

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

2409

Author:

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Department:

Children and Families

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Subject:

Extension to The HIV Support, Engagement, Outreach and Testing Service provided by Terrence Higgins Trust

Total Value:

Maximum value for the 2 year extension is £187,000 (NCC's total contribution is £374,000 since 2014) (Type: Revenue)

Decision Being Taken:

- 1). To approve the extension of The HIV Support, Engagement, Outreach and Testing Service provided by the Terrence Higgins Trust for 2 years (01/04/2016 - 31/03/2018) to a cost not exceeding its current annual contract value.
- 2). Approval for the Head of Contracting & Procurement to have delegated authority to sign the contract variation for the extension once the extension is agreed.
- 3). To grant a dispensation from Section 5.1.2. of the Council's Contract Procedure rules, in accordance with section 3.29 of the Council's Financial Regulations in order to extend the current contract without re-tendering for the service.

Reasons for the Decision(s)

Approval is sought to extend the contract for The HIV Support, Engagement, Outreach and Testing Service provided by the Terrence Higgins Trust for two years, at an annual cost not exceeding the current annual contract value. This fixed term extension will ensure continuity of essential service provision, while commissioning review work is completed.

A Delegated Decision in November 2013 (ref: 1133) gave approval to tender for a 2 year contract, with a 2 year option to extend. The procurement of this service had followed an extensive consultation which identified the need for a complementary range of provision that combines professional one to one support, group work, Point of Care Testing and directed peer support as appropriate.

Despite the inclusion of an option to extend for 2 years in the Delegated Decision and the subsequent Tender Outcome Decision Form, this was not detailed in the contract documentation due to the fact that this was a mixed party agreement with Nottinghamshire County Council. Nottinghamshire County Council's contribution to the contract is ending on 31 March 2016 since they have included Point of Care testing and health promotion in the new Integrated Sexual Health Services contract from April 2016. Dispensation from Financial Regulations is therefore sought to enable us to take up the intended extension.

This extension will allow time to evaluate the HIV provision in Nottingham City, with the aim of going out to tender before the contract expires in 2018.

The need for dedicated HIV services is influenced by the fact that levels of HIV prevalence in Nottingham City are higher than the national average and there are higher levels of people being diagnosed late. Late diagnosis has implications for; morbidity rates, treatment costs and onward transmission of the disease.

Other Options Considered:

1). Do nothing. This option would mean that the existing contract for this service would expire in March 2016, leaving the city without appropriate support services for people who have contracted HIV. This would also have an impact on onward transmission and increased late diagnosis, resulting in additional treatment costs, increased mental health problems and increased pressures on social care.

2). Re-procure the HIV Support, Engagement, Outreach and Testing Service immediately for a new contract to commence in April 2016. This is not a viable option currently since the current contract expires on 31 March 2016 and we would not have time to procure a new service through an open tender process before 1 April 2016. It would also risk destabilising the current service and reducing the quality of current provision.

Background Papers:

Published Works:

Delegated Decision 1133 'Commissioning and Procurement of an HIV Support and Testing Services' 21 November 2013

Affected Wards:

Citywide

Colleague / Councillor Interests:	None
Dispensation from Financial Regulations:	Yes
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None
Equality:	Please login to the system to view the EIA document: THT HIV Service - EIA Actions Identified.docx
Regard for NHS Constitution:	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.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	14/04/2016
Advice Sought:	Legal, Finance, Procurement, Equality and Diversity
Legal Advice:	The proposed decision raises no significant legal issues and on the basis of the rationale put forward in the report is supported. Advice provided by Malcolm Townroe (Legal Services Manager) on 19/02/2016.
Finance Advice:	See attached for financial advice. Advice provided by Darren Revill (Finance Analyst) on 01/03/2016. Advice documents: Extension of HIV Provision-Financial Comments.doc
Procurement Advice:	The extension of the contract to provide the HIV Support, Engagement, Outreach and Testing Service for 2 years (01/04/2016 - 31/03/2018), at a cost not exceeding the current annual contract value, will ensure continuity of essential service provision, whilst work around the commissioning review is completed. Therefore, dispensation from the provisions of the Contract Procedure Rules (5.1.2) in accordance with Financial Regulation (3.29) (Operational Issues) to allow for the extension of the contract is supported from a procurement perspective. Advice provided by Julie Herrod (Procurement Officer) on 10/02/2016.

**Equality and Diversity
Advice:**

****** ERROR - EQUALITY AND DIVERSITY ADVICE MISSING ******

Signatures

Alex Norris (Portfolio Holder for Adults and Health)
SIGNED and Dated: 07/04/2016
Alison Challenger (Director of Public Health (Interim))
SIGNED and Dated: 07/04/2016
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 05/04/2016
Chief Finance Officer's Comments: