

**For General Release**

<b>REPORT TO:</b>	<b>CABINET 16 NOVEMBER 2015</b>
<b>AGENDA ITEM:</b>	<b>12.4</b>
<b>SUBJECT:</b>	<b>Commissioning Arrangements for School Aged Nursing and Immunisations Services 2016 - 2018</b>
<b>LEAD OFFICER:</b>	<b>Paul Greenhalgh, Executive Director for People Brenda Scanlan, Director of Integrated Commissioning Unit</b>
<b>CABINET MEMBER:</b>	<b>Cllr Flemming, Cabinet Member for Children, Young People and Learning Cllr Hall, Cabinet Member for Finance and Treasury</b>
<b>WARDS:</b>	<b>All</b>

**CORPORATE PRIORITY/POLICY CONTEXT**

The proposed approach seeks to support the successful achievement of the following outcomes in Ambition Priority Two (Independence) of Croydon’s Corporate Plan 2015-18:

- Early Intervention:
  - **Promise 21:** Provide high quality information, advice and guidance to support people living independent and healthier lives and improve their overall well-being
- Longer, healthier lives:
  - **Promise 27:** Work with partners to provide more integrated health, care and support in local communities.
- Safeguarding:
  - **Promise 33:** Work with our partners to ensure children and vulnerable adults are protected from harm, abuse and exploitation through effective and efficient safeguarding processes and procedures.
- Domestic abuse and sexual violence:
  - **Promise 35:** Work with partners to change attitudes in the community to domestic abuse and sexual violence, and child sexual exploitation.

The proposed approach will also contribute to the corporate outcome of Independence in the following ways:

- To help families be healthy and resilient and able to maximise their life chances and independence
- To help people from all communities live longer, healthier lives through positive lifestyle choices

## **AMBITIOUS FOR CROYDON & WHY ARE WE DOING THIS:**

The proposed approach will also contribute to the following priorities within the Council's Independence Strategy:

**Priority 2** – Enable residents to make informed choices about how to meet their needs, and how to live healthy lives, through the provision of high quality information, advice and guidance.

**Priority 4** – Empower people to resolve issues early through the provision of joined up assessment and support.

We will work with partners to provide more integrated health, care and support in local communities.

**Priority 5** – Enable children and adults to maximise their independence and ensure they are safe from harm through the provision of high quality specialist services.

## **FINANCIAL IMPACT**

The budget for School Nursing and Immunisations included under this proposal is £698,000 per annum. As this Section 75 is for two years, the total value is £1,396,000.

The cost of this service will be met from the Public Health Grant.

The final budget for 2016/17 onwards will not be known until the Public Health Grant allocations are announced.

The contract will need to have the ability to be flexed, should funding levels change.

## **FORWARD PLAN KEY DECISION REFERENCE NO: 26/15/CAB**

This is a Key Decision as defined in the Council's Constitution. The decision may be implemented from 1300 hours on the expiry of 5 working days after it is made, unless the decision is referred to the Scrutiny & Strategic Overview Committee by the requisite number of Councillors.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

## **RECOMMENDATIONS**

The Cabinet is recommended to:

- 1.1 Approve the arrangements for the provision of School Aged Nursing (including the National Child Measurement Programme (NCMP) and Vision Screening) and Immunisations Services, by way of an agreement between Croydon Council and Croydon Health Services under Section 75 of the National Health Service Act 2006 for the provision of School Aged Nursing and Immunisations Services from 1st April 2016 for a term of two years, to 31<sup>st</sup> March 2018, with the possibility of extending to 31<sup>st</sup> March 2019, with a total budget of £2,094,000.

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| <p>1.2 Consider the Council's public sector equalities duty and the analysis at paragraph 8 of this report and agree the mitigating actions, which will be secured through the specification for services under the Section 75 agreement.</p> <p>1.3 Agree that the Executive Director – People, in consultation with the Cabinet member for Children, families and learning be given delegated authority to finalise the terms of the Section 75 agreement, including the service specification.</p> |
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## **2. EXECUTIVE SUMMARY**

- 2.1. School Aged Nursing and Immunisations Services are currently provided by Croydon Health Services. As part of the transfer of Public Health commissioning functions from the NHS to Local Authorities under the Health and Social Care Act 2012, School Aged Nursing Services have been commissioned by the Local Authority since April 2013. Immunisations services are currently commissioned by NHS England but the intention is that the Local Authority will enter into a co-commissioning arrangements with NHS England from April 2016. Both contracts end on 31st March 2016 and new arrangements need to be made to ensure continuity of provision from April 2016.
- 2.2. The School Aged Nursing service delivers elements of the Healthy Child Programme 5 – 19 in mainstream schools in Croydon. The service also delivers the National Child Measurement Programme (height and weight measurement of children in Reception year and Year 6) and the Vision screening programme for children in Reception year. The immunisations team delivers school aged immunisations including Human Papilloma Virus (HPV), school leavers booster and flu vaccinations.
- 2.3. This report proposes the future arrangement for commissioning of these services by way of an agreement between Croydon Council and Croydon Health Services under Section 75 of the National Health Service Act 2006 (NHS Act (2006) to deliver School Aged Nursing and Immunisations Services from April 2016.

## **3. DETAIL**

### **3.1. Background**

- 3.1.1 School Aged Nursing Services (including NCMP and Vision Screening) have been commissioned by the Local Authority, through the Integrated Commissioning Unit since 2013. In April 2013, the contract for School Aged Nursing was novated to the Local Authority from Croydon PCT along with other Public Health Contracts and extended until March 2015. From April 2015 – March 2016, to maintain service provision during 2015/16, a direct award of contract was made to the incumbent provider.

3.1.2 Immunisations services are currently commissioned by NHS England since April 2013. For the period April 2015 – March 2016 the contract has been directly awarded to the incumbent provider, Croydon Health Services (CHS). In early 2015, NHS England contacted Local Authorities asking whether they would be interested in entering into a co-commissioning arrangement for the future delivery of school-aged immunisations. From April 2016 NHS England will enter into a co-commissioning arrangement through a s256a agreement with Croydon Council acting as the lead commissioner of an integrated School Aged Nursing and immunisations service.

### **3.2. Current service provision (2015/16 contract)**

3.2.1 The school aged nursing service is made up of specialist community public health nurses who co-ordinate public health interventions for school age children, in line with the Healthy Child Programme 5 - 19. The team works in local schools and the community.

The service offers:

- Drop-in sessions
- National screening programmes
- Work with individual children who have complex or special needs
- Training, advice and guidance to schools

3.2.2 The immunisation team provides routine and follow up immunisations according to national schedules to children and young people five to 16 years. Teams of nurses deliver the universal schools immunisation programme in primary and secondary schools or at community clinics.

### **3.3. Future service provision (April 2016 onwards)**

3.3.1. It is anticipated that the future service provision from the 1<sup>st</sup> April 2016 to the 31<sup>st</sup> March 2018 will largely follow the same specifications.

3.3.2. The vaccinations to be included in the new service will be Meningitis C, school leavers booster, HPV and flu vaccinations. The minimum allocated budget for the service will be £243,424 with an incentive bonus of 5% if the service achieves the targets set and a further 5% bonus for exceeding the targets. The upper allocated budget is up to £268,781. This budget does not include the funding to deliver the flu vaccination as this comes directly for the Department of Health on an annual basis and has not yet been published.

3.3.3. A bid has also been submitted to the Burdett Trust to deliver a 1 year pilot project to scope the feasibility of a nurse-led approach to reducing childhood obesity that will provide support for families that empowers them to make long lasting behavioural change. This nurse-led model will combine direct delivery of support to families with children who are overweight or obese, with training and up-skilling of the wider workforce.

3.3.4. It is considered that the most effective way of achieving these aims is to continue to work with the existing, local provider, Croydon Health Services, and therefore it is proposed that Section 75 of the NHS Act (2006) be utilised.

- 3.3.5. The arrangements and details of the Section 75 agreement will be finalised by negotiation. However, it is proposed that the agreement will include requirements for CHS to continue to deliver the service in line with the agreed service specification and that they will supply performance data and meet key outcomes and performance indicators as at present.
- 3.3.6. In addition, a break clause will be included enabling termination of the agreement with 6 months' notice, should this become necessary.
- 3.3.7. Subject to approval of these recommendations, the following is an indicative timetable:

<b>Date</b>	<b>Activity</b>
23 November 15	Key decision implementation date
24 November - 23 December 15	Negotiation of arrangements with CHS
1 December - 15 January 16	Drawing up of s75 Agreement
W/c 18 January 16	Signing of s75 Agreement
January - March 16	Mobilisation / Implementation of service

### **3.4. Term of arrangements**

- 3.4.1. The proposed term for the Section 75 agreement is two years, 1<sup>st</sup> April 2016 to the 31<sup>st</sup> March 2018, with the possibility of extending for a further year through to March 2019.

### **3.5. Sourcing/delivery options considered**

The project team have considered other routes for arranging delivery of School Nursing and Immunisations Services.

#### **3.5.1. Open or restricted tender:**

The provider market is relatively underdeveloped with NHS Trusts providing the bulk of provision. An open or restricted tender process has been discounted because it is believed that the effectiveness of the service depends on local providers working collaboratively across all 5-19 service areas. It is not considered that an open tender process would improve value for money or quality over and above the proposed approach at this point in time.

Additionally, it would not be appropriate to approach the market at this point in time due to current consideration of options for an integrated 5-19 service model.

#### **3.5.2. s.75 Agreement**

Powers provided to local authorities and NHS bodies (such as CHS) under s75 NHS Act 2006 and associated Regulations provide that a local authority and an NHS body can each delegate certain prescribed functions to the other to exercise on their behalf, provided that the resultant partnership arrangements "are likely to lead to an improvement in the way in which those functions are exercised". The health-related functions that the Council could delegate to an NHS body include public health services.

In the context of the re-commissioning of Croydon's School Nursing and Immunisations Services, the Council could consider approaching CHS as a s75 partner for the provision of School Nursing and Immunisations services and, by entering into a s75 agreement with CHS, cement its partnership with them in the provision of high-quality School Nursing and Immunisations Services.

- 3.5.3. In-house provision is not considered appropriate given the highly clinical and specialist nature of the majority of the service provision.

### **3.6. Social value**

- 3.6.1 CHS are committed to improving outcomes for the residents of Croydon. Through the recommended Section 75 they will continue to deliver positive outcomes for Children and families in the Borough.
- 3.6.2 Ensuring that staff are paid the London Living Wage will form part of the Section 75 agreement.

### **3.7. Service and outcome monitoring**

- 3.7.1. Monitoring of the service and the s75 agreement will be undertaken by the Integrated Commissioning Unit (ICU) in the main, with strategic contract management undertaken by the Strategy, Communities and Commissioning (SCC) team.
- 3.7.2. CHS will be expected to report on all outcomes, key performance and quality indicators and information requirements as laid out in the s75 agreement. Croydon Council and NHS England will jointly performance manage and scrutinise the performance of CHS in relation to the delivery of school aged immunisations.

## **4. CONSULTATION**

- 4.1. A consultation with schools and young people was undertaken as part of the review of school nursing in 2014 and as a result of this the service implemented a duty phone line to make it easier for schools to contact the service. Further consultation with schools is currently taking place.

## 5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

### 5.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000
<b>Revenue Budget available</b>				
Expenditure	455	698	698	698
Income				
<b>Effect of decision from report</b>				
Expenditure	455	698	698	698
Income				
<b>Remaining budget</b>	0	0	0	0
<b>Capital Budget available</b>				
Expenditure	0	0	0	0
<b>Effect of decision from report</b>				
Expenditure	0	0	0	0
<b>Remaining budget</b>	0	0	0	0

### 5.2 The effect of the decision

The value of the contract is £698,000 per annum, £1,396,000 over two years and £2,094,000 over a possible three years.

### 5.3 Risks

The Public Health budgets will not be confirmed until after the Comprehensive Spending Review, therefore there is a risk that the funding available for this activity will reduce.

There is a risk that the service will not have the capacity to fully deliver the Healthy Child Programme,.

### 5.4 Options

If the Public Health Grant to Croydon is reduced, all commissioning related to this grant would need to be reviewed. This would include the overall financial envelope with Croydon Health Services. Decisions would need to be taken at this time as to the most appropriate areas for funding reduction and changes to levels of service activity as required. The contract will need to have the ability to be flexed, should funding levels change.

### 5.5 Future savings/efficiencies

The contract contains a number of performance clauses linked to a minimum and maximum levels of expenditure. This paper includes the maximum expenditure levels details, however it is likely that in some areas the actual expenditure incurred will be closer to the minimum levels included in the contract.

It is intended that integrating the School Aged Nursing and Immunisations teams will offer a more effective and efficient service enabling the service to work in a more flexible outcomes focussed model rather than a task oriented model as is the case currently. The second phase of the development will be a fully integrated 5-19 years commissioning framework, to be implemented in 2018. With current pressures on services, the School Aged Nursing Service will not realise savings within this first phase 2015-2018. By monitoring service improvements and efficiencies there may be opportunities to realise a reduction in costs of providing School Aged Nursing services from 2018.

*Approved by: Lisa Taylor, Head of Finance and Deputy S151 Officer*

## **6. COMMENTS OF THE BOROUGH SOLICITOR AND MONITORING OFFICER**

- 6.1 The Council Solicitor comments that the terms and conditions of the partnership and the way in which the delegation of functions will work would be captured in the Section 75 agreement. While there should be certain key elements, such as around how pooled funding is arranged, beyond that, the content of a s75 agreement is for the agreement of the parties. Consequently it could include detailed provisions around what services CHS would provide pursuant to the delegated functions, the terms on which those services are to be provided, agreed approaches to the procurement of sub-contractors, required outcomes, performance management and reporting, funding etc.

*Approved by: Gabriel Macgregor, Head of Corporate Law on behalf of the Council Solicitor & Monitoring Officer*

## **7. HUMAN RESOURCES IMPACT**

- 7.1. A section 75 agreement should have appropriate employment protections, risk mitigations and policy signposting. There are no other immediate human resources considerations that arise from the recommended approach for Croydon Council employees.

*Approved by: Deborah Calliste on behalf of Heather Daley, Director of Human Resources.*

## **8. EQUALITIES IMPACT**

- 8.1 The school aged nursing and immunisations services are currently provided by CHS. It is made up of specialist community public health nurses who co-ordinate public health interventions for school age children, in line with the Healthy Child Programme 5 - 19. The team works in local schools and the community and offers services through Drop-in sessions, National screening programmes, work with individual children who have complex or special needs,



training, advice and guidance to schools and routine and follow up immunisations for children and young people five to 16 years.

8.2 From April 2016, a co-commissioning arrangement will be put in place through a s256a agreement with Croydon Council acting as the lead commissioner and working with CHS on an integrated School Aged Nursing and immunisations service. An initial equality analysis has been undertaken to assess the likely impact of this change in commissioning strategy with the current service specifications on those customer groups who share a “protected characteristic” compared to those who do not. The analysis concluded the new model of commissioning and delivering services is likely to have a significant positive impact on “age” as a protected characteristic as it would provide access to health improvement services for children aged 5-19 from all equality groups that share a “protected characteristic”. It would also have an impact on children with a “disability” as it would work with individual children who have complex or special needs. No potential negative impacts were identified.

8.3 These proposals will enable the Council to deliver the following equality and inclusion objective / priorities that are set out in the Council’s Equality and Inclusion Policy 2014-16:

- Work with statutory and community partners to address health inequalities within the borough through targeted interventions that help people to be resilient able to maximise their life chances
- Encourage local people to be independent and resilient by providing responsive and accessible services offering excellent customer care
- Make Croydon a place of opportunity and fairness by tackling inequality, disadvantage and exclusion

8.4 A further equality analysis will be undertaken when the service specification is redeveloped.

## **9. ENVIRONMENTAL IMPACT**

9.1. There is no environmental impact of the proposed contract award.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

10.1. There is no crime and disorder reduction impact associated with the proposed contract award.

## **11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

11.1. The proposed approach is recommended to ensure continued provision of School Aged Nursing and School based immunisation services in Croydon and ensure the Council fulfils its obligations under The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013.

11.2 The original aim was to re-procure a wider and more streamlined service to a timeline which would enable the new service to be operational before the start of academic year 2016-17. However, in line with the Council's approach to ensuring services are as streamlined and integrated as possible entering into a s75 for a period of 2 years will provide the time required to develop a commissioning strategy and specification for a comprehensive integrated age 5-19yrs Health Improvement Service in line with local needs and priorities and which fits in with the emerging Best Start service for 0-5 year olds. The objective of the strategy will be to maximise synergies between the different services currently commissioned for this age group to provide a fuller Healthy Child programme with the total available resources. The direct award will also facilitate coordination with other related services (e.g. weight management) through the alignment of contract end dates.

## **12. OPTIONS CONSIDERED AND REJECTED**

12.1 Please refer to Paragraph 3.3 'Sourcing/delivery options considered'.

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### **BACKGROUND PAPERS**

Initial equality analysis