



**Subject:** SCHOOL HEALTH SUPPORT SERVICE

**Report of:** Corporate Director - Adult Social Care & Health

**Relevant Cabinet Member:** Councillor Paulette Hamilton - Health and Social Care  
Councillor Jayne Francis - Education, Skills and Culture  
Councillor Kate Booth - Children's Wellbeing  
Councillor Brett O'Reilly - Finance and Resources

**Relevant O &S Chair(s):** Councillor Robert Pocock - Health and Social Care  
Councillor Mohammed Aikhlaq – Children's Social Care  
Councillor Mariam Khan - Learning, Culture and Physical Activity  
Councillor Sir Albert Bore - Resources

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 005759/2018		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

## **1 Executive Summary**

- 1.1 The School Health Support Service is a city wide service which covers all children, young people and their families where the child or young person is enrolled to attend a Birmingham mainstream school within the local authority boundary which is publically funded or is a resident of Birmingham but out of school (home educated, excluded or in alternative provision, missing, or in the Children's Youth Justice System). This includes academies, community schools, foundation schools, voluntary aided, voluntary controlled, free schools and pupil referral units.
- 1.2 The report proposes an open procurement process with a new service commencing on the 1<sup>st</sup> July 2019 for a period of 3 years to 30 June 2022 with a further 2 year extension on a one plus one basis subject to satisfactory performance to ensure that children are supported to attend, engage and achieve at school, and budget availability.

## **2 Recommendations**

- 2.1 It is recommended that Cabinet; -
- Approves the procurement strategy contained within this report, and the commencement of a procurement process for the provision of the School Health Support Service.
  - Delegates the contract award of the procurement process to the Corporate Director – Adult Social Care and Health in conjunction with the Director of Commissioning and Procurement, the Corporate Director of Finance and Governance (or their delegate) and the City Solicitor (or their delegate).
  - Authorises the City Solicitor to negotiate and execute any documents to give effect to the above proposal.

## **3 Background**

- 3.1 The School Health Support Service is a city wide service which covers all children, young people and their families where the child or young person is enrolled to attend a Birmingham mainstream school within the local authority boundary which is publically funded or is a resident of Birmingham but out of school (home educated, excluded or in alternative provision, missing, or in the Children's Youth Justice System). This includes academies, community schools, foundation schools, voluntary aided, voluntary controlled, free schools and pupil referral units.
- 3.2 The Public Health Outcome Framework and Birmingham Child Health Profiles identify a number of outcomes which we expect the School Health Support Service to contribute to and therefore to improve:
- Reducing pupil absence

- Reducing first time entrants into the youth justice system
- Reducing the number of 16-18 year olds not in education, employment or training (NEET)
- Reducing rates of childhood obesity
- Improving the mental wellbeing of school aged children

3.3 The Service will improve these outcomes but in order to demonstrate their contribution any impact will have more immediate outcomes. These will particularly frame the Key Performance Indicators and Quality Indicators to underpin the monitoring of this service, namely:

- Identification of health needs – support to schools approaching the early help system
- Active participation in the safeguarding system with children who have an identified health need; and
- Implementation and delivery of the mandated National Child Measurement Programme.

#### **4 Options considered and Recommended Proposal**

- 4.1 To enter into single contract negotiations – due to there being a potential vibrant market and the substantial value of the contract, this option is not recommended.
- 4.2 Tender as a framework agreement primarily for Birmingham but available for use by other public sector bodies. No benefit or economies of scale would be realised from this option. This option is not recommended.
- 4.3 Deliver in-house – there is not a service within the council that has the ability to deliver this service due to the clinical requirements. This option is not recommended.
- 4.4 Tender for a Birmingham City Council contract only. This is the recommend option as this would give the Council the most flexibility in specifying our service provision.

#### **5 Consultation**

- 5.1 This contract has been included in the Forward Plan and has been discussed at the Public Health Commissioning Board on the 23<sup>rd</sup> October 2018 and Adult Social Care and Health Management Team meeting on the 31<sup>st</sup> October 2018, all are supportive of this approach.
- 5.2 Officers from City Finance, Corporate Procurement and Legal & Governance Services have been involved in the preparation of this report.
- 5.3 The Acting Corporate Director for Children and Young People has been consulted and is supportive of the proposal to procure this service.

- 5.4 The Cabinet Members for Health and Social Care, Children's Wellbeing, Education, Skills and Culture, Finance and Resources and are supportive of the proposal to procure this service.

## **6 Risk Management**

- 6.1 The Corporate Procurement Service (CPS) approach is to follow the Council Risk Management Methodology. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service will be jointly produced and owned by Public Health Commissioning and CPS with arrangements being put in place to ensure operational risks are appropriately mitigated.

## **7 Compliance Issues:**

### **7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

- 7.1.1 The School Health Support Service will support the achievement of the Council's Plan 2018-22 priorities for Birmingham to be an aspirational city to grow up in by ensuring that children are supported to engage, attend and achieve in school.
- 7.1.2 Business Charter for Social Responsibility (BBC4SCR), compliance with the BCC4SCR is a mandatory requirement that will form part of the conditions of this contract. Tenderers will submit an action plan with their tender that will be evaluated in accordance with point 7.6.3.1 and the action plan of the successful tenderer will be implemented and monitored during the contract period.

### **7.2 Legal Implications**

- 7.2.1 The council is required under the Health and Social Care Act 2012 to provide the National Child Measurement Programme and this is also in line with the Government's Obesity Plan.
- 7.2.2 Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions.
- 7.2.3 Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.
- 7.3 The requirements of the Data Protection Act 1998/2018 and Human Rights Act 1998 will be taken into consideration in terms of the processing, management and sharing of data involved in these proposals. The recommended tenderer will be required to demonstrate or evidence that they have appropriate policies and procedures relating to data protection in place. A full diligence exercise will

be undertaken by Legal Services. Data Processing / Sharing Agreements will be agreed with the recommended tenderer.

- 7.4 The transfer of staff will take place by operation of law if the conditions in the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") are satisfied. Birmingham Community Healthcare NHS Foundation Trust will provide details to the successor of those personnel they believe to be entitled to transfer with the undertaking. There are no Birmingham City Council staff working on this service and so no TUPE liabilities will arise to the Council.

## **7.5 Financial Implications**

- 7.5.1 In February 2018 Cabinet approved a budget reduction for Public Health (AD006). The identified areas for savings included changing the school nursing service from a universal to targeted service in 2018/19. The proposals included a budget reduction of £1.6m per annum from 2018/19 for this service. Delays in delivering a revised contract for this service mean that there is a shortfall in savings delivery. Public Health are mitigating this shortfall through reduced activity and cost reductions in other areas of the overall public health services. The funding for the School Health Support Service is provided from the Public Health Grant.

## **7.6 Strategic Procurement Approach**

### **7.6.1 Duration and Advertising Route**

- 7.6.1.1. The proposed contract will be for a period of 3 years with the option to extend for a further 2 years on a 1 plus 1 basis subject to satisfactory performance and funding availability. The contract will commence on the 1<sup>st</sup> July 2019.
- 7.6.1.2. The tender opportunity will follow the open route and will be advertised via Contracts Finder, Find it in Birmingham and the Official Journal of the European Union (OJEU).

### **7.6.2 Scope and Specification**

- 7.6.2.1. To maximise the health and wellbeing of children and young people enabling them to attend and engage with school. If they engage with school they will be more likely to achieve their potential – attend, engage, achieve.
- 7.6.2.2. In order to enable attendance and engagement by pupils with school the Service will:
- Support schools to adapt to pupils with medical needs including Special Educational Needs and Disabilities (SEND), schools health planning and Education Health and Care Plans

- Enable the health components of plans for Child Protection, Children in Need, Children in Care, and those on the edge of exclusion to be enacted in the school setting
- Deliver the National Child Measurement Programme
- Broker the interaction between NHS health services, local voluntary sector and education so that the child or young person can attain their full potential, using Right Help, Right Time Framework, Early Help and Think Family systems
- Develop effective partnerships with schools and other agencies in a locality, resulting in a joined up approach to support improvements in health and wellbeing of school aged children
- Support emotional wellbeing through the school aged years by referring to the Early Emotional Help arrangements and Forward Thinking Birmingham.

### 7.6.3 Tender Structure

7.6.3.1. The evaluation of tenders will be conducted in 2 stages:

#### **Stage 1 – Company Information**

This stage will consist of mandatory pass/fail considerations which tenderers must pass before progressing to Stage 2. These are:

Part 1 Information about the Applicant

Part 2 Grounds for Mandatory Exclusion

Part 3 Grounds for Discretionary Exclusion Section 1

Part 4 Grounds for Discretionary Exclusion Section 2

Part 5 Economic and Financial Standing

Part 6 Technical and Professional Ability

Part 7 Additional Questions

- Environmental Management
- Insurance
- Compliance with Equalities Duty
- Compliance with Health and Safety
- Compliance with BBC4SR

Part 8 Previous Experience

Part 9 Declaration

Those tenderers that pass Stage 1 will proceed to the Stage 2 Evaluation.

#### **Stage 2 – Evaluation of Tenders**

The contract will awarded will be based on the Most Economically Advantageous Tender. This will be determined by a balance between cost,

quality of the service to be provided and the added social value offered as detailed in the tenderers' response.

Tenders received will be evaluated using a quality/price/social value balance in accordance with a pre-determined evaluation model. The quality element will account for 60%, the social value element 10% and the price element 30%.

This quality/social value/price balance was established having due regard for the corporate documents 'Evaluating Tenders Procedure v3.0' which considers the complexity of the services to be provided and the degree of detail in the specification.

The quality of each tenderer's submission will be assessed in relation to the specific requirements set out in the tender documents. These are:

#### **Quality (60% Weighting)**

<b>Criteria</b>	<b>Overall Weighting</b>	<b>Sub-weighting</b>
Service Structure	60%	15%
Service Outcomes		20%
Service Care Pathways		10%
Contract Mobilisation and Transition		15%

Tenderers who score less than 60% of the quality threshold, i.e. a score of 36 out of a maximum quality score of 60 will not proceed to the next stage.

#### **Social Value (10% Weighting)**

<b>Criteria</b>	<b>Overall Weighting</b>	<b>Sub-weighting</b>
Good Employer	10%	5%
Green and Sustainable		5%

Tenderers who score less than 40% of the social value threshold, i.e. a score of 4 out of a maximum score of 10 will not proceed to the next stage.

Only tenderers that meet the minimum quality and social value threshold will proceed to the price evaluation.

#### **Price (30% Weighting)**

Tenderers will be expected to submit a price on the basis of service delivery and mobilisation.

The price of the service includes two elements, an element for the overall service delivery and an element for one off, up front set up costs.

The tenderer with the lowest acceptable price for the total of both elements is given the maximum possible weighted price score. The other tenderers' weighted price scores will be calculated on a pro rata basis.

Criteria	Overall Weighting	Sub-weighting
Service Delivery and Mobilisation	30%	30%

### Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer. The proposed contract will be awarded to the first ranked tenderer with the overall highest score.

#### 7.6.4 Evaluation Team

The evaluation will be undertaken by Assistant Director of Public Health, Children and Young People Lead (Public Health), Head of Commissioning-Strategy & Integration, Commissioning Manager – Children and Young People, at least two Head of Safeguarding or Senior Designated Safeguarding Leads from Birmingham schools and will be moderated by the Assistant Procurement Manager.

#### 7.6.5 Indicative Implementation Plan

Cabinet Approval (Strategy)	December 2018
ITT Issued	January 2019
ITT Return	February 2019
Evaluation Period	February 2019
DPR Approval	March 2019
Contract Award	March 2019
Mobilisation Period (including possible TUPE)	March 2019 – July 2019
Contract Start	July 2019

#### 7.6.6 Service Delivery Management

##### 7.6.6.1. Contract Management

The contract will be managed by a designated Commissioning Manager using the Council's Contract Management process and toolkit. Key performance indicators will be used to regularly monitor and manage quality.

#### 7.6.7 Mobilisation



7.6.7.1. Following the procurement exercise and approval of the recommended contract award it is intended that contract mobilisation will commence in March 2019 and will be on-going with the commencement of the contract in July 2019. The mobilisation period is required as there could be a requirement for TUPE. There are no Council staff in scope to TUPE transfer for this Service.

#### 7.6.8 Performance Management

7.6.8.1. Performance measures will include:

- Identification of health needs – support to schools approaching the early help system
- Active participation in the safeguarding system with children who have an identified health need; and
- Implementation and delivery of the National Child Measurement Programme.

7.4.8.2 Performance monitoring information will be submitted on a termly basis and this will include a range of qualitative and quantitative evidence, along with regular contract compliance review meetings. These are measures within the contract to address any potential performance and contractual issues.

### 7.7 Public Sector Equality Duty

7.5.1 An initial equality impact assessment (EA002785) has been undertaken and there are no identified adverse impacts through commencement of a procurement exercise.

- The requirements of Standing Order No. 9 in respect of the Council's Equal Opportunities Policy will be incorporated into the Contract.
- The requirements of the Equality Act 2010 will be included in the Contract to ensure compliance with the Act.

### 8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- Initial Equality Impact Assessment