

16 May 2024

REPORT TITLE:	OUTCOME OF THE PUBLIC HEALTH RE-COMMISSIONING PROCESS FOR SEXUAL AND REPRODUCTIVE HEALTH SERVICES (COMMUNITY HIV AND STI SUPPORT SERVICE)
REPORT OF:	DIRECTOR OF PUBLIC HEALTH

REPORT SUMMARY

On the 6th of March 2023, the Adult Social Care and Public Health Committee authorised the Director of Public Health to re-commission Sexual and Reproductive Health Services in Wirral (for an Integrated Sexual Health Service and Community HIV and STI Support Service). The Committee, delegated authority to the Director of Public Health to award the tender to the successful bidder(s) following the tender process. This report provides an update on the re-commissioning process and seeks a decision on the outcome in relation to the Community HIV (human immunodeficiency virus) and STI (sexually transmitted infections) Support Service.

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, Sahir House. Current commissioning arrangements expire at the end of August 2024.

The report supports the implementation of the Council Plan 2023 – 27 priorities, to prioritise those with the greatest needs. Good sexual and reproductive health is an important component of overall health and wellbeing, and a pillar of wider work to reduce health inequalities in Wirral.

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

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 in relation to the Community HIV (human immunodeficiency virus) and STI Support Service commencing on 1 September 2024 until 31 August 2029 (with the option of two one-year extensions) at a total cost of £524,088 over the initial five-year term, to Sahir House 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 contract for the HIV Prevention and Support Service, delivered by Sahir House expires on 31st August 2024. A procurement exercise has been completed in accordance with the Council's Contract Procedure Rules, utilising the competitive dialogue process.
- 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.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not reprocurring the service was not deemed to be an option. Sexual health services – Sexually Transmitted Infections testing, treatment and contraception are mandated (prescribed functions) within the Local Authority Public Health ring fenced grant. It is necessary to re-commission the services in order to comply with Public Contract Regulations 2015 and Wirral Council Contract Procedure rules.

3.0 BACKGROUND INFORMATION

- 3.1 Authorisation was given by the Adult Social Care and Public Health Committee in March 2023 to re-commission Sexual and Reproductive Health Services in Wirral (for an Integrated Sexual Health Service and Community HIV and STI Support Service). The contract for the Integrated Sexual Health Services was awarded in November 2023 following a successful tender process. A decision was made to not award a contract for the Community HIV and STI Support Service and to re-procure the service under a competitive dialogue process. The service has since been retendered and this report provides an update on the outcome.
- 3.2 A Competitive Dialogue Tender was placed on the Chest (the Council's e-procurement portal) on the 16th February 2024. The term for the proposed contract is five years with the option for a further two one-year extensions. Two companies submitted a tender; Sahir House and another tenderer. Both tenders were evaluated on price, quality and social value submissions and moderated with the Council's Procurement Team. Details of the tender evaluation are set out in the exempt Appendix 1.
- 3.3 The re-commission provided an opportunity to review sexual and reproductive health service requirements to ensure we have the right funding and delivery models in place. A Sexual and Reproductive Health Joint Strategic Needs Assessment was undertaken to inform and shape the provision of Wirral's future Sexual and Reproductive Health services, to prioritise and identify key areas for development and to ensure that decisions were clearly based on the available evidence.
- 3.4 The service is designed to engage with Wirral residents that are most vulnerable and at risk of poor sexual health and less likely to engage with mainstream, statutory

services. The service will provide sexual health information, advice, support and testing through outreach and clinics within the community. The service will also support residents living with HIV including the provision of counselling and peer support.

- 3.5 The new contract will be operational by 1st September 2024. The current contract for this service will continue during the commissioning and mobilisation period to ensure the continuity of services for service users.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The original budget allocated for the contract had a maximum total value of £524,088 for the initial five-year term of the contract. The successful bidder submitted a bid within budget, totalling £524,088.
- 4.2 This contract is commissioned by the Council through the Public Health Grant. 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 provider will provide potential bidders with 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 In order to inform the development and design of the future service, engagement and consultation was undertaken with local residents and current providers of sexual and reproductive health services. A Sexual and Reproductive Health Joint Strategic Needs Assessment was also developed to inform the development of the service specification.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment (EIA) is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. The EIA for this contract award 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 Ensuring equitable access to sexual and reproductive health services will contribute to community wealth building. Any ill health can have negative economic consequences. Ensuring good sexual and reproductive health will contribute to reducing the economic impact of ill health in Wirral.

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APPENDICES

Appendix 1 – Outcome of the Public Health Re-Commissioning Process for Sexual and Reproductive Health Services (Community HIV and STI Support Service) – 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

Corporate Procurement Invitation to Tender (ITT) Scope and Contract Specification for the supply of the Community HIV and STI Support Service.

Sahir House, Wirral Council Public Health Contract (Specialist HIV Prevention and Support Service). April 2024 – August 2024. DN711805

Officer Decision Notice (November 2023): [Sexual and Reproductive Health Services Commission - Contract Award](#)

Wirral Sexual and Reproductive Health JSNA (May 2023).
<https://www.wirralintelligenceservice.org/jsna/sexual-and-reproductive-health/>

SUBJECT HISTORY (last 3 years)

Council Meeting

Adult Social Care and Public Health Committee

Date

15th June 2023

Adult Social Care and Public Health Committee

6th March 2023

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)

Council Meeting	Date
Adult Social Care and Public Health Committee Information and Advice Services Commission	17th October 2023