

To: **Executive**
17 September 2023

Sexual and Reproductive Health **Director of Public Health**

1. Purpose of Report

- 1.1. The objectives of this report are to brief Executive on the work undertaken to secure continuation of Specialist Integrated Sexual and Reproductive Health (SRH) services beyond the current contract end of 30th June 2024 and to seek approval for the process needed to achieve this.
- 1.2. Provision of specialist SRH services is one of a few prescribed functions for use of the public health grant money. Such services are important to offer clinical expertise regarding management and reduction of sexually transmitted infections, access to contraception and contraceptive advice and other specialist functions such as psychosexual services. These services impact people's life opportunities, particularly access to contraception, as well as their mental and physical wellbeing.

2. Recommendation(s)

- 2.1. Approve a two-year direct award to an eligible provider to ensure continuity of Specialist, Integrated SRH service provision beyond the 30th June 2024 across Berkshire East ((RBWM), Bracknell Forest Council (BFC) and Slough Borough Council).
- 2.2. Agree to deliver the contract award as the Lead Authority for the procurement. The decision will be taken at RBWM's Cabinet on the 27th September and SBC's Cabinet on the 18th September. The final decision will therefore be confirmed by the 28th September when all 3 meetings will have met to take their decisions.
- 2.3. BFC work with the market and NHS commissioning bodies to develop a life course response to sexual and reproductive health needs that offers better services for local communities. This process will result in initiation of a procurement of the Specialist Integrated SRH service during the lifetime of the 2-year contract to ensure longer term provision.

3. Reasons for Recommendation(s)

- 3.1. The contract for the Specialist Integrated SRH service for residents in the local authorities across Berkshire East (Bracknell Forest Council; (RBWM) and Slough Borough Council) is due to expire on 30 June 2024.
- 3.2. The recommended approach agreed by all local authorities was to retender under the light touch regime of the Public Contracts Regulations 2015 (the Regulations). The maximum financial envelope for BFC and Slough Borough Council was also agreed; for RBWM this occurs at award stage so had not yet taken place.
- 3.3. In March 2023 the Director of Public Health gained approval for BFC to go out to tender for the Berkshire East Specialist Integrated SRH Service.
- 3.4. This included a recommendation to continue joint commissioning arrangements across Berkshire East to continue funding the total contract value jointly with BFC to lead the procurement process to tender under the light touch regime.

4. Progress on the tender by BFC to June 2023

- 4.1. Since that time, good progress has been made on the procurement delivery plan. The draft Health Needs Assessment has been completed and its findings have been used to inform the design of the draft Service Specification for the new Specialist Integrated SRH service.
- 4.2. A Prior Information Notice (PIN) was released in March 2023 as part of the tender process to test the market interest. These were assessed by the BFC officers leading the procurement including the Head of Corporate Procurement and the Public Health Strategic Commissioning Manager.
- 4.3. Based on the information gathered as part of preparation for tender, a new options appraisal has been undertaken and this paper intends to inform Executive of the process most likely to secure good SRH service provision for the public and mitigating potential risks to the local authorities.
- 4.4. The options appraisal is included in the Annex paper as this includes commercially sensitive information.

5. Supporting Information

- 5.1. The successful outcome intended of the specialist integrated SRH service procurement approach is to secure an eligible provider to deliver the specialist SRH service on a refreshed service specification and new contract by 1st July 2024. This must be delivered within the financial envelope approved by Bracknell Forest Council, Slough Borough Council and RBWM for their respective proportion of the contract and to secure the total contract value.
- 5.2. The key implications table, including all financial information is included in the Annex paper as this includes commercially sensitive information.

6. Consultation and Other Considerations

- 6.1. Targeted public engagement was undertaken as part of the HNA focussing on contraceptive access. That evidence combined with other sources in the HNA informed the service specification for the Specialist Integrated SRH service.

7. Legal Advice

- 7.1. The procurement of Sexual and Reproductive Health Services enables Bracknell Forest Council to meet the following Public Health statutory duties under the Health and Social Care Act 2013; the mandatory provision of Open Access Sexual and Reproductive Health services by all Local Authorities.
- 7.2. All procurement must comply with the Public Contracts Regulations 2015 and Bracknell Forest Councils' contract procedure rules as the host commissioning organisation. For the contract award, the regulations being applied are Regulation 72-part 1B and 1C or Regulation 32-part 2 C, whichever is most appropriate.
- 7.3. The recommended option detailed in Paper II is to allow for the best value contract award as well as a compliant one.

8. Financial Advice

8.1. The specialist integrated SRH service will be funded through use of the Local Authorities' public health grant only; this is appropriate and necessary since SRH services are one of a few prescribed functions for use of the public health grant money.

8.2. Additional information including the full details of the contract value (including total maximum value, and increments) and financial advice are included on the Annex paper due to commercial sensitivity.

9. **Equalities Impact Assessment**

9.1. An Equality Impact Assessment was undertaken for the Strategic Procurement Plan in February. Whilst the recommended option for the retender has changed, the Equality impact remain the same. The retender will still be a benefit to improving outcomes and equality and the EIA is available as a background paper.

10. **Strategic Risk Management Issues**

10.1. GDPR - Personal data is not being processed as part of the decision. The provider of the Specialist Integrated SRH service will process personal data in their management of health care for service users.

10.2. There are staffing implications, including TUPE – the issues related to TUPE are explained in the Annex as these are commercially sensitive.

10.3. There are facility issues which are explained in the Annex as these are commercially sensitive.

11. **Climate Change Implications**

11.1. The recommendations in Section 2 above are expected to:

11.2. Have no impact on emissions of CO₂.

11.3. The reasons the Council believes that this will have no impact on emissions are that there will be substantive changes in the service impacting climate change or sustainability implications of this service or procurement process.

11.4. Environmental impacts are minimal. The contract will ensure that staff travel is minimised across sites, and delivery is maintained in planned and outreach sites. Sites will also need to be accessible for public transportation minimising where possible service user travel issues, and there is currently a bike park facility on NHS sites. Wherever possible improvements will be made but we shall also require any provider to have a 'green' environmental policy in place, with updates on progress against any upgrades and improvement plans that are in place.

12. **Health & Wellbeing Considerations**

12.1. There are no changes to the health and wellbeing assessment.

13. **Background Papers**

13.1. The Strategic Procurement Plan presented to Executive in March 2023.

13.2. The Data Protection Impact Assessment (DPIA) presented to Executive in March 2023 is unchanged and is available as a background paper.

13.3. The Equality Impact Assessment (EIA) presented to Executive in March 2023 is unchanged and is available as a background paper.

Contact for further information:

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