

## Commissioning and Procurement Executive Committee – 14 December 2021

<b>Subject:</b>	Locally Commissioned Public Health Services (LCPHS) for sexual health via GPs and pharmacies		
<b>Director:</b>	Lucy Hubber, Director of Public Health		
<b>Portfolio Holder:</b>	Cllr. Adele Williams, Portfolio Holder for Adults and Health		
<b>Report author and contact details:</b>	Uzmah Bhatti <a href="mailto:Uzmah.bhatti@nottinghamcity.gov.uk">Uzmah.bhatti@nottinghamcity.gov.uk</a>		
<b>Other colleagues who have provided input:</b>	Alan Lowen <a href="mailto:alan.lowen@nottinghamcity.gov.uk">alan.lowen@nottinghamcity.gov.uk</a>		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Subject to call-in</b>
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b>	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £750,000 or more
taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Type of expenditure:</b>	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
<b>Total value of the decision:</b> £2,933.505 over 9 years (£325,945 per year)			
<b>Wards affected:</b> All			
<b>Date of consultation with Portfolio Holder:</b> 17 November 2021			
<b>Relevant Council Plan Key Outcome:</b>			
Clean and Connected Communities	<input type="checkbox"/>		
Keeping Nottingham Working	<input type="checkbox"/>		
Carbon Neutral by 2028	<input type="checkbox"/>		
Safer Nottingham	<input type="checkbox"/>		
Child-Friendly Nottingham	<input type="checkbox"/>		
Healthy and Inclusive	<input checked="" type="checkbox"/>		
Keeping Nottingham Moving	<input type="checkbox"/>		
Improve the City Centre	<input type="checkbox"/>		
Better Housing	<input type="checkbox"/>		
Financial Stability	<input type="checkbox"/>		
Serving People Well	<input type="checkbox"/>		
<b>Summary of issues (including benefits to citizens/service users):</b>			
Under the provisions of the Health and Social Care Act (2012), Nottingham City Council (NCC) has a statutory responsibility to provide, or secure the provision of, open access sexual health services in its area including:			
<ul style="list-style-type: none"> <li>i) preventing the spread of sexually transmitted infections (STIs);</li> <li>ii) treating, testing and caring for people with STIs and their partners;</li> <li>iii) contraceptive services including advice on preventing unintended pregnancy and sexual health promotion.</li> </ul>			
<p>The current contracts are due to expire in March 2022 with no option to extend. These contracts are usually awarded to GPs and community pharmacy providers based on an accreditation type procurement process. Due to the administration based complexities in establishing these multiple contracts with individual GP practices and pharmacy providers it is deemed to be more efficient and better for continuity in services for citizens to adopt a cycle of 9-year flexible contracts (3+3+3) where NCC would retain a contract severance clause. The current contract allows for new providers to apply through an open accreditation process, and it is anticipated that this arrangement is replicated in the new contract in order to ensure that this reflects the changing ownership and staffing seen within community pharmacies.</p>			
<b>Exempt information:</b> None			

**Recommendations:**

- 1** To approve the expenditure of £2,933.505 over 9 years (£325,945 per year) of Public Health Grant monies associated with procuring LCPHS - pharmacy and GP based sexual health services as listed above. Contracts to be issued for an initial term of three years with option to extend for two further three years' terms at the sole discretion of the Council.
- 2** To approve an open accreditation process for the selection of providers to deliver pharmacy and GP based sexual health services.
- 3** To delegate authority to the Director of Public Health to approve the outcomes of the accreditation process and award and sign contracts for an initial term of three years, with an option to extend contracts for two further three-year periods.

**1. Reasons for recommendations**

- 1.1 The current contracts for LCPHS sexual health services in the community are due to expire in March 2022 with no option to extend, therefore a new arrangement needs to be implemented by 1 April 2022.
- 1.2 The award of further nine-year contracts (in three year intervals) will enable ongoing opportunistic provision of sexual health services in the community for citizens at high risk of poor sexual health outcomes and those who face barriers in accessing sexual health clinics.
- 1.3 Nottingham City Council (NCC) has a statutory responsibility to provide, or secure the provision of, open access sexual health services in its area.

**2. Background (including outcomes of consultation)**

- 2.1 Locally Commissioned Public Health Services (LCPHS) in Nottingham are fully funded by the Public Health Grant. These services are part of the wider sexual health system in the city and fill gaps created by barriers in access to services in other parts of the system for young and vulnerable citizens and include a range of primary care based sexual health services aimed at high risk groups who may not access Integrated Sexual Health Clinics. GPs and community pharmacies are key providers of these demand led primary care services in the community.

There is good evidence that open access to sexual health services is vital in addressing identified public health need in a population. LCPHS enable front line providers with well established relationships with citizens to opportunistically help address high rates of sexually transmitted infections in the city and reduce onward transmission and reinfection. The current sexual health services provided by way of LCPHS contracts include:

- GP asymptomatic STI testing (Chlamydia, Gonorrhoea, Syphilis and HIV);
- GP Chlamydia screening and treatment;
- GP Long-acting reversible contraception (LARCs);
- Pharmacy Chlamydia screening and treatment;
- Pharmacy Emergency Hormonal Contraception (EHC);
- Pharmacy condom distribution.

2.2 A review of all commissioned sexual health services in Nottingham and Nottinghamshire is underway. Any findings from the review will be used to make necessary adaptations to these services in due course.

### 3. **Other options considered in making recommendations**

3.1 To not recommission LCPHS sexual health services - Not recommended as this will leave a significant gap in provision and reduce access for those at high risk of poor sexual health outcomes.

3.2 To award shorter term contracts – Not recommended as this will create uncertainty for providers and resources required to constantly recommission these services is counterproductive for provider and commissioners.

### 4. **Consideration of Risk**

4.1 To not renew these contracts is likely to lead to an increase in STIs, partner infections and reinfections, late diagnosis as well as unplanned pregnancies, abortions and possible STI outbreaks often amongst the most vulnerable citizens. Absence of LCPHS would add to inequalities in sexual health outcomes due to inequity of access particularly in the face of rising need and demand seen locally and nationally.

### 5. **Finance colleague comments**

5.1 As outlined above, one aspect of the statutory requirement to improve the health and wellbeing of the local population of Nottingham City, is to secure the provision of, open access sexual health services in its area. As such, a portion of the annual Public Health grant has been ear-marked to fund these sexual health services, as outlined.

5.2 For the several reasons outlined above, it is apparent that best value for money, and efficiency can be achieved through procurement of this service through Locally Commissioned Public Health Services (LCPHS). The total value of this contract would be up to £2,933.505 for the 9 years (£325,945 per year) with the opportunity to review each year.

5.3 The total annual value (£325,945) of this contract expenditure is to be funded via the annual ring-fenced Public Health grant. As such, this expenditure is fully funded for the duration of the contract. It will be necessary to ensure that all expenditure under this contract is in line with grant conditions and achieves good value for money.

Graeme Black, Commercial Business Partner (Education & Public Health), 16 November 2021

### 6. **Legal colleague comments**

6.1 This report seeks authority to undertake a compliant tender process to identify suppliers to deliver Locally Commissioned Public Health Services in the city in pursuit of the Council's statutory duty to provide these services.

6.2 Due to the nature of the services falling within the Light Touch Regime of the Public Contracts Regulations 2015, the Council is permitted to establish a

more flexible arrangement and the choice of an accreditation process will provide this, with the ability to open up it up to new providers during the term.

- 6.3 Appropriate contractual arrangements will need to be put in place which legal services will support with as required alongside procurement colleagues. The potential long term 9-year contract is considered to offer best value and more security for providers but this will need to be at the sole discretion of the Council in accordance with its requirements and financial commitments including Grant funding received from Public Health. The options to extend and the parameters for such will need to be sufficiently detailed with the contractual documentation.

Dionne Screamon, Senior Solicitor, Commercial Employment and Education,  
2 December 2021.

## 7. **Other relevant comments**

- 7.1 The Decision to approve procurement of Locally Commissioned Public Health Services (LCPHS) for sexual health via GPs and pharmacies through an open accreditation process to be funded from the Public Health Grant is supported by the Procurement Team who will manage the accreditation process.

Nicola Harrison, Lead Procurement Officer 17/11/21

## 8. **Crime and Disorder Implications (If Applicable)**

- 8.1 N/A

## 9. **Social value considerations (If Applicable)**

- 9.1 N/A

## 10. **Regard to the NHS Constitution (If Applicable)**

- 10.1 Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

## 11. **Equality Impact Assessment (EIA)**

- 11.1 An EIA is not required because recommissioning of these services will not lead to a significant impact on citizens or services.

## 12. **Data Protection Impact Assessment (DPIA)**

- 12.1 Attached as Appendix 1, and due regard will be given to any implications identified in it.

## 13. **Carbon Impact Assessment (CIA)**

- 13.1 A CIA is not required because there are no significant changes to existing services that will impact on the minimal carbon production from delivery.

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None.

**15. Published documents referred to in this report**

15.1 Health and Social Care Act (2012)