

**Decision Session – Executive Member for
Health and Adult Social Care**

12 Feb 2020

Report of the Director of Public Health

Award of Long Acting Reversible Contraception Contract

Summary

1. At Executive on 26 September 2019, a decision to tender for provision of LARC from 1 April 2020 was given with authority to award the contract delegated to Cllr Runciman as portfolio holder for Health and Sharon Stoltz as Director of Public Health.
2. This report provides an update on the procurement process outcome and requests that the contract is approved for award by the Executive Member as delegated by Executive.

Recommendations

This section should set out clearly the author's recommendation for a particular option and the reasons why.

3. The Executive Member is asked to:
 - 1) Approve the contract award for LARC provision from 1st April 2020 to York Hospital NHS Foundation Trust

Reason: A fully compliant and competitive tender process was conducted and identified York Hospital NHS Foundation Trust as the successful bidder

Background

4. City of York Council has completed an open tender commissioning process to meet mandated organisational responsibility to commission the provision of Long-acting Reversible Contraception (LARC) as set out in The Health and Social Care Act 2012. As from 1 April 2013, local

authorities are required by regulation to commission HIV prevention, sexual health promotion and open access genitourinary medicine and contraception services for all age groups.

5. This has been undertaken as a joint commissioning exercise with NHS Vale of York Clinical Commissioning Group (VoYCCG). CCG's are responsible for commissioning LARC provision for gynaecological purposes, while Local Authorities are responsible for commissioning LARC provision for contraceptive purposes. VoYCCG have delegated the exercise of their LARC functions to CYC through a S75 agreement. This gave authority to CYC to commission LARC provision on behalf of both organisations and enabled CYC to take a direct lead on contract arrangements and ongoing contract management.

Consultation

6. In preparing the tender process a range of engagement events were held which included current and prospective providers. This process allowed the service specification and contract value to be reviewed to respond to feedback from interested stakeholders. This process was fully inclusive and where invitees were unable to attend any sessions, information from these sessions was shared with all invitees.
7. While the tender was open, there was opportunity for any bidders expressing an interest to ask clarification questions about the tender process, service specification, scoring criteria, or other relevant queries. A number of queries were received and responded to. Where responses were not in any way commercially sensitive to one provider, all questions and answers were shared with all providers who had expressed an interest in bidding.

Options

8. Option 1: To confirm contract award to the successful bidder of the fully compliant open tender process for provision of LARC for City of York from 1st April 2020.

Option 2: To decline to offer contract award

Analysis

9. Option 1 would ensure CYC was meeting its statutory requirement to continue provision of LARC for contraceptive purposes and it would enable CYC to meet its obligation to VoYCCG under S75 agreement to continue provision of LARC for gynaecological purposes.
10. The successful bidder for this contract submitted a strong bid which clearly demonstrated ability to meet all elements of service provision requirements. This was evaluated by a mixed panel from CYC and VoYCCG with appropriate expertise and experience to assess suitability of tender submissions.
11. This would ensure that delegated authority by Executive to Portfolio holder for Health to offer this contract was enacted
12. Option 2 would put the sexual health and wellbeing of York residents at significant risk and mean failure to provide elements of our statutory service provision as set out in The Health and Social Care Act 2012 and by CYC Executive decision on 26th September 2019 to tender for this service.

Council Plan

13. The provision of good quality, timely and accessible contraception options for residents of York supports objectives within the Council Plan, in particular in connection to the objective around Good Health and Wellbeing. The provision of effective contraception in a collaborative commissioning and service provision arrangement also supports objectives within the NHS Long-term plan to focus on accessible service delivery and prevention.

Implications

- **Financial**
There are no financial implications
- **Human Resources (HR)**
There are no Human Resources implications
- **Equalities**
There are no Equalities implications

- **Legal**
There are no legal implications
- **Crime and Disorder**
There are no Crime and Disorder implications
- **Information Technology (IT)**
There are no Information Technology implications
- **Property**
There are no Property implications
- **Other**
There are no other implications

Risk Management

8. Full involvement of both CYC and NHS VoYCCG colleagues in the contract mobilisation and ongoing service contract management will be a key part of risk management.

The tender submission required bidders to identify risk and contingencies and there are a number of key milestones with clear service implementation and delivery requirements built into the service specification and contractual expectations.

Contact Details

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Sharon Stoltz
Director of Public Health

Report **Date** 5/2/20
Approved

Specialist Implications Officer(s)

None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Executive 26th September 2019

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MIId=11109&Ver=4>

Annexes

None

List of Abbreviations Used in this Report

CYC – City of York Council

NHS VoYCCG – NHS Vale of York Clinical Commissioning Group

LARC – Long Acting Reversible Contraception