

Delegated Decision Notice

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input checked="" type="checkbox"/> Key Decision	<input type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input checked="" type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	The Director of Public Health		
Contact person:	Eleanor Clark		Telephone number: 0113 3787844
Subject²:	Extension of contract with Reed Wellbeing for the One You Leeds Service for a two year period in accordance with Contracts Procedure Rule (CPR) 21.1 (contract extensions) and to vary the contract under CPR 21.7 to reduce the value by 10% and replace the service specification clause concerning stop smoking products		
Decision details³:	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.)</p> <p>The Director of Public Health has:-</p> <ul style="list-style-type: none"> • Approved an extension of two years under Contracts Procedure Rules (CPR) 21.1 to the existing contract with Reed Wellbeing for the One You Leeds Service, with effect from 1st April 2021. • Agreed to vary the contract value under CPR 21.7 from £1,619,216.00 to £1,457,201 per annum (total value of £2,914,402 for the extension being sought). • Agreed to vary the contract under CPR 21.7 to amend clause 2.55.1 of the service specification to allow for the provision of e-cigarettes within the range of stop smoking products. 		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Simply refer to supporting report where used as these matters have been set out in detail.

A brief statement of the reasons for the decision

(Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)

1.1 The findings of the service review (included at Appendix 1) were:

- This is a high quality, well performing and proactive service which has maintained full service provision and has continued to be in high demand during the Covid-19 pandemic. Overall, targets are being consistently met and the service takes steps to address any issues as needed. The Quality Management Framework highlights plenty of examples of good practice across each theme. The service achieves good, and lasting, outcomes with its clients and receives positive feedback.
- One You Leeds is embedded across the city and works very constructively in a multi-agency way to deliver the best possible outcomes for its clients, and has played a key role in a number of initiatives.
- The service has proved to be flexible and innovative and is well placed to work within a changing health environment. In particular, the response to Covid-19 was both quick and effective, ensuring clients continue to be supported where they are happy to use a remote delivery approach.
- This service is good value for money (see 4.4.2 below for more details).
- There is a clear and demonstrable need for this type of provision to continue. Being overweight and smoking continue to be high risk factors and require provision to address them. This has gained extra importance in the light of Covid-19, since they contribute to an increased risk of both complications and death should the virus be contracted. Demand for the service is high, and has increased during the pandemic with higher numbers of people self-referring to the service from Q1 to Q2. The biggest increase in demand has been seen from the most deprived areas of the city.
- It continues to fulfil the city's ambitions around providing an integrated preventative health service that targets those with the greatest need.

1.2 It is recommended that the contract be extended for 24 of the 30 months available, which would last up to the end of the 2022/23 financial year. The rationale for this extension length is:

- Two years rather than, for example, just one year would provide stability for the service, clients and staff and ensure that key health needs continue to be met.

	<ul style="list-style-type: none"> • Using the full extension available would mean committing funds over three financial years. Given the council's financial considerations, this is not deemed to be prudent. However, there would still be 6 months' worth of extension available should it be necessary and feasible at a later time. • This would align the contract with financial years, aiding the planning of future provision. <p>1.3 If the extension is not approved, the contract will lapse at the end of March 2021. However, the contract review has determined that there remains a clear and demonstrable need for the provision, and there are no grounds for procuring a replacement service, since the current contract is performing well, is of good quality and provides value for money. Furthermore, implementing an alternative delivery model, such as bringing it in-house, is not deemed to be suitable or practicable at this time.</p> <p>1.4 Approval is also being sought to vary the terms of the contract, namely:</p> <ol style="list-style-type: none"> i. To reduce the value by 10%. <p>In accordance with clause C4 of the contract Terms and Conditions, officers have negotiated a new contract price with the provider for the extension period. The provider has identified efficiencies to the value of 10% of the contract value, which are related to central organisation and management costs. As such it is not anticipated that there will be any impact on service delivery. This will take effect from 1st April 2021. The contract value will therefore decrease from £1,619,216.00 to £1,457,201.07 per annum, bringing the total value of the contract extension to £2,914,402.14.</p> ii. To replace clause 2.55.1 of the service specification. <p>Since the awarding of the contract, The National Institute for Clinical Excellence (NICE) has highlighted the benefits of using nicotine containing products as stop smoking products, including the use of e-cigarettes, as long as they are regulated under either the EU Tobacco Product Directive (TPD) or the Medicines and Healthcare products Regulatory Agency (MHRA). E-cigarettes are regulated as consumer products under the UK Tobacco and Related Products Regulations 2016. In addition, the National Centre for Smoking Cessation and Training (NCSCT) has produced professional guidance on the use of e-cigarettes. It recommends that stop smoking services should be open to e-cigarette use in people keen to use them to help them quit. Cancer Research UK and The Royal College of General Practitioners have released a joint position statement supporting the use of e-cigarettes as a means to quitting.</p>
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	<p>Amending the specification provides more choice to the service users of One You Leeds to enable them to find the most appropriate aid to help them stop smoking.</p> <p>Clearances were sought from Legal, Finance, HR, Procurement, HoS and CO.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>n/a</p>
Affected wards:	All
Details of consultation undertaken⁴:	<p>Executive Member</p> <p>Cllr Charlwood was briefed on 3 July 2020 and ongoing updates were provided.</p>
	Ward Councillors
	<p>Others</p> <p>Director of Public Health, Chief Officer (Healthy Living and Health Improvement), Procurement and Commercial Services (PACS) and the provider.</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>Commissioning Manager to implement in January to take effect in April.</p>
List of Forthcoming Key Decisions⁵	<p>Date Added to List:-</p> <p>7/7/21</p>
	<p>If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision</p> <p>n/a</p>
	<p>If Special Urgency Relevant Scrutiny Chair(s) approval</p> <p>Signature _____ Date _____</p> <p>-</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

Publication of report⁶	If not published for 5 clear working days prior to decision being taken the reason why not possible: -	
	If published late relevant Executive member's approval Signature _____ Date _____ -	
Call In	Is the decision available ⁷ for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public: -	
Approval of Decision	Authorised decision maker ⁸ Victoria Eaton, Director of Public Health	
	Signature 	Date 22/12/2020

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁷ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.