

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3261
Author:	Nancy Cordy
Department:	Children and Adults
Contact:	Alison Challenger (Job Title: Director of Public Health, Email: alison.challenger@nottinghamcity.gov.uk, Phone: 01158765105)
Subject:	Support for smoking cessation
Total Value:	£200,000 (Type: Revenue)
Decision Being Taken:	1) To agree spend of £200k over a two year period (£100k per annum) to enable Nottingham citizens access to stop smoking support. 2) To approve dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) to allow for the direct award of a contract. 3) To delegate authority to the Head of Contracting and Procurement to sign and enter the contract.

Reasons for the Decision(s) 1) In order to make the significant budget reductions required for 2018/19 Council approved a proposal to 'cease funding the New Leaf Smoking cessation service provided by Nottingham Citycare'. This decision was taken as the available budget was not sufficient to support the existing service model. The service ceased from 30th April 2018. Public consultation identified significant levels of concern about the loss of stop smoking services in Nottingham. Smoking prevalence amongst Nottingham adults continues to be higher than the England average and it is recognised that citizens will continue to have needs in relation to stopping smoking. The Council has a statutory duty to improve wellbeing and reduce health inequalities (Health and Social Care Act 2012). Smoking cessation has a strong evidence base in successfully achieving these requirements. Therefore to meet statutory requirements and address local need it is recommended to retain investment, at a reduced level, in stop smoking services.

2) Demand for smoking cessation support following the closure of the New Leaf service will largely be placed upon primary care/GPs. Without additional resource GPs will not be able to meet this demand, citizens will not have access to support and smoking prevalence in Nottingham will remain high. In recognition of this, it is proposed to directly award a contract to Nottingham City General Practice Alliance (NCGPA). This is the preferred option because the service can be partially delivered within extended access appointments (funded by the CCG). It is proposed to initially pilot the approach for a period of two years so the model can be fully evaluated, including for cost effectiveness. The evaluation will inform decision making regarding arrangements beyond the pilot period. This will take place in good time to avoid unnecessary gaps in service.

Other Options Considered: 1. To make no financial contribution to the provision of stop smoking services in Nottingham. This has been rejected as an option due to the high levels of smoking related need in Nottingham and statutory requirements within the Health and Social Care Act 2012.

2. To procure a stop smoking service via a competitive tender process, within the budget available. This has been rejected as an option as it is deemed unlikely to secure a provider with the available budget (approximately 1/5 of previous budget). The previous procurement exercise for this service (at the higher level of funding) did not attract any viable bids. As this is a substantially different service model it is proposed to pilot the approach for an initial period of two years.

Background Papers: None

Published Works: Health and Social Care Act 21012, Nottingham City Council Budget

Affected Wards: Citywide

Colleague / Councillor Interests: None

Dispensation from Financial Regulations: Yes

Consultations:	Date: 06/03/2018
	Other:Public consultation - open to all citizens and stakeholders
	Nottingham City Council consulted on a proposal to 'cease funding smoking cessation support'. This proposal received a significant number of concerns, particularly about the impact on key groups such as pregnant women. The responses received indicate that citizens and stakeholders consider the delivery of smoking cessation support to be of high importance. Relevant stakeholders will continue to be engaged in the further development and delivery of the model.
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	This decision is unlikely to have a direct implications in relation to crime and disorder.
Equality:	EIA not required. Reasons: EIA has been previously completed when taking the decision to decommission stop smoking support. A further EIA will be completed as the proposed model develops to ensure that the service is effectively targetted at those most of risk of poor outcomes related to smoking, particularly pregnant women.
Social Value Considerations:	The value of services to be procured is below the EU threshold at which the Public Contracts Regulations 2006 apply.
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:	21/09/2018
Advice Sought:	Legal, Finance, Procurement

Legal Advice:

The previous service provision for smoking cessation was terminated earlier in the year due to significant budget restrictions faced by the Council.

Following concerns raised during public consultation and feedback received by the Council on the need for the provision of a stop - smoking service in the City, the Council has further considered the service requirements and has determined it appropriate to put in place a smoking cessation service in the City, albeit at a reduced level and by way of a different delivery model.

The proposal for a contract with the GPA will be for a short term pilot period of 2 years, whilst the Council considers the service requirements in more detail to identify the best model of delivery.

The provision of the service will sit neatly alongside the GPA's existing extended hours arrangements with the CCG and is expected to offer a more supportive and efficient service despite its reduction and more targeted approach.

The value of the contract subject to this proposal falls below the EU procurement threshold and therefore for the reasons given in the report, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported.

Legal services will work with colleagues to ensure appropriate arrangements are in place reflecting the agreement with the GPA.
Advice provided by Dionne Claire Screatton (Solicitor) on 03/08/2018.

Finance Advice:

The impact from the termination of the previous smoking cessation service were included in the Council's 2018/19+ Medium Term Financial Plan (MTFP). The proposal for an alternative model of delivery at a cost of £100k per year will be met from the Public Health budget and not impact 2018/19+ service efficiencies.

The proposed direct award to a primary care provider for a pilot period of 2 years will enable the evaluation of this service model, understand cost effectiveness and inform decisions regarding the best model of delivery in order to achieve longer term value for money.

This proposal seeks dispensation from Contract Procedure Rule (5.1.2) in accordance with Financial Regulations 3.29, and due to the reasons detailed by the report author and considering the legal and procurement advice is appropriate in these circumstances.

Advice provided by Darren Revill (Senior Commercial Business Partner) on 24/08/2018.

Procurement Advice:

Procurement has been involved in discussions about this Decision.

Due to budget restrictions, the previous service provision for smoking cessation was terminated earlier in the year. Following concerns raised during public consultation and feedback received by the Council on the need for the provision of a stop - smoking service in the City, the Council has further considered the service requirements and has determined it appropriate to put in place a reduced level smoking cessation service in the City, by way of a different delivery model.

The proposal for a contract with the GPA will be for a short term pilot period of 2 years, whilst the Council considers the service requirements in more detail to identify the best model of delivery.

The value of the contract subject to this proposal falls below the EU procurement threshold and therefore for the reasons given in the report, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported by Procurement.

Advice provided by Nicola Harrison (Procurement Lead Officer) on 03/08/2018.

Signatures

Sam Webster (PH for Adult Social Care and Health)
SIGNED and Dated: 14/09/2018
Alison Challenger (Director of Public Health)
SIGNED and Dated: 04/09/2018
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 04/09/2018
Chief Finance Officer's Comments: