



5th May 2021

REPORT TITLE:	OUTCOME OF THE PUBLIC HEALTH RE-COMMISSIONING PROCESS FOR THE STOP SMOKING SERVICE
REPORT OF:	ASSISTANT DIRECTOR: CONSULTANT IN PUBLIC HEALTH

REPORT SUMMARY

On 19th November 2020, the Adult Social Care and Public Health Committee authorised the Director of Public Health to recommission a Stop Smoking Service for Wirral. This report provides an update on the recommissioning process and outcome.

The process has concluded, the tenders received have been fully evaluated according to Council procurement rules and the Director of Public Health is requested to take the decision to award the contract to the successful bidder.

The details of the tender evaluation are detailed in Appendix 1 to the report. This information is commercially sensitive and is restricted by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The proposed actions affect all Wards within the borough and the decisions requested are key decisions.

RECOMMENDATION/S

The Director of Public Health is recommended to:

Accept the winning tender for the Wirral Stop Smoking Service which has been submitted and evaluated in accordance with Wirral Council Contract Procedure rules and approve the award of a five-year contract (with the option to extend for two, one-year extensions) to the provider as detailed in Appendix 1 commencing on 1st October 2021.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The current stop smoking service contract is due to end on 30 September 21. A procurement exercise has been completed in accordance with CPRs and the successful bidder is the most economically advantageous, is fully compliant and is within allocated budget provision. New contract will be in place 1 Oct 21.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options included not to award the contract or change the length of the contract.

3.0 BACKGROUND INFORMATION

- 3.1 A Prior Information Notice (PIN) was issued on The Chest 23 December 2020 with the intention to make the market aware of Wirral Council's commissioning plan for this service. The contract term is 5 years +1+1 and has a maximum value £4,879,000. Service tender documents including the Official Journal of the European Union (OEJU) notice were posted onto The Chest 23 February 2021. The closing date for tender submissions was 23 March 2021.
- 3.2 The tender evaluation process included provider presentations that took place on 15 April 2021.
- 3.3 It is anticipated that the new contract will be operational 1 October 2021. The current contract for this service will continue during the re-commissioning process so that there is no loss of service to local people.
- 3.4 It has been necessary to re-commission this service to comply with Public Contract Regulations and Wirral Council Contract Procedure Rules. The value of the proposed contract is above the relevant European Union threshold and the supplier selection process has been conducted in accordance with The Public Contract Regulations 2015 and Wirral Council Contract Procedure Rules.
- 3.5 The specification for the retendered service was based on insight with local people and stakeholders, identified need as referenced by the Joint Strategic Needs Assessment and evidence-based practice. This has provided an opportunity to re-consider funding and delivery models, enabling the release of cost savings and the refocusing of service delivery considering current developments and the healthcare needs of service users.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The maximum value of the contract is £4,879,000 and this is funded by the Public Health grant.

5.0 LEGAL IMPLICATIONS

- 5.1 It is necessary to ensure the proposed procurement complies with the Public Contract Regulations 2015 and Wirral Council Contract Procedure rules.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) is applicable.

7.0 RELEVANT RISKS

- 7.1 There is always a risk of disruption to service provision during service redesign, recommissioning and commencement of new services. In order to mitigate against this and minimise disruption, adequate time to plan for, and implement the mobilisation of new service has been built into the procurement process between contract award and commencement.
- 7.2 The procurement process is subject to scrutiny and at risk of legal challenge. Particular regard is given to contract procedure rules and relevant legislation at all stages of the process and the Public Health team works closely with the Procurement team to ensure compliance.
- 7.3 In the context of the current challenging financial climate, the impact of any future reductions in budget or policy implications on the amount of funding available for Public Health activity and services is unknown. The value and availability of the Public Health grant for 21/22 is £30.1m. It is important to acknowledge that the council will need to review all financial allocations in order to achieve a balanced budget over the next few years. The Public Health department has and maintains a five-year financial plan to provide assurance that the projected funding is in place for the commissions that it makes. There is a risk associated with commitment to contracts for 7 years, in advance of funding settlements. This will be mitigated by the insertion of appropriate termination clauses in relevant contracts.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 There were several elements to engagement and consultation to inform the recommissioning of the service outlined in this paper designed to ensure that the re-commission process maximises outcomes for local people.
- 8.1.1 Ethnographic insight research was commissioned to evaluate Health Related Worklessness (Revealing Reality 2016). Results from this insight were used to shape and inform the development of the future services for our residents.
- 8.1.2 Service users were engaged and consulted. Their views and case studies were used to contribute to the development of the service.
- 8.1.3 Consultation with key stakeholders including Wirral System Inequalities group and community groups to inform service design and delivery.

EQUALITY IMPLICATIONS

- 9.1 Equality Impact Assessment can be found at - <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>
- 9.2 The commissioned services will be compliant with the Public Sector Equality Duty as contained in section 149 of the Equality Act 2010.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Our local environment is an important influence on health behaviours. Smokefree places can reduce cigarette litter, set positive role models for children and help to normalise a smoke free lifestyle. An essential element of this is to create more and more smokefree environments and spaces across our communities so that we can challenge the norm of smoking. There are also opportunities for local businesses and organisations to operate smokefree sites.

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APPENDIX

Appendix 1 (exempt from public report) – Wirral Stop Smoking Service

BACKGROUND PAPERS

Invitation to Tender (ITT) documents

Stop smoking services: models of delivery options and evidence

<https://www.gov.uk/government/publications/stop-smoking-services-models-of-delivery>

Wirral Joint Strategic Needs Assessment.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Adult Social Care and Public Health Committee	19 th November 2020