



17/43  
change of  
decision  
maker  
'Call In Applies'

## Notice of KEY Executive Decision

<b>Subject Heading:</b>	Approval to enter into the Inter authority agreement to join the contract for Pan London Sexual online health service
<b>Cabinet Member:</b>	Leader of council
<b>CMT Lead:</b>	Mark Ansell
<b>Report Author and contact details:</b>	Susan Shepherd 6 <sup>th</sup> floor Mercury House Mercury Gardens RM1 3SL 01708 433021
<b>Policy context:</b>	Supports priorities in the Joint Health & Wellbeing Strategy: Quality of services and patient experience  Councils are mandated to ensure residents have open access to services for contraception and the diagnosis, treatment and partner notification of sexually transmitted diseases (Gum Services)
<b>Financial summary:</b>	The tariff for a home test will be less than one third of the cost of attending a GUM service resulting in a saving to the Council hence this is an 'invest to save' initiative  The cost of the web based service for Havering over the life of the contract is expected to be below £413K  The total value of the contract for all participating boroughs is <b>£10,000,000</b>

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<b>Reason decision is Key</b>	<b>(a) Expenditure or saving (including anticipated income) of £500,000 or more</b>  Whilst Havering is not responsible for the whole contract value, legal advice has indicated that the full contract value should be presented for decision.
<b>Date notice given of intended decision:</b>	6 <sup>th</sup> May
<b>Relevant OSC:</b>	Health
<b>Is it an urgent decision?</b>	No
<b>Is this decision exempt from being called-in?</b>	No

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input checked="" type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That the Council enters into the Inter Authority Agreement (IAA) to join the new Pan London Online Sexual Health contract as part of the transformation of sexual health services across London. London Borough of Havering therefore accepts the procurement exercise carried out by the London Borough of Camden

The tender was led by Camden Council on behalf of the other participating local authorities that are part of the London Sexual Health Transformation Programme and undertaken using the competitive procedure with negotiation under the Public Contract Regulations 2015.

Following the completion of an e-services tender auction to procure for the provision of E-Services relating to the Pan London Sexual Health Transformation Programme and the completion of the moderation of Tender submissions a decision was reached to award **Preventx Limited** the contract

Moving forward City of London will be the lead borough for this contract

### AUTHORITY UNDER WHICH DECISION IS MADE

2.1 General functions, policy matters

To award all contracts above a total contract value of £10,000,000.

### STATEMENT OF THE REASONS FOR THE DECISION

The commissioning of Genitourinary Medicine (GUM) and Contraception Sexual Health Services (CaSH) are mandatory services for Local Authorities. The services are designed so that residents can attend an open access service for the screening and treatment of Sexually Transmitted Infections (STI). This open access requirement results in financial uncertainty for Local Authorities as the level of activity is unpredictable.

Significant change is required to the traditional models of service delivery as well as collaboration between councils is needed to deliver the level of change required and to commission these services more effectively to ensure robust quality and financial monitoring.

Havering is now one of 27 London Boroughs collaborating on the procurement of a web-based sexual health service with the aim of improving patient experience, sexual health outcomes and the cost effectiveness of GUM services across the capital. There are an additional three named authorities to the MOU and these boroughs have the opportunity to become full MOU members in the future.

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The tender has been led by Camden Council on behalf of the other participating local authorities that are part of the London Sexual Health Transformation Programme and undertaken using the competitive procedure with negotiation under the Public Contract Regulations 2015. This procurement is likely to be a framework arrangement and each local authority will 'call off' from the framework as it wishes.

Following an e-services tender auction to procure for the provision of E-Services relating to the Pan London Sexual Health Transformation Programme and the completion of the moderation of Tender submissions a decision was reached to award **Preventx Limited** the contract

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Option 1: Do nothing. Current system remains unchanged and increasingly unaffordable.

Option 2: Develop an on-line service as a single borough

### **PRE-DECISION CONSULTATION**

The LSHTP project team has previously carried out provider and service user engagement via surveys, questionnaires, focus groups, stakeholder events and one to one sessions. The Council is also a member of the LSHTP Board which regularly meets to discuss and agree progress on the programme.

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Susan Shepherd

Designation: Commissioner and Project Manager

Signature:



Date: 26/5/2017

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

The procurement is for a 5 year service which is being procured under full EU procurement rules due to the value for Havering Council alone exceeding the light touch threshold of £589k for Schedule 3.

Officers must ensure full compliance including compliance with EU treaty principals of transparency and non-discrimination.

An interim collaborative governance structure with representatives from all participant LAs has been agreed. Officers will need to establish more detailed governance arrangements. Officers will need to ensure appropriate legal, financial and other relevant advice is obtained in establishing suitable governance and professional project resources. Governance arrangements will ensure there is clear accountability including responsibility over liability between the councils and appropriate binding inter authority agreements. Professional services arrangements will ensure that there is consistency of approach of legal, procurement, financial and communications advice and appropriate programme and project management.

- 1. Local authorities have a duty under The Health and Social Care Act 2012 ("the Act") to take appropriate action to improve the health of the local community. In general terms, the Act confers on local authorities the function of improving public health and gives local authorities considerable scope to determine what actions it will take in pursuit of that general function. Under in this Act, local authorities have a statutory responsibility to commission Genitourinary Medicine Services (GUM) and Contraception and Sexual Health services (CaSH).*
- 2. The procurement exercise for the pan-London Sexual Health Transformation will be subject to the Public Contract Regulations 2015 (the "Regulations") and the Council's Contract Procedure Rules.*

### FINANCIAL IMPLICATIONS AND RISKS

There will be 2 elements of cost through the e-services, a charge based on a tariff and annual licence plus maintenance costs for the website. The tariff for a home test is lower than the current cost of attending a GUM service. A combination of the tariff and maintenance costs offers a cheaper option for delivery against existing arrangements, resulting in efficiency savings to the Council. .

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Although the total value of the contract for all participating boroughs is £10,000,000, the portion attributable to Havering is estimated to be approximately £410k (including the cost of the website maintenance) over a five year contract. However, some aspect of the existing service will continue to be delivered due to clients being unwilling or unable to use the web access form and this will affect the delivery of any savings.

Further modelling will need to be undertaken to ascertain the extent and scale of the channel shift over time as this will be used as a basis for ascertaining the level of efficiency delivered over the contract term however the contract is expected to deliver 30% channel shift and £100K saving per year.

## **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

It will be the responsibility of Preventix , to ensure that there is a suitable workforce to deliver the new service.

Any future change in provider for this new service, including any option for it to be provided in house by the Council, may mean that TUPE will apply, which is likely to impact on any staff who are undertaking work for the new provider at that time.

*There are no direct HR implications or risks, to the Council or its workforce, that can be identified from the decision and recommended action set out in this report. The organisation that has been awarded the contract for the new pan London service, Preventx Limited, will be responsible for putting in place the workforce required to deliver the service. Any future change in provider for this new service, including any option for it to be provided on an in-house basis by the Council, may mean that TUPE Regulations will apply, which is likely to directly impact any Preventx Limited staff at that time who are directly assigned to undertake work under this new pan London contract.*

## **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The LSHTP project's needs assessment has highlighted that some groups with protected characteristics suffer a higher burden of rate of STI's. It is expected that the online sexual health Contract will have a positive impact on the protected characteristics such as gender , ethnicity , sexual orientation etc and does not seek to discriminate any client group

*LB Havering acknowledges that current PHE Sexual Health data reveal Gay/Bi men and African Heterosexuals as being disproportionately impacted by STI's and HIV,*

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*therefore, the Council will seek assurances that the provider will pay specific attention to testing and diagnosis of these communities. As a minimum, the Council would expect to see this reflected in related publicity.*

**BACKGROUND PAPERS**

Key Executive Decision

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

*Delete as applicable*

**Details of decision maker**

Signed



Name: Roger Ramsey

Leader of council

Date:

28.6.17

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on

4/7/2017

Signed

