

# Cabinet Member Leader of the Council

## Agenda

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**Date:** Monday, 29th February, 2016  
**Time:** 12.30 pm  
**Venue:** Committee Suite 1,2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Cheshire East Integrated Lifestyle and Wellness Support System (Pages 1 - 6)**

To consider the award of these contracts.

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For requests for further information

**Contact:** Cherry Foreman

**Tel:** 01270 686463

**E-Mail:** [cherry.foreman@cheshireeast.gov.uk](mailto:cherry.foreman@cheshireeast.gov.uk) with any apologies

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## CHESHIRE EAST COUNCIL

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**Date of Meeting: 2016**

**Report: of Director of Public Health Dr Heather Grimbaldeston**

**Subject/Title: Cheshire East Integrated Lifestyle & Wellness Support System**

**Portfolio Holder: Leader**

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### 1.0 Report Summary

1.1 Cabinet received a report on 29 September 2015 on the Commissioning of the Integrated Lifestyle & Wellness Support System. At this meeting, Cabinet agreed to commission, procure and award contracts for the following Public Health services:

- Stop Smoking Services and Alcohol Brief Interventions
- Community Sexual Health Services – *mandated service*
- NHS Health Checks – *mandated service*
- Provider Plus – the provision of assessment to access services, specialist stop smoking services and specialist public health advice
- Physical Activity, Healthy Eating and Weight Management services.

The reasons are:

- Council requirement to re-commission all Public Health Services transferred from the NHS in April 2013 by April 2016
- To open up the market to other providers to give choice to the residents of Cheshire East
- To revisit the service specifications and review and enhance them for improved delivery and outcomes (within the requirements of national guidance and evidence based practice).

The link to the Cabinet Decision is below:

Cabinet Paper, 29 September 2015, pages

<http://moderngov.cheshireeast.gov.uk/ecminutes/mgConvert2PDF.aspx?ID=42970>

Cabinet Minutes, 29 September 2015 pages

<http://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=241&MId=6016>

1.2 This report is to give an update on the progress of commissioning and is a brief to those authorised to make the decisions delegated by Cabinet.

1.3 Part of the recommendation agreed by Cabinet on the 29<sup>th</sup> of September 2015 was that:

delegated authority be granted to the Portfolio Holder for Adults, Health and Leisure and the Portfolio Holder for Children and Families, and the Director of Public Health, and to the Chief Operating Officer to:

- a) undertake the award of contracts for Phase 1 and
- b) undertake the procurement and award of contracts to successful providers under Phase 2 for the integrated lifestyle and wellness support service.

The Director of Legal Services has pointed out that this is a delegation to a mix of officers and Members and consequently not in accordance with the Local Government Act 2000. To rectify this issue the Director of Legal Services has advised that the Leader should take the decision in relation to the award of these contracts. The Leader may elect to take this decision in consultation with the Portfolio Holder for Adults, Health and Leisure, the Portfolio Holder for Children and Families, and the Director of Public Health, and the Chief Operating Officer.

1.4 A decision making meeting can now take place to let contracts to specific providers for Sexual Health Services, NHS Health Checks and Stop Smoking/Alcohol Services.

1.5 A further Delegated Decision Making Meeting will be required later in 2016 to consider recommendations to let a contract for Provider Plus Services and Physical Activity, Healthy Eating and Weight Management services. The Leader may take this decision, or delegate authority to the Portfolio Holder or an officer.

## **2.0 Recommendations**

That the Leader:

(a) awards contracts for those services listed in Group A

and

(b) delegates authority to the Director of Public Health to award those contracts listed in Group B below.

## **3.0 Reasons for Recommendations**

The Public Health Commissioning Team have followed a robust and compliant tender process to re-commission these services accumulating in the publication of tender documents on The Chest in January 2016. The process included market engagement events for providers, two of which were specialist events for the

voluntary sector and NHS primary care providers (GPs and Community Pharmacists) respectively. Draft Service Specifications were published under a Prior Information Notice (PIN), in order to give potential bidders a preview of the services to be commissioned, some weeks before the Invitation to Tender documents (ITT) were published and to allow further Invitation to Tenders to be published.

The procurement timeline has set closing dates for:

Group A -

- Sexual Health Services and NHS Health Checks 22 February 2016
- Stop Smoking/Alcohol services 23 February 2016

Group B -

- Provider Plus closing date 14 March 2016.
- New services for Physical Activity, Healthy Eating and Weight Management March 2016

The evaluation will take place in the days following the closing dates in order to allow the decisions to let be made on 29<sup>th</sup> February 2016 and 22<sup>nd</sup> March 2016.

The evaluation process to be followed is:

The bids will be checked by Procurement to ensure the tender is compliant before it is sent to the evaluation team. The evaluation team is made-up of officers who are allocated to service areas detailed in the phases above.

The Invitation to Tender document outlines the scoring criteria and an evaluation template will be circulated to ensure bids are scored consistently. Each officer will score independently and then meet to discuss and moderate any scores where there is a difference. Recommendation to award contracts will then be made.

If contracts are not let at this stage the Prior Information Notice (PIN) process allows for further Invitations to Tender to be made (up to 31/10/2016).

#### **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 No further implications

## **9.0 Legal Implications**

- 9.1 The aggregate value of the provision under the Integrated Lifestyle & Wellness Support System is such that these services must be procured in accordance with EU legislation and the Council's Finance and Contract Procedure Rules.

A competitive procurement process has been carried out whereby a Prior Information Notice (PIN) has been published on The Chest and specifications, tender documents and a draft contract have been published inviting tenders for the provision of Sexual Health Services, NHS Health Checks and Stop Smoking/Alcohol Services.

The PIN is also being used as the means to procure other aspects of the Integrated Lifestyle & Wellness Support System, namely a Provider Plus/Specialist Stop Smoking Service and Physical Activity, Healthy Eating and Weight Management Services. Specifications, tender documents and a draft contract for Provider Plus/Specialist Stop Smoking Service have been issued with a closing date of 14 March 2016. Specifications, tender documents and a draft contract for Physical Activity, Healthy Eating and Weight Management services are in the process of being published inviting tenders to provide these services.

The PIN is valid for a period of 12 months meaning the procurement process can be repeated during that period to target gaps and grow provision. It fully complies with EU competition requirements and the Council's policies.

The legal implications in terms of decision-making and the Local Government Act 200 are set out in the body of the report.

## **10.0 Risk Management**

- 10.1 The procurement process is on track to be completed in order for the services to commence on 1 April 2016. If this deadline is not met there are implications for the continuity of service delivery and the Cabinet requirement (Cabinet meeting 4 February 2014) to have Public Health contracts renewed by 1 April 2016. This does not apply to the Physical Activity, Healthy Eating and Weight Management services as they are new services.

## **11.0 Background and Options**

- 11.1 Cabinet received a report on 29 September 2015 on the Commissioning of the Integrated Lifestyle & Wellness Support System. A Cabinet Decision was made to procure the services.
- 11.2 This report is to give an update on the progress of commissioning and brief those authorised to make the decisions delegated by Cabinet in its decision (to be made by the relevant Portfolio Holders, Director of Public Health and the Chief Operating

Officer) to enter into contracts for the Integrated Lifestyle & Wellness Support System.

- 11.3 The procurement process is on track to complete in order for named contracts to be let on 1 April 2016. If contracts are not let the process will be repeated as permitted by the PIN.

### **12.0 Access to Information**

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

Name: Dr Carl Griffin  
Designation: Consultant of Public Health  
Tel No: 01270 685777  
Email: [carll.griffin@cheshireeast.gov.uk](mailto:carll.griffin@cheshireeast.gov.uk)

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