a Local Authority Statutory function and supports the health and wellbeing of children 0-25 years.
- 2) Recommission the service through a competitive tender approach in the summer 2022. This is not advisable as the service is fundamental to the health and wellbeing of children 0-25 years in Herefordshire and must be integrated and aligned with the broader development and work within children's services as well as feeding into wider partnership opportunities presented through the new Integrated Care System in Herefordshire (ICS). Both of these are not yet established sufficiently enough to align and integrate this service to them in a way that will ensure the best possible outcomes for children & families and the best possible use of the resource.

Key considerations

- 3) The current contract was commissioned through a competitive tender approach in 2018 for a period of 5 years at a cost of £13,070,700. Wye Valley Trust was the successful provider and has been delivering the service in Herefordshire. The contract is due to end 31 March 2023. [PHN 0-25 Record of Officer Decision Jan18 Final.pdf \(herefordshire.gov.uk\)](#)
- 4) There is no provision within the current contract to extend the service beyond 31 March 2023.
- 5) The public health 0-25 years' service delivers the Healthy Child Programme which is universal in reach and which aims to bring together health, education and other key partners to deliver an effective programme for prevention and support. Whilst recognising the contribution of other partners, there are some elements of the programme which require clinical expertise and knowledge that can only be provided through services led and provided by the public health nursing workforce, for example, health visiting and school nursing teams.
- 6) The Healthy Child Programme offers every family an evidence-based intervention programme consisting of screening tests, immunisations, developmental reviews and information and guidance to support parenting and making healthy choices. The boxes below outline the approach: Universal in reach – personalised in response.



- 7) The early years (0-5 years element) has regulations which require all families with babies to be offered five mandated health visitor reviews before their child reaches 2 and a half years old. The core public health offer for all children includes:
 - child health surveillance (including infant physical examination) and development reviews
 - child health protection and screening

- information, advice and support for children, young people and families or carers
- early intervention and targeted support for families with additional needs
- health promotion and prevention by the multi-disciplinary team
- defined support in early years and education settings for children with additional and complex health needs
- additional or targeted public health nursing support as identified in the Joint Strategic Needs Assessment, for example, support for children in care, young carers, or children of military families.

8) The public health nursing services provide universal and targeted support. The service does not work in isolation, but closely with partners across health and social care, education and communities. Due to their close relationships with families or carers and community settings, including early years and education settings, the service is key in supporting Herefordshire's early help and prevention system.

9) Current context: Herefordshire Children's Services:

- Currently in Herefordshire Children's Services are going through a transformation programme of work following a court judgement in 2021 which has led to an overhaul of children's services and a complete review of early help, early years, social care etc. The improvement work is being undertaken in phases, with the first phase focusing on children's services well underway, and the second phase considering the wider, strategic and preventative approach to follow and due to be undertaken during 2022/23.
- As part of the improvement programme, two key Herefordshire strategies are due to be revised and written by the spring/summer 2022 - the Early Help Strategy and an Early Years Strategy. Both of these strategies will be fundamental to the shape and scope of the Public Health Nursing Service.
- The Public Health Nursing Service is an integral part of the system and has to be integrated and aligned across children's early help, early years and social care to ensure the best possible outcomes for children and families. This needs to be a collaborative approach, which makes the best possible use of resources, budget and pathways across the system to ensure children and family's needs are met with the right support and intervention at the right time.
- By extending the current contract for one year, the council will be able to ensure that the public health nursing service is commissioned and provided in such a way as to support the agreed strategic and partnership approach for children in the county.

10) Current context: Herefordshire and Worcestershire Integrated Care System

- The Integrated Care System (ICS) is developing fast across Herefordshire and Worcestershire, and there is a strong place-based Herefordshire component to the system. A new approach to transformational improvement of NHS services at local level is being developed and the council's 0-25 year's public health work will need to be aligned with this whole system approach. This will optimise return from investment and ensure best outcomes for children and young people. Current legislation requires ICS implementation by July 2022 and the system is maturing fast with partnership and system working at its centre.
- The ICS, and Herefordshire's place based approach, will enable and support increased joining up of various services, including mental health, primary and secondary care and other services, across the council, the NHS, and other partners. These new opportunities for alignment should be explored fully in order to achieve the best possible outcomes for children and young people.

- 11) By extending the current contract for a further 12 month period until 31 March 2024, this will allow the Children and young people Directorate Transformation Programme to evolve and become embedded, alongside the further development of the ICS. This will support a much clearer position of how the Public Health Nursing Service will integrate and align to this to ensure the best possible outcomes for children and families, avoid duplication and make the best possible use of the financial resource available.
- 12) If this proposal is not implemented, the Public Health Service 0-25 years redesign is at risk of isolating itself from being aligned or integrated with the wider systems and processes across both the Children & young people Directorate but also with wider whole health system approach in Herefordshire through the work with the ICS. This would likely result in a service which is not joined up and integrated and would be at risk of reduced patient satisfaction, poor quality of care and duplication.

Community impact

- 13) The Public Health Nursing Service is a universal service and is delivered across the whole of Herefordshire impacting on all communities. The service meets several priorities in the health and wellbeing plan. For children starting well with pregnancy, maternal health, smoking in pregnancy, 0-5 immunisations, breastfeeding, dental health, pre-school checks, children with disabilities and looked after children and reducing health inequalities. It also supports the work of the NHS long term plan.
- 14) Early consultation on the Public Health Nursing Service was undertaken during October/November 2021 as part of the recommissioning process. This involved face to face consultation with over 56 parents at two community groups as well as an on-line consultation questionnaire which attracted over 100 respondents. Consultation was also undertaken with the current service staff as well as a stakeholder consultation event. This was supported by benchmarking data, and contract monitoring performance information which provided a good overview of how the service is meeting its outcomes. Evidence suggests there is an opportunity to develop a Healthy Child Programme approach that better fits with Herefordshire's needs which allows for a more concentrated 0-5 early years' service delivered by Health Visitors through the ICS which is more community focused with the work embedded alongside Talk Communities, and better flexibility to be fully integrated within early years and early help systems in Herefordshire. The proposed 1 year extension to the current contract would aid and support this feedback to ensure any service redesign is aligned and integrated.
- 15) The recommended decision within this report will directly affect the lives of children in care which the Public Health Nursing Service Supports. The recommendation to extend this contract for a further 12 month period will allow time for the children's social care transformation programme to be established and stabilised which will allow any new service redesign to be integrated and aligned within it. A contract extension does not mean that in-year developments cannot happen. Current arrangements allow for flexibility in terms of service improvement plans if needed or extension of scope of contract, by negotiation.

Environmental Impact

- 16) The Council provides and purchases a wide range of services for the people of Herefordshire, Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment. The environmental impact of this proposal has been considered through the service specification and includes appropriate

requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity.

Equality duty

17) Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. The current providers is made aware of their contractual requirements in regards to equality legislation.

Resource implications

18) The current funding for this mandated Public Health service is from the Public Health Ring Fenced Grant (PHRFG). As the grant allocation for 2023/24 is not yet confirmed and is unlikely to be until this time next year, then the extension of this contract can only be approved on the assumption that the PHRFG allocation will continue at its current level through to 2023/24

If demand for the service increases following the covid pandemic, there isn't any risk to the council with increased costs as the provider is under a legal contract to deliver services outlined within the specification. This would be monitored and managed through the contract management process.

The one year proposed extension has been negotiated with the current provider to be delivered at the same annual cost for 2023/24, so delivers value for money with no additional expenditure incurred over and above the current budget allocation and with no reduction in performance targets. The agreed contract price for a further one year extension of this service is £2,557,835.

Legal implications

19) The current contract for Public Health Nursing Services 0 – 25 years was procured through a competitive tender in compliance with the council's contract procedure rules. The extension represents an increase in contract value of 19.6% and there is no alteration to the services to be delivered under the contract therefore the variation is permissible under Regulation 72 (c) of the Public Contract Regulations 2015 because the need to extend the contract has arisen due to the implementation of the Integrated Care System and the need to develop and implement the council's Children's Services transformation programme; there is no overall change in the overall nature of the contract and the increase in contract value does not exceed 50% of the original contract value.

20) As there is no contractual provision to allow the contract extension legal services will support in the drafting and completion of the necessary contractual amendments.

Risk management

21)

RISKS	MITIGATING ACTIVITY
That we do not provide the best service for service users	This is mitigated through contract management processes and assurances from the provider on past performance
There is a risk that the wider system work within Children's services/ICS will not be at a stage to offer more clarity.	Mitigated through the contract extension process. ICS legislation due to be brought in by July 2022

Consultees

22) There is no need to consult on this decision.

Appendices

23) None

Background papers

24) None Identified

Report Reviewers Used for appraising this report:

Governance	Sarah Buffrey	Date 18/02/2022
Finance	Kim Wratten	Date 22/02/2022
Legal	Alice McAlpine	Date 15/02/2022
Communications	Luenne featherstone	Date 16/02/2022
Equality Duty	Carol Trachonitis	Date 09/02/2022
Procurement	Lee Robertson	Date 09/02/2022

Risk	Paul Harris	Date 22/02/2022
------	-------------	-----------------

Approved by	Paul Smith	Date 16/03/2022
-------------	------------	-----------------