



*Although a formal committee of the city council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Health Watch. Papers come from a variety of sources. The format for Health & Wellbeing Board papers is consequently different from papers submitted to the city council for exclusive city council business.*

## **1. Public Health Nursing Commissioning Strategy**

- 1.1. The contents of this paper can be shared with the general public.
- 1.2. This paper is for the Health & Wellbeing Board meeting on the 15<sup>th</sup> March 2016.
- 1.3. Author of the Paper and contact details  
Lydie Dalton, Public Health Programme Manager, Brighton & Hove City Council, Kings House, Grand Avenue, Hove BN3 2SL.  
[Lydie.dalton@brighton-hove.gov.uk](mailto:Lydie.dalton@brighton-hove.gov.uk)

## **2. Summary**

- 2.1 The purpose of this paper is to outline the re-commissioning from 1<sup>st</sup> April 2017 of the Public Health Community Nursing services for the delivery of the Healthy Child Programme 0-19 Years.
- 2.2 This paper follows a previous paper presented to the Health and Wellbeing Board on 21<sup>st</sup> July 2015. The Board gave approval to extend the current contracts to 31<sup>st</sup> March 2017 because of the new commissioning responsibility of the Council for 0-5 services.

## **3. Decisions, recommendations and any options**

- 3.1 That the Health and Wellbeing Board delegates authority to the Director of Public Health to place a Prior Information Notice pursuant to the requirements of the Public Contracts Regulations 2015 and to carry out a competitive procurement process if alternative providers come forward.

- 3.2 That if no alternative providers come forward, the Health & Wellbeing Board delegates authority to the Director of Public Health to lead a collaborative re-design process and contract negotiation with the current provider, Sussex Community NHS Trust (SCT).
- 3.3 That the Health and Wellbeing Board receives a further report on the outcome of this process before a new contract is awarded.

#### **4. Relevant information**

- 4.1 Currently, the services commissioned by the Council to support the delivery of the Healthy Child Programme are delivered under several contracts with Sussex Community NHS Trust (SCT):
- Health visiting service and Family Nurse Partnership (FNP- a targeted service for first time pregnant mothers under the age of 19);
  - Breastfeeding support service (Peer Support Programme; targeted work in areas of inequalities);
  - School nursing service;
- 4.2 It is proposed that the services delivered under these arrangements are commissioned within one Public Health Community Nursing contract from 2017/2018.
- 4.3 The commissioning of these services is taking place in the face of severe financial challenges, resulting from reductions in the ring-fenced Public Health grant and the requirement to meet the Council's savings targets over the next four years. The savings proposed from the re-commissioning of these services are £1,000,000 over the next three years from a total annual budget of £5,569,583. A saving of £200,000 has already been agreed with the current provider for 2016/17. The total savings equates to an eventual reduction in the annual budget of 18%.
- 4.4 Following soft market testing Public Health, Procurement and Legal officers have considered the options for the future commissioning of these services.
- 4.5 The possibility of a collaborative re-design process with the current provider (SCT) has been considered as it would have presented a number of benefits and there has been commitment from SCT to

work in a collaborative re-design process of the service with improved outcomes achieved within the new budget.

- 4.6 However legal requirements which came into force in 2015 require that such contracts are advertised by way of a Prior Information Notice (PIN) or Contract Notice in the Official Journal of the European Union (OJEU). Not to place a PIN or Contract Notice would be in breach of the legal requirements and open to challenge. The Council's Members Procurement Advisory Board has discussed this matter and recommended that a PIN should be issued.
- 4.7 The extension of the existing contracts during 2016/17 has enabled Public Health commissioners to review the services and to consider the implications of both the significant reductions in the ring-fenced Public Health grant as well as the council's savings requirement over the next four years. Savings of £200,000 for 2016/2017 have been recently negotiated with SCT. These will be achieved through a different skill-mix with the recruitment to existing Health Visitor vacancies of Community Nursery Nurses reducing the total number of WTE Health Visitors from 61.8 to 56.5 but delivering the same level of service. Other savings come from a School Nursing service restructure following the retirement of two School Nurse managers. There will be no loss in service activity level and no reduction in agreed outcomes. Further savings of £800,000 are required from 1<sup>st</sup> April 2017.
- 4.8 As is the case in many local authorities, following the publication of recent research in the Lancet and the significant reduction in the Public Health grant, it is proposed to decommission the Family Nurse Partnership (FNP) programme in Brighton and Hove. The FNP is a licensed programme. Public Health will work with providers to develop a new enhanced service delivered through the health visiting service for vulnerable teenage parents. A transition plan will be agreed and put in place so that new eligible clients receive appropriate support outside of the FNP but within an enhanced service, and those currently receiving the service are transitioned safely. There will be no gap in service provision. A communication strategy will be developed by the Council and SCT.

## **5 Important considerations and implications**

### Legal

- 5.1 The Health and Social Care Act 2012 gave the Council statutory responsibility for commissioning Public Health Nursing services for



children 0-19. The Council is subject to the Public Contracts Regulations 2015 (PCR 2015) and must comply with the overriding principles of transparency, non-discrimination and equality in the process of procuring and awarding all contracts including Public Health contracts. Public Health contracts fall under the 'Light Touch Regime' which as a minimum requires advertisement and the running of a transparent and non-discriminatory process.

- 5.2 The value of the services within the Healthy Child Programme exceeds the threshold of £589,148.00 and should therefore be advertised in the Official Journal of the European Union (OJEU) by way of the placement of a Contract Notice or a Prior Information Notice (PIN).
- 5.3 It is recommended that a PIN notice be issued and published in the OJEU. The PIN would indicate that the contract will be awarded without further publication and invite interested suppliers to express their interest in writing. If other providers come forward, a tender process should be undertaken and there is flexibility regarding timescales and the process to undertake this. If no other providers come forward, the Council will be in a position to proceed as set out at paragraph 3.2.
- 5.4 Failure to advertise the contract would be a breach of the Public Contracts Regulations 2015 and the Council's Contract Standing Orders. Such a breach could result in any contract awarded directly being declared ineffective and a fine being imposed, or the Council being open to a claim for damages.

Legal Officer consulted: Elizabeth Culbert

Date: 22/02/16

Finance

- 5.5 The values of the current contracts are as follows:
- 0-5 contract: Health visiting: £ 4,191,200;
  - Family Nurse Partnership: £290,000
  - School nursing contract (including delivery of National Child Measurement programme): £1,037,383
  - Breastfeeding support work contract: £51,000
- 5.6 Total value per annum of the above contracts with SCT=  
£5,569,583



- 5.7 As referred to in the main body of the report, savings of £200,000 have already been agreed with SCT for 2016/17. Further savings of £800,000 are required.

Finance Officer consulted: Mike Bentley      Date: 18/02/16

#### Equalities

- 5.8 Consideration for equalities and the reduction of health inequalities will be explicit in the service specification and integral to the delivery of the services. The Public Health universal services are delivered with a scale of intensity proportionate to the level of needs experienced by certain population groups including those needs arising from their protected characteristics.

#### Sustainability

- 5.9 There are no direct implications for sustainability. The Healthy Child Programme services aim to promote good health and wellbeing for children, young people and their families and so can contribute to achieving the priorities for children and young people's health and wellbeing as set out in the City Council's Corporate Plan 2015-2019.

#### Health, social care, children's services and public health

- 5.10 These considerations are integral to the Public Health services outlined in this paper.

## 6. **Supporting documents and information**

None required.

