

**OFFICER DELEGATED DECISION REPORT 25 FEBRUARY 2019**

**Report title:** Rise Partnership - Sexual Health Promotion Service.

**Wards:** All

**Portfolio:** Councillor Ed Davie and Councillor Jacqui Dyer: Cabinet Member for Health and Adult Social Care (job-share)

**Report Authorised by:** Fiona Connolly: Acting Strategic Director for Adults and Health

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**Report summary**

The Rise Partnership provides a sexual health promotion service to Black African and Caribbean communities and gay, bisexual and other men who have sex with men (MSM) across Lambeth, Southwark and Lewisham (LSL). The contract is held by Lambeth council on behalf of Lambeth, Southwark and Lewisham councils under the auspices of a joint commissioning arrangement. The current contract was awarded to the Naz Project London as the lead contractor in the Rise Partnership following a competitive procurement process on 1 April 2016 and runs until 31 March 2019.

The council intends to award a one year extension to the Rise Partnership so that the contract runs until 31 March 2020. This would allow the timely procurement of a new Sexual Health Promotion Service from 1 April 2020 and allow the alignment of this service with the new LSL Sexual Health Strategy which will launch in March 2019.

**Finance summary**

The Rise Partnership is jointly funded by Lambeth, Southwark and Lewisham councils as set out in a formal tri-partite agreement. The proposed contract extension period is for one year: from 1 April 2019 until 31 March 2020. The value of this contract extension is £392,867. Funding is broken down as follows: £190,683 from Lambeth Council, £102,184 from Southwark Council and £100,000 from Lewisham Council.

The funding for Lambeth council's contribution to the Rise Partnership is from the Public Health Grant. The existing revenue budgets are sufficient to cover the contract extension for one year. Agreement from Southwark and Lewisham councils in terms of their funding commitment has also been secured for the proposed extension period of one year.

**Recommendations**

1. To waive clause 9.2 (requirement for competition) of the Lambeth Contract Standing Orders to extend the contract for the Rise Partnership for one year from 1 April 2019 to 31 March 2020 for an amount of £392,867.
2. To directly contract with the Naz Project London as the lead provider in the Rise Partnership to continue with this service model for one year until 31 March 2020.

## **1 CONTEXT**

- 1.1 In December 2014, the Lambeth, Southwark and Lewisham (LSL) Sexual Health Commissioning Partnership Board approved a decision to commission a new sexual health promotion programme to replace the existing HIV prevention programme (formally known as the Safer Partnership).
- 1.2 This new sexual health promotion programme was awarded to the Rise Partnership led by NAZ Project London and also comprising three other community based organisations: the Race Equality Foundation; London Friend and GMFA. The new programme commenced in April 2016.
- 1.3 The Rise Partnership has two main strands of work:
  - Primary focus on vulnerable heterosexual adults (black African and black Caribbean communities).
  - A secondary focus on gay and bisexual men and other men who have sex with men (MSM) with specific vulnerabilities, e.g. drug and alcohol dependency.
- 1.4 Bidders were required to align their service model and interventions to particularly focus on the items below:
  - Engagement with neighbours, local residents and local organisations;
  - Wider service user involvement in the community;
  - Recruitment and usage of staff and volunteers from disadvantaged, diverse and local communities;
  - Community resilience
  - Any other community-based work.
- 1.5 A new Sexual Health Strategy has been developed and agreed and will be launched in March 2019. The sexual health promotion service therefore needs to be reviewed and remodelled to ensure it is delivering activities and outcomes which support the priorities in the new strategy and is in tune with Future Lambeth: Our Borough Plan 2016-2021 and any other relevant council policies, legislation or government objectives. The extension is sought to give commissioners time to complete this review and redesign and then procure a new service.
- 1.6 This is a Gateway 3 Report.

## **2 PROPOSAL AND REASONS**

- 2.1 This report seeks an extension of the contract for the Rise Partnership for one year.
- 2.2 This would allow the timely procurement of a new Sexual Health Promotion Service that would commence from 1 April 2020 and allow the alignment of this service with the new LSL Sexual Health Strategy which will launch in March 2019.
- 2.3 The reasons for this proposal are as follows:

2.3.1 The Rise Partnership was originally let on a 1+1+1 basis due to the uncertain financial situation facing local authorities. This uncertainty was exacerbated by cross borough working. Under other circumstances it would likely have been let on a 3+1+1 contract, which would have taken the contract until the end of March 2021.

2.3.2 The Rise Partnership provide an extensive sexual health promotion service within a cost-effective financial envelope and since April 2016 have developed good relationships and partnership working across LSL. The Rise Partnership also pays particular attention to commissioner requirements that are important for our populations and have been flexible in adapting service provision to look at how these might be met, for example, increasing their focus on reproductive health in year two of the contract at the request of commissioners.

2.3.3 Representatives from Lambeth, Southwark and Lewisham councils confirmed the sexual health promotion budget for 2019/20 at the LSL Sexual Health Partnership Board in November 2018. The timing of this decision does not give enough time to re-procure the service before April 2019.

2.3.4 The new LSL Sexual Health Strategy will launch in March 2019, setting out the priorities across LSL for the next 5 years. By extending the Rise Partnership for one year, this would allow a more timely procurement of a new Sexual Health Promotion Service to commence delivery from 1 April 2020. This would give LSL an opportunity to directly link the LSL Sexual Health Promotion Service with the new Strategy and align limited resources to the key priorities across the three boroughs.

2.4 This waiver is sought on the basis of the above reasons which show that it is demonstrably in the Council's best interests to extend the contract while reprocurement activity occurs.

### **3 FINANCE**

3.1 The Rise Partnership is jointly funded by Lambeth, Southwark and Lewisham councils as set out in a formal tri-partite agreement. The proposed contract extension period is for one year: from 1 April 2019 until 31 March 2020. The value of this contract extension is £392,867.

3.2 The funding sources are:

- £190,683 from Lambeth Council for one year
- £102,184 from Southwark Council for one year
- £100,000 from Lewisham Council for one year

3.3 The funding for Lambeth council's contribution to the Rise Partnership is from the Public Health Grant. The existing revenue budgets are sufficient to cover the contract extension for one year. Agreement from Southwark and Lewisham councils in terms of their funding commitment has also been secured for the proposed extension period of one year.

## **4 LEGAL AND DEMOCRACY**

- 4.1 The Council has delegated the authority to enact this report's recommendations to the Strategic Director for Adults and Health. Before exercising that authority, this paper should be reviewed by the Procurement Board.
- 4.2 The Contract Standing Orders includes provision for officers to waive the requirement to competitively tender contracts valued at £100,000 and above in circumstances such as urgency, the exigencies of the services, and / or where it is demonstrably in the Council's best interest to do so.
- 4.3 Under the Public Contract Regulations 2015, health and social services categorised under Schedule 3 and regulated by the 'Light Touch' regime. The threshold above which the full application of the regulations apply is £615,278. For below threshold contracts, the Council's duty is to act reasonably and proportionately when evaluating the efficacy of awarding a contract to a particular provider.
- 4.4 The Council's Constitution requires that all key decisions, decisions which involve resources between the sums of £100,000 and £500,000, and important or sensitive issues, must be published on the website for five clear days before the decision is approved by the Director or Cabinet Member concerned. Any representations received during this period must be considered by the decision-maker before the decision is taken.

## **5 CONSULTATION AND CO-PRODUCTION**

- 5.1 When this service was originally procured in 2015:
  - A consultation event was held to allow interested parties to comment on the outcomes the Council wished to commission through this programme.
  - Following this, a bidder information day took place, which was open to all potential providers, and was an opportunity for interested parties to seek information and advice.
- 5.2 Since we are proposing that the contracted service is extended for one year without significant change, consultation has not taken place on this decision. However, a variety of consultation activities will be undertaken for the proposed re-procurement of the Sexual Health Promotion Service.

## **6 RISK MANAGEMENT**

- 6.1 The risks in extending this contract are low as it has been successfully operating since April 2016.
- 6.2 We will ensure that the contract extension includes the requirement to adhere to the new General Data Protection Regulations (GDPR) and that the provider has in place a formal business continuity plan and the required insurance and CQC documentation (where relevant).

- 6.3 There is a potential risk that the extension could be challenged. However, this should be mitigated by the proposed re-procurement of the Sexual Health Promotion Service for April 2020.

## **7 EQUALITIES IMPACT ASSESSMENT**

- 7.1 In December 2014, the Lambeth, Southwark and Lewisham (LSL) Sexual Health Commissioning Partnership Board approved a decision to commission a new sexual health promotion programme to replace the existing HIV prevention programme (formally known as the Safer Partnership).
- 7.2 This decision emerged from equalities information that indicated that sexual ill health disproportionately affects black and minority ethnic communities, young people and gay and bisexual men.
- 7.3 As such, the Rise Partnership targets the most disadvantaged and vulnerable groups in these communities and is intended to reduce health inequalities and improve health outcomes.
- 7.4 Since we are proposing that the contracted service is extended for one year without significant change, an EIA is not relevant at this stage. However, an EIA will be undertaken for the proposed re-procurement of the Sexual Health Promotion Service.

## **8 COMMUNITY SAFETY**

- 8.1 The Rise Partnership is committed to robust safeguarding for both adults and children. All partners have safeguarding policies and procedures in place, which are regularly reviewed; all staff and volunteers have DBS checks where relevant to their role; and sufficient training around safeguarding at a level appropriate to their role.
- 8.2 Additionally, the Rise Partnership encounter MSM who are currently using drugs who may be dependent on some substances, or be experiencing adverse effects, e.g. psychosis. These services have in place triage and risk assessment processes that highlight any immediate concerns related to substance use and make appropriate referrals through links with local substance misuse or mental health services.

## **9 ORGANISATIONAL IMPLICATIONS**

### **Environmental**

- 9.1 When the service was originally let in 2016 all bids were asked to comply with the draft Social Value Statement and Guidance which was attached within the tender documents.

### **Staffing and accommodation**

- 9.2 None.

## Procurement

- 9.3 When this service was originally procured in 2015 a Competitive tender with Negotiation method adapted through the Light Touch Regime (LTR) provisions governing Health and Social Care Services was used to tender for this service. The procurement was intended (and communicated) to consist of successive stages and result in shortlisting of a minimum number of 3 tenderers to participate in negotiation meetings, prior to resubmission of tenders setting out conclusive positions for final evaluation.
- 9.4 Three bids were received for the Sexual Health Promotion Service and the preferred bidder was the consortium Rise Partnership.
- 9.5 This is a London Living Wage contract.

## Added value

- 9.6 The Rise Partnership have developed good relationships and partnership working across LSL and have been flexible in adapting service provision to look at how issues that are important to our populations can be met in a joined up and holistic manner.

## Health

- 9.7 Lambeth's health and wellbeing strategy 2013-23 states: *"We believe that we can achieve better health and wellbeing outcomes for people in Lambeth by prioritising earlier action at all critical life stages."* Lambeth's health profile 2017 states that one of its priorities is: *"Investing early to enable people to stay healthy and maintain good wellbeing"*. It also notes that rates of sexually transmitted infections are worse than average. The sexual health promotion service provided by the Rise partnership supports the priorities of both these strategies.
- 9.8 These strategies - and any other relevant council policies, legislation or government objectives - will be reviewed for the proposed re-procurement of the Sexual Health Promotion Service.

## 10 TIMETABLE FOR IMPLEMENTATION

- 10.1 This timetable shows the stages and deadlines for implementing the recommendations:

	<b>Item description</b>	<b>Date</b>
1.	Report sent as part of the internal consultation process	10.01.2019
2.	Report sent to Procurement Board	05.02.2019
3.	Report presented at Procurement Board	12.02.2019
4.	Decision logged	15.02.2019
5.	Decision date	25.02.2019
6.	Contract extension issued	01.04.2019

- 10.2 The Rise Partnership is monitored via quarterly meetings with the responsible commissioner. Quantitative and qualitative reports are circulated in advance of these meetings.

<b>AUDIT TRAIL</b>				
<b>Consultation</b>				
<b>Name/Position</b>	<b>Lambeth directorate / department or partner</b>	<b>Date Sent</b>	<b>Date Received</b>	<b>Comments in paragraph:</b>
Councillor Jacqui Dyer	Cabinet Member for Health and Adult Social Care (job share)	08.02.19	08.02.19	All
Fiona Connolly, Acting Strategic Director	Adults and Health	04.02.19	04.02.19	All
Michelle Binfield, Associate Director	Adults and Health	17.01.19	18.01.19	All
Pete Hesketh, AD Finance	Corporate Resources	10.01.19	29.01.19	All
Michael O’Hora, Legal Services	Corporate Resources	10.01.19	11.01.19	4
Maria Burton, Democratic Services	Corporate Resources	10.01.19	16.01.19	4

<b>REPORT HISTORY</b>	
<b>Original discussion with Cabinet Member</b>	18.12.18
<b>Report deadline</b>	N/A
<b>Date final report sent</b>	N/A
<b>Part II Exempt from Disclosure/confidential accompanying report?</b>	No
<b>Key decision report</b>	No
<b>Date first appeared on forward plan</b>	N/A
<b>Key decision reasons</b>	N/A
<b>Background information</b>	<a href="http://www.risepartnership.co.uk/">http://www.risepartnership.co.uk/</a>
<b>Appendices</b>	None

**APPROVAL BY CABINET MEMBER OR OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION**

**I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Corinna Gamble, Senior Commissioning Officer – Sexual Health

**I approve the above recommendations:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Fiona Connolly, Acting Strategic Director - Adults and Health

**Any declarations of interest (or exemptions granted):** N/A

**Any conflicts of interest:** N/A

**Any dispensations:** N/A