

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: 2022/18/PH/T3Novation

BOX 1

DIRECTORATE: Adults Health and Wellbeing (Public Health)

DATE: 26.4.22

Contact Name: Louise Robson

Tel. No.: 01302 734015

Subject Matter: Novation of Tier 3 weight management service

BOX 2**DECISION TAKEN**

To novate the contract for the Tier 3 weight management service (currently provided by Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust) from Doncaster Council to Doncaster Clinical Commissioning group (or equivalent organisation) commencing from 1st June 2022 following an Executive board decision taken at Doncaster CCG in November 2021.

BOX 3**REASON FOR THE DECISION**

A paper was taken to the CCG Executive Board outlining the case for the need to align the Tier 3 weight management service pathway with the Tier 4 weight management service (currently Commissioned and funded by the Doncaster Clinical Commissioning group). This was evidenced in a service review back in 2019 and later proposed in a paper presented by the Assistant Director of primary care and has since been approved by the Doncaster CCG Board.

Conversations have taken place both with the CCG (and the current provider) with a view to novation of the current contract using remaining BCF resources until March 2023 and then the CCG would pick up the service as part of a block contract with the provider from 1st April 2023. This would also mean that no further procurement is required by Public Health and the service would be secured and aligned with the Tier 4 weight management service by 1st June 2022.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

N/A

BOX 5

LEGAL IMPLICATIONS

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

Section 2B of the National Health Service Act 2006 (as amended by section 12 of the Health and Social Care Act 2012) places a duty on Councils to take appropriate steps to improve the health of people who live in their area.

Although the Council entered into a contract with Doncaster and Bassetlaw Teaching Hospital NHS Foundation Trust to deliver Tier 3 Weight Management Services, as set out in the body of this report there is a requirement to align the service with the Tier 4 Weight Management Services operated by Doncaster Clinical Commissioning Group.

The Council will therefore enter into a novation agreement which will transfer the Council's rights, obligations and liabilities in the contract held with Doncaster and Bassetlaw Teaching Hospital NHS Foundation Trust from the Council to Doncaster Clinical Commissioning Group with effect from the 1st June 2022.

Legal services should be consulted to prepare the deed of novation.

Name: H.Rusby **Signature:** By Email **Date:** 29.04.2022

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6**FINANCIAL IMPLICATIONS:**

There are no specific financial implications relating to the novation of this contract. Tier 3 Weight Management is currently being funded from Better Care Fund (BCF) which is due to cease on 31st March 2023. The Council will pay the current provider for the months April and May followed by June to March 2023 to Doncaster CCG.

The use of the freed up BCF funding of circa £186k per annum with effect from April 2023 will form part of the budget setting exercise for 2023/24.

Name: Helen Rowlands Signature: _____ Date: 28/04/22

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7**OTHER RELEVANT IMPLICATIONS**

None identified

Name: _____ Signature: _____ Date: _____

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8**EQUALITY IMPLICATIONS:** (To be completed by the author).

The Tier 3 weight management service (adults) provides a service for all those who meet the eligibility criteria as stated in current NICE guidance and therefore only targets those who meet the criteria and who are referred through the appropriate clinical route. The service is aimed at adults (18 plus) due to the stipulations of the NICE guidance and nature of the service but is promoted across all other protected groups and communities across the borough. A Health Impact assessment was completed at the outset of the contract and is here for reference.



Tier 3 Health Impact
Assessment2018 V2.d

BOX 9**RISK IMPLICATIONS:** (To be completed by the author)

Public Health failure to deliver the commissioning strategy and the council requirement to fulfil its health improvement duty under the Health and Social Care Act (2012).

The risk of not novating this contract would be detrimental to the Doncaster population in terms of both a health and economic impact on current primary and secondary care services at a time of austerity when services in this area have already been reduced and are having an impact on patient health outcomes. With the absence of a Tier 2 weight management service there are already pressures on the Dietetics services (particularly in view of covid-19) so if this service were to be removed this would add further pressures in the system. There would also be huge implications for our health and social care providers in dealing with further adaptations to services and equipment for the more severe obese patients and those with complex needs.

(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)

Name: Louise Robson Signature: Date: 26.4.22
(Report author)

BOX 10 CONSULTATION

There has been a full service review for the Tier 3 weight management service at the outset of the contract (2019) and also consultation with the following groups and Boards:

- Doncaster Clinical Reference group
- Joint Commissioning Management Board and Joint Commissioning Officers group
- CCG Strategy group
- Doncaster CCG Executive Board
- Staff from the current provider service (as part of the service review)

BOX 11 INFORMATION NOT FOR PUBLICATION

None identified

Name: Claire Hewitt Signature _____ Date: 03/05/2022

Signature of FOI Lead Officer for service area where ODR originates

BOX 12 BACKGROUND PAPERS

Please confirm if any Background Papers are included with this ODR NO

(If YES please list and submit these with this form)

- Tier 3 documentation available on request

**BOX 13
AUTHORISATION**

Name: Dr Rupert Suckling Signature : _____ Date: 3/05/2022

Director of Public Health

Does this decision require authorisation by the Chief Financial Officer or other Officer

No

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.