

**May 2024**

<b>REPORT TITLE:</b>	<b>COMMISSIONING A RISK AND RESILIENCE OFFER FOR CHILDREN AND YOUNG PEOPLE</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF PUBLIC HEALTH</b>

## **REPORT SUMMARY**

On 17th October 2023, the Adult Social Care and Public Health Committee authorised the Director of Public Health to tender for the development of a new offer to support children and young people in relation to risks/health-related behaviours in Wirral and to award the tender to the successful bidder following the tender process. This report seeks a decision on the recommissioning process and outcome.

The process has concluded, the tenders received have been fully evaluated according to the Council's procurement rules and the Director of Public Health is recommended to award the contract to the successful bidder, Wirral Community Health and Care NHS Foundation. Current commissioning arrangements expire at the end August 2024.

This commission supports the central vision of the Wirral Working Together Plan 2023-2027, and Priority Area 3 of the Wirral Health and Wellbeing Strategy 2022-27 to 'Ensure the best start in life for all children and young people'.

The proposed actions affect all wards within the borough and is a key decision.

Appendix 1 to this report contains exempt information as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 'Information relating to the financial or business affairs of any particular person (including the authority holding the information

## **RECOMMENDATION/S**

The Director of Public Health is recommended to approve the award of a five-year contract commencing on 1 September 2024 and running until 31 August 2029 (with the option of two one year extensions) at a total cost of £3,381,948 over the potential seven-year term, to Wirral Community Health and Care NHS Foundation within the approved budget and as the highest scoring tenderer in accordance with the Most Economically Advantageous Tender criteria.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 The current contracts for services to support risks/health related behaviours for children and young people delivered by Wirral Community Health and Care NHS Foundation Trust, Brook and Barnardos will expire on 31st August 2024. A procurement exercise has been completed in accordance with the Council's Contract Procedure Rules.
- 1.2 The tenders that were submitted were evaluated against a 10% contract price, 10% Social Value and 80% contract quality ratio. The successful bidder met all the quality requirements within the allocated budget. (A tender evaluation analysis is outlined in Appendix 1).

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Risk and Resilience services were assessed as part of the Public Health Grant review process in September 2023. During the review, consideration was given to local data and insight which continues to demonstrate high levels of need, and therefore continued requirement for support for children and young people around risk/health related behaviours.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Authorisation was given by this Committee in October 2023 to commission a new offer to support children and young people in relation to risks/health-related behaviours totalling up to £3,383,030 over the potential seven-year term (£483,290 per annum) (1st September 2024 – 31st August 2029) with the option of a one year plus further one year extension. Delegated authority was also given to the Director of Public Health to award the tender to the successful bidder following the tender process.
- 3.2 Considerable insight work was completed to inform this work in the 'discovery phase', including both qualitative and quantitative. This included a Health and Well-being survey that was offered to all Wirral schools. There have also been focus groups completed with young people, parents/carers, and professionals around the support available and how best to meet needs. Quantitative work with professionals highlighted the range of their perceptions of the key risks for young people locally.
- 3.3 The approach will build on the parts of the Wirral system that are already working well for children and young people in Wirral, whilst reducing any duplication and improving effectiveness. A consistent, evidence-based, and practical approach will be developed to promote resilience and reduce vulnerability to risk and the consequences of risk-taking behaviours across the full range of needs for children and young people. The offer will be responsive and agile and driven by local intelligence of risk-related behaviours as they emerge.

- 3.4 Service tender documents were posted onto the Chest (the Council e-procurement portal) on 2nd February 2024. The term for the proposed contract is five years with the option for a further two one-year extensions. The budget for the tender was £3,383,030.
- 3.5 The new contract will be operational by 1st September 2024. The current contracts for this support will continue during the commissioning and mobilisation period so that there is no gap in service for local people.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The original budget allocated for the contract had a maximum total value of £3,383,030. The successful bidder submitted a bid within budget at a value of £3,381,948.
- 4.2 This contract is commissioned by Wirral Council through the Public Health Grant. There is confirmation of available funding from the Public Health Grant.
- 4.3 The value and availability of the Public Health grant for 2025/26 onwards is not yet known. The budget for the service has been allocated based on the Public Health Grant funding being consistent with the current financial year. Should the Public Health Grant be reduced, then contract amounts may need to be varied. The tender has included appropriate mitigating measures.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The tender detailed within this report is compliant with the Public Contract Regulations 2015 and Contract Procedure rules, Part 4 of the Council's Constitution.
- 5.2 The proposed award of the contract for information and advice services is made on the basis of the most economically advantageous tender (MEAT) scoring. The meaning of MEAT is currently governed by the Public Contract Regulations 2015.
- 5.3 The Council has a general duty under Section 2B of the National Health Service Act 2006 to take such steps as it considers appropriate for improving the health of the people in its area.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may be applicable. The incumbent providers will provide potential bidders the anonymised details of staff engaged in the provision of relevant services, who may be subject to TUPE. Contact information was shared with the tender documentation. It is the responsibility of tenderers to liaise with incumbent suppliers to establish whether TUPE regulations apply to the contract and to ensure that TUPE information provided by incumbent suppliers is accurate.

## **7.0 RELEVANT RISKS**

- 7.1 It is necessary to commission the support highlighted in order to comply with the Public Contract Regulations 2015. There is always a risk of disruption to service provision during service redesign, recommissioning, and commencement of new services. To mitigate against this and minimise disruption, adequate time to plan for, and implement the mobilisation of new services, is built into the procurement process between contract award and commencement. Robust contract management arrangements will be in place, to monitor performance and ensure ongoing management of any risks.
- 7.2 The procurement process is also 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.
- 7.3 In the current challenging financial climate, the impact of any future reduction in budget or policy implications on the amount of funding available for Public Health is unknown. The value and availability of the Public Health grant for 2025/26 onwards is not yet known. However, funding for information and advice services has been committed for the duration of the contract. Should the grant vary considerably then contract amounts may need to be varied over the course of the contract, potentially resulting in service change.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 There has been extensive engagement and consultation with key stakeholders in order to inform the development and design of the offer. This has included:
- Engagement sessions with a wide range of stakeholders/professionals to understand their current strengths and challenges and gain insight into the issues that are affecting Wirral children and young people.
  - Engagement through focus groups parents/carers about support they have received, their challenges and how best the needs of young people could be met.
  - Qualitative insight work through focus groups with local children and young people to understand their needs and the ways support can be tailored to meet their needs.
- 8.2 Ongoing engagement will continue to inform and shape the service.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Public Health adheres to the Council's legal requirement to make sure its policies, and the way it carries out its work do not discriminate against anyone. As part of the recommission an equality impact assessment (EIA) was undertaken to ensure all equality impacts are considered and relevant actions are taken to mitigate any potential negative impacts. This has been reviewed following the tender process. The Risk and Resilience EIA is available here:  
<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

9.2 Within the tender submissions, bidders had to demonstrate how they work to eliminate discrimination and ensure equality rights of people with protected characteristics, in accordance with the Equality Act 2010. Equality contract clauses are included within the Public Health contract and compliance will be routinely monitored over the lifetime of the contract.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 During the procurement process, bids were evaluated on any social value added to the service which includes potential impact of the contract on Wirral's climate and environment. Social value will be monitored as part of routine contract and performance management arrangements.

10.2 The content and/or recommendations contained within this report are expected to have no significant impact on emissions of greenhouse gases.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

11.1 Community Wealth Building is a people-centred approach to economic growth which reorganises local economies to be fairer and stops wealth flowing out of communities, towns, and cities, and instead places control of this wealth into the hands of local people, communities, businesses, and organisations. This commission will support several of the key outcomes within the strategy.

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## **APPENDICES**

Appendix 1 – COMMISSIONING A RISK AND RESILIENCE OFFER FOR CHILDREN AND YOUNG PEOPLE- TENDER EVALUATION ANALYSIS

**Appendix 1 contains exempt information as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 'Information relating to the financial or business affairs of any particular person (including the authority holding the information**

## **BACKGROUND PAPERS**

Wirral Council Public Health Services Contract (DN641282); Children and Young People Substance Misuse Service; including School Drugs Policy Lead  
Wirral Council Public Health Services Contract (DN641799); Sexual Health Education, Relationships and Wellbeing Service (Young People and Professionals)  
Wirral Council Public Health Services Contract (DN641665); Healthy Weight Programme

## **TERMS OF REFERENCE**

This report is being considered by the Adult Social Care and Public Health Committee in accordance with Section 2.2(c) of its Terms of Reference:

All Public Health functions (in co-ordination with those functions reserved to the Health and Wellbeing Board and the Overview and Scrutiny Committee's statutory health functions)

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Adult Social Care and Public Health Committee Information and Advice Services Commission	<b>17<sup>th</sup> October 2023</b>

