

To the Chair and Members of the AUDIT COMMITTEE

PUBLIC HEALTH WAIVERS – FOLLOW UP REPORT

EXECUTIVE SUMMARY

1. At its last meeting in April, the Audit Committee asked for further information on a series of contract procedure waivers reported to it relating to the Public Health service.
2. This report provides an update on commissioning arrangements for the services covered by the contract procedure waivers.
3. The issues arising were transitional in nature and due to the recent transfer of Public Health services from the NHS. Appropriate action is being taken to ensure there are proper and effective commissioning arrangements in place for the procurement of the relevant services. Cabinet has approved in principle the approach to the commissioning of these services.
4. Rupert Suckling, Assistant Director, Public Health will be attending the Audit Committee meeting to provide any further information required.

RECOMMENDATIONS

5. The Audit committee is asked to note the steps being taken to ensure public health services are effectively commissioned and properly procured.

DETAILS

6. There were a number of waivers granted to Public Health between late 2013 and early 2014. These were reported in the Contract Breaches and Waivers report presented to the Audit Committee in April 2014.
7. Since these waivers were given, Public Health has presented a report to Cabinet on its future commissioning strategy. The proposals, which set out a prioritised list of services to be commissioned, were approved by Cabinet. **Appendix 1** contains an extract from the Cabinet report which shows the sequencing of services to be commissioned. This list covers all areas where a waiver was previously granted.
8. The waivers included in the April Audit Committee report are shown below along with a brief comment on how they will be addressed in the future.

Waiver Number	Value	Explanation	Update
Public Health CPR/13/11/001	£7500 per Qtr.	Waiver request to directly award a contract to Doncaster Bassetlaw Hospital to provide screening, data collection and referral services to	Commissioning of Substance and Alcohol Misuse services being

		<p>individual who present at the accident and emergency department with alcohol related issues.</p> <p>The waiver was granted to enable continuation of the service during the last quarter of the financial year 2013/14.</p>	set up for 2015/16
Public Health CPR-13-10-0007	£70,000	<p>Waiver request to enable all GP practices in Doncaster to have the opportunity to offer an alcohol screening and treatment service in a general practice setting, up to March 2014.</p> <p>The waiver was granted to enable continuation of the service during the last quarter of the financial year 2013/14.</p>	Commissioning of Substance and Alcohol Misuse services being set up for 2015/16
Public Health CPR/13/11/0008	£2,520	<p>Waiver request to purchase 20 healthy relationships resource packs for the 17 secondary schools, Doncaster college, Doncaster's sexual exploitation nurse and the public health team.</p> <p>The waiver was granted as research has shown that this is the only product available on the market that meets the needs of Doncaster schools. The alternative would have been to commission this resource from scratch; including sourcing material, actors and a film company, which would not be cost effective.</p>	Commissioning of Sexual Health services being set up for 2014/15
Public Health CPR/13/10/0004	£100,000 per annum	<p>Waiver request to allow Public Health to vary their current contracts with RDASH and GP surgeries to pay for the cost of HIV testing all new attendances at the Contraception and Sexual Health Clinic and to pay for the cost of HIV Testing all new registrations at GP surgeries.</p> <p>The waiver granted enabled the service to be re-specified during the last quarter of the financial year 2013/14.</p>	Commissioning of Sexual Health services being set up for 2014/15
Public Health CPR/14/01/0005	£10.54m per annum	<p>Waiver request to allow the Council to enter into new 12 month contracts, to commence on 1st April 2014, with a range of existing suppliers whose contracts will expire on 31st March 2014.</p> <p>The waiver was granted to ensure the length of contracts coincide with the procurement forward plan agreed by Cabinet, and to give sufficient time to re-procure all public health services with minimum risks to public health services. This is consistent with the approach taken by other councils around the country.</p>	Major contracts being commissioned over 2014/15 and 2015/16
Public Health CPR/14/02/0004	£2000	<p>Waiver request to vary the community pharmacies contracts and the CASH service for a period of 6 months to undertake a pilot to enhance the Emergency Hormonal Contraception service to include chlamydia testing kits and the provision of condoms:</p> <p>The waiver was granted for this pilot to be undertaken with locally based pharmacies.</p>	Commissioning of Sexual Health services being set up for 2014/15
Public Health CPR-14-03-0005	£2790	<p>Waiver request to directly award a contract to White's Print for the printing of the Diabetes Patient Held Record</p> <p>The waiver was granted on the basis that White's Print is the original designers of the current record used by diabetes multi-disciplinary team.</p>	Future requirements under review.

9. The timing of commissioning arrangements may give rise to the need for further waivers during the intervening period, but any granted should be seen in the context of the overall position and positive progress being made towards future commissioning and procurement.

OPTIONS CONSIDERED

10. Option 1. Do nothing. In this option there is no agreed public health commissioning strategy and there is a significant risk that the VFM will not be delivered. Option 2. Proposed Public health commissioning strategy ensures statutory requirements are complied with.

REASONS FOR RECOMMENDED OPTION

11. Option 2 is the preferred option as a coordinated approach not only will ensure the Council has the best chance of improving health and reducing health inequalities, but also is the most robust approach to establishing a 'wider determinants' fund, minimizing risks and gives information to the public, current and future providers on the changes envisaged.

RISKS AND ASSUMPTIONS

12. Implementation of a robust commissioning plan avoids the risk of the provision of ineffective and inefficient services that fail to meet the needs of residents and the public health objectives of Doncaster.

LEGAL IMPLICATIONS

13. Section 12 of the Health and Social Care Act 2012 places a duty on Councils to improve public health of the people who live in their areas. Section 1 of the Localism Act 2011 gives a Local authority's a general power of competence to do anything that individuals generally may do.
14. Most of the Services commissioned by Public Health are defined as Part B Services for the purposes of the Public Contract Regulations 2006 ("Regulations") and therefore have reduced obligations placed on their procurement under the Regulations. In addition to the Regulations the Council need to comply with the Treaty Principles if there is likely to be a cross border interest. The following should be considered when identifying whether there is a cross border interest: subject matter and estimated value of procurement; the place of performance and delivery and the size and structure of the relevant service market.

FINANCIAL IMPLICATIONS

15. The Public Health function transferred to the council with effect from the 1st April 2013. The council has approved a budget of £20.524m in respect of Public Health services for 2014/15. Within this £20,524 various budget lines have been allocated in line with this commissioning strategy.

This can be broken down as :

Commissioned services	£14.915m
Central and support services	£2.158m
PH outcome related re alignment	£3.451m

The overall commissioning / contract budget will need to be managed by the Public Health service to ensure that expenditure remains within the funding available.

CONSULTATION

16. Each service area within the Public Health commissioning strategy will require its own consultation. These will be conducted in line with the Council's approach to consultation. In 2014 the directorate will consult on proposals around the commissioning of sexual health services, NHS health checks and nutrition services.

This report has significant implications in terms of the following:

Procurement	✓	Crime & Disorder	
Human Resources		Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

BACKGROUND PAPERS

17. Draft Public Health Commissioning Strategy 2014/17

REPORT AUTHOR & CONTRIBUTORS

Dr Rupert Suckling, Assistant Director of Public Health
01302 734010 rupert.suckling@doncaster.gov.uk

Colin Earl, Head of Internal Audit
Telephone 01302 862939, colin.earl@doncaster.gov.uk

Simon Wiles
Director of Finance and Corporate Services

EXTRACT FROM CABINET REPORT – PUBLIC HEALTH COMMISSIONING STRATEGY

“In order to deliver the Mayor’s budget all public health commissioned activity will be reviewed and re-commissioned over a 3 year cycle to release £4.1m out of the £20m public health grant. This £4.1m will be reinvested in other Council activity within the terms of the public health grant as a ‘wider determinants’ fund.

This strategy expects to release resources by remodelling services to maintain outcomes and quality whilst reducing duplication/overlap and by ensuring individuals, families and communities are empowered to take control of their own health and wellbeing (i.e. achieving the same (or more) with less).

In order to maintain outcomes and quality whilst reducing duplication the following changes are envisaged:

2014/15

- **Sexual health services**
Outcomes: Reduce late presentation of HIV, improve sexual health
Action: Commission a new integrated sexual health service and holistic primary care interventions from current disparate model.
Financial impact: Reduction from £3.1m to £2.7m by 2015/16
- **NHS Health Checks**
Outcomes: Reduce mortality from cardiovascular disease
Action: Commission a new multi-provider model for NHS Health Checks and explore the use of call and recall technology to increase uptake.
Financial Impact: Reduction from £565,000 to £510,000 by 2015/16

2015/16

- **Substance misuse (adults)**
Outcomes: Increase in successful treatment outcomes, reduced alcohol related emergency admissions and reduced alcohol related mortality
Action: Commission more person centred recovery service with tiered levels of key worker support and greater emphasis on psychological interventions for substance misuse. Commission further work in primary care to identify and treat those with harmful drinking levels.
Financial impact: Reduction from £7.4m to £6.2m by 2016/17
- **Physical activity in older people**
Outcomes: Reduction in physical inactivity.
Action: As a result of funding to Doncaster Culture and Leisure Trust from the wider determinants fund the current contract for older people’s physical activity can be re-commissioned to increase productivity.
Financial Impact: Overall increased investment in physical activity £490,000.
- **5-19s services (school nursing and public health youth services)**
Outcomes: Reduction in under 18 conceptions, improved emotional wellbeing.
Action: commission new school nursing and public health youth service model in line with Early Help Strategy.
Financial impact: Investment maintained at £1.8m for 2016/17
- **Other public health services (oral health promotion, domestic violence services, cancer awareness, health promotion)**

Outcomes: improved dental health, reduced domestic violence, reduced mortality from cancer, reduced health inequalities.

Action: As contracts end, contracts to be retendered to maintain outcomes with small reductions in funding.

Financial Impact: Reduction from £520,000 to £481,000 by 2016/17

Much of the detail in the public health directorate commissioning strategy was used by informal cabinet to shape the budget proposals for 2014/17.”