

# CHESHIRE EAST COUNCIL

## Cabinet

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**Date of Meeting:** 30<sup>th</sup> June 2015  
**Report of:** Dr Heather Grimbaldeston  
**Subject/Title:** 0 – 19 Healthy Child Programme  
**Portfolio Holder:** Cllrs Janet Clowes, Adults, Health and Leisure and Rachael Bailey, Children and Families

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### 1. Report Summary

- 1.1. The commissioning of 0 - 19 Healthy Child Programme provides a new opportunity for the Council to champion and lead on improvements to the health and wellbeing for children and families.
- 1.2. The Healthy Child Programme will align new statutory responsibilities for Health Visiting (0 – 5 service) with existing responsibilities for School Nursing (5 – 19 service) and Breastfeeding.
- 1.3. Once commissioned the new integrated Healthy Child Programme will work more closely with the Children's services to enable the Council to deliver a seamless integrated universal offer to all children and families and a comprehensive targeted offer to those who need more support.
- 1.4. A Cabinet Decision was made on 11<sup>th</sup> February 2015 to procure the 0 - 19 Healthy Child Programme in conjunction with NHS England (see link below for report and decision).
- 1.5. NHS England currently commission Health Visiting (0 - 5 service) but this responsibility transfers to the Local Authority on 1<sup>st</sup> October 2015.
- 1.6. The Cabinet decision enabled the Council to enter into two contracts directly with providers (for 5-19 School Nursing and Breastfeeding service) and for one contract (0-5 Health Visiting service) to novate to the Council from NHS England on 1<sup>st</sup> October 2015.
- 1.7. The procurement process has required a new timeline which means all three Healthy Child Programme contracts (Health Visiting, School Nursing and Breastfeeding) will start on 1<sup>st</sup> October 2015.
- 1.8. This means that it is no longer necessary to novate the Health Visiting contract from NHS England to the Council. It is now possible for the Council to enter into all three Healthy Child Programmes on 1st October 2015. The contract is for 3 years with an option of two further extensions of 12 months each, total five years. The Council may terminate this contract at any time

by giving 3 months' written notice, without affecting any other rights or remedies.

- 1.9. In order for the new timeline to be achieved the Cabinet Procedure Rule No. 53: 'Urgent Decision' was taken and the required Officers and Cabinet Members took the decision to approve delegated authority.
- 1.10. This report is to update Cabinet on the new procurement timeline and to ask Cabinet to note the authorisation given to the relevant Portfolio Holders, the Director of Public Health and Executive Director of Strategic Commissioning to enter into a contract for 0 – 5 public health services (Health Visiting and Family Nurse Partnership) with a supplier, such authorisation having been given by way of an urgent decision taken in accordance with Cabinet Procedure Rule 53.

## **2. Recommendation**

- 2.1 That Cabinet be asked to resolve that following the procurement process, the Council will also enter into a contract for 0-5 years (Health Visiting and Family Nurse Partnership) with a supplier, it being noted that the authority to enter into a contract has been delegated to the relevant Portfolio Holders, the Director of Public Health and Executive Director of Strategic Commissioning by way of an urgent decision taken in accordance with Cabinet Procedure Rule 53.

## **3. Reasons for Recommendation**

- 3.1 Due to the new timeline there is no longer a need for NHS England to enter into a contract with a proposed supplier for 0 – 5 years (Health Visiting and Family Nurse Partnership) and instead the Council will be directly awarding and entering into a contract for 0 – 5 years (Health Visiting and Family Nurse Partnership) directly with a supplier.
- 3.2 The Cabinet report on the 11 February 2015 asked Cabinet to note that the contract would be awarded to NHS England and then novated to the Council. However due to the change in circumstances a revised decision is required so that the Council can enter into the contract directly with the supplier.
- 3.3 In order for the new timeline to be achieved the Cabinet Procedure Rule No. 53: 'Urgent Decision' was taken and the required Officers and Cabinet Members took the decision to approve delegated authority.

## **4.0 Wards Affected**

- 4.1 All

## **5.0 Local Ward Members**

- 5.1 All

## **6.0 Policy Implications**

6.1 No further policy implications

## **7.0 Implications for Rural Communities**

7.1 No further implications

## **8.0 Financial Implications**

8.1 The affordability implications of these revised arrangements can be accommodated within the resources available within the ring-fenced Public Health budget for 2015/16.

## **9.0 Legal Implications**

9.1 The 0-5 years services contract was to be in the name of NHS England and then transferred to the Council in October 2015 (when responsibility for the services transfers). The contract will now be entered into directly with the supplier, which will avoid the need for an administrative process following contract award, and enable the contractual relationship to be formed directly with the supplier from the outset.

## **10.0 Risk Management**

10.1 No further risk associated with this decision

## **11.0 Background and Options**

11.1 A Cabinet Decision was made on 11 February 2015 to procure the 0-19 Healthy Child Programme (see appendix below for report and decision) and decisions were made to enter into two contracts directly with providers (for 5-19 School Nursing and Breastfeeding services).

11.2 This report is to inform Cabinet that permission to enable the 0-5 (Health Visiting) contract to be awarded to the supplier directly by the Council on 1<sup>st</sup> October 2015 has been made through the Urgent Decision Process.

11.3 The procurement process has begun with a new timeline and it is no longer necessary for NHS England to hold the 0-5 contract, as the process will be completed so as to enable all three contracts to be entered into by the Council with a commencement date of 1<sup>st</sup> October 2015.

11.4 There are no alternative options as the Council has a statutory obligation to provide these services from 1<sup>st</sup> October 2015 in accordance with the Health and Social Care Act 2012.

## **12.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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### **Appendix**

Cabinet Paper 11 February 2015 pages 439 - 449

<http://moderngov.cheshireeast.gov.uk/ecminutes/documents/g5227/Public%20reports%20pack%2011th-Feb-2015%2014.00%20Cabinet.pdf?T=10>

Cabinet Minutes 11 February 2015

<http://moderngov.cheshireeast.gov.uk/ecminutes/documents/g5227/Printed%20minutes%2011th-Feb-2015%2014.00%20Cabinet.pdf?T=1>