

Contract award of the NHS Health Checks service

Date: 6th December 2023

Report of: Deputy Director of Public Health

Report to: Director of Public Health

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report seeks approval to award a contract to the Leeds General Practice Confederation Ltd (Confederation) to provide the NHS Health Checks service, following the successful completion of a procurement exercise.

The proposal in this report directly contributes to the Best City Ambition overarching vision of reducing health inequalities.

Recommendations

- a) The Director of Public Health is recommended to award a contract to Leeds GP Confederation Limited with effect from 1st April 2024 until 31st March 2029, with an option to extend for a further 36 months in any combination. The value of this decision is for the initial 5 year contract period and funded through Public Health. The value is £5,614,440.00 if the extension is fully utilised, which will be subject to a separate decision at the appropriate time. The service is funded at £701,805 per annum.

What is this report about?

- 1 Approval to procure the NHS Health Check service was given through a key decision taken in March 2023 (D56216). This decision was further qualified on 15th August 2023 (D56702) to increase the contract budget and introduce a Covid Catch Up Programme as a variation once the contract is awarded.
- 2 Leeds City Council is nationally mandated to commission the NHS Health Check programme to its eligible population. The NHS Health Check programme aims to prevent cardiovascular disease (CVD) and associated conditions through the early assessment, awareness, and management of risk factors. It targets eligible adults between the ages of

40-74 to spot the early signs of stroke, kidney disease, heart disease, type 2 diabetes and dementia and offers advice, support, and interventions to reduce their overall risk. These conditions have the greatest impact on the most deprived communities, so the NHS Health Check also provides an opportunity to help reduce health inequalities. Leeds has been offering NHS Health Checks to its eligible population since 2009 from all GP practices.

- 3 Permission was granted on March 2023 and qualified in August 2023 to procure this service under Regulation 32 of the Public Contracts Regulations 2015 - negotiated procedure without prior publication of a notice - and directly award a contract to the Leeds General Practice Confederation Limited as lead provider, subcontracting to approximately 95 GP practices. This process required the Confederation to submit a method statement, price schedule and social value commitments. The tender documents were issued on 24th August 2023, with a deadline of 5th October 2023.
- 4 The tender received from the Confederation was evaluated on the basis of 100% quality and the format for the qualitative assessments was broken down as follows:-
 - (i) 800 points (80% of the total quality points available) for evaluation of the method statements
 - (ii) 200 points (20% of the total quality points available) for the social value response
 - (iii) The method statement questions individually had a minimum threshold of 60%.
- 5 There were 5 qualitative areas which were developed into method statement questions these were-
 - Delivery
 - Accessibility and targeted health inequalities approach
 - Performance
 - Quality
 - Social value commitments
- 6 The tender evaluation was conducted by a panel of officers from Adults & Health Commissioning, and Public Health. The overall scoring process was on a consensus basis and overseen by Procurement and Commercial Services (PACS).
- 7 All method statement responses surpassed the minimum quality thresholds and overall, the bid achieved 680 points out of a possible 1,000.
- 8 The price schedule has been reviewed and deemed satisfactory.
- 9 The Confederation have been subject to due diligence checks concerning safeguarding policies, health and safety, finance, and insurance all of which have been successfully completed with no issues identified. Furthermore, the provider has a proven track record, having successfully delivered the current contract (known as NHS Health Checks) since 2019.

What impact will this proposal have?

- 10 The NHS Health Check service will continue to contribute to a range of key strategic and initiatives in particular the key aims of the Best City Ambition which aims to make Leeds a healthy and caring city for everyone by 2030 where those who are most likely to experience poverty improve their mental and physical health the fastest, people are living healthy lives for longer, and are supported to thrive from early years to later life. All eligible people will receive an invite for an NHS Health Check. The service is also targeted to maximise uptake from key at risk groups, which includes those from both ethnically diverse and most deprived communities.

11 An Equality Diversity Cohesion Integration screening was carried out as part of the review and published with the key decision report on 15th August 2023. The screening has been considered throughout the tender process and the current version is attached. There are no issues to be addressed.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

12 This service will contribute to Best City Ambition health priorities, namely:

- Investing to ensure better and more equal access to essential services in health and learning, developed with and accessible for every community across Leeds

What consultation and engagement has taken place?

Wards affected: All

Have ward members been consulted? Yes No

13 A Needs Analysis and Evidence Review was undertaken including consultation regarding the current provision with the Provider, GP Practices, patients and stakeholders. The information collected during this process informed the development of the specification.

14 Public Health Programme Board was consulted on 26th January 2023 on the intention to procure this service under Regulation 32 of the Public Contracts Regulations 2015 and directly award a contract to the Leeds GP Confederation Limited; a further update was given on the results of the tender process on 19th October 2023.

15 The Executive Member for Adult Social Care, Public Health and Active Lifestyles is to be briefed on the outcome of the tender evaluation on the 27th November 2023, with previous briefing taking place in March and August 2023.

What are the resource implications?

16 The value of this decision is £3,509,025.00 for the initial 5-year contract period. The value is £5,614,440.00 if the extension is fully utilised, which will be subject to a separate decision at the appropriate time. This is funded by Public Health, all funding for the service has been confirmed via email.

What are the key risks and how are they being managed?

17 There is the potential risk of challenge that there are no real technical reasons justifying the use of the negotiated procedure without publication of a notice in accordance with the Public Contracts Regulations 2015, and that the Council is simply seeking to circumvent the application of the procurement rules. However, this was considered when seeking approval for this procurement, and the risk was felt to be low. The reasons for taking this approach were set out in the approval report, which has been published on the Council's website. Furthermore, a voluntary transparency notice was published on Find a Tender prior to the tender period, followed by a waiting period of 10 days to see if any challenges were made. No challenge was made so the chances of a claim for ineffectiveness being brought were

significantly reduced and would only be successful if the Council had used the negotiated procedure without publication of a notice incorrectly.

18 Should the approval not be granted there would be the loss of a significant service once the current contracts end on 31st March 2024, which is mandated service. This would result in significantly reduced health outcomes for the population of Leeds. There will be financial implications to the wider health and social care sector in the city.

19 There is a risk that levels of funding may reduce in future contract years. Any changes to funding levels will be managed through the variation and change mechanism within the contract terms and conditions.

What are the legal implications?

20 The decision to award this contract is a direct result of a previous Key Decision March 2023 (D56216) and further qualified on 15th August 2023 (D56702) and is therefore a Significant Operational Decision and exempt from call in, in accordance with Article 13.4.2(c) of the Constitution.

21 The procurement has been undertaken in accordance with the Public Contracts Regulations 2015 and, the Council's own Contracts Procedure Rules. Following evaluation, the panel believes that the contract should be awarded as set out in the recommendations of this report.

22 These comments should be noted by the Director of Public Health and in making the final decision should be satisfied that doing so represents best value for the Council.

23 The contract will be managed by officers in Public Health and Adults and Health. This will include regular reviewing of performance information and quarterly contract management meetings with the providers, at which any service delivery issues will be discussed.

Options, timescales and measuring success

What other options were considered?

24 NHS Health Checks is a mandated service. This service continues to be required to meet the demand in the city. The other options relating to procurement routes were outlined in the previous Authority to Procure Report from March 2023.

How will success be measured?

25 The Service will be subject to a robust Performance Management Framework which includes a number of Key Performance Indicators and other service delivery outcomes. The performance management framework will be subject to review on an annual basis to reflect changes in demand and performance.

26 Contract management meetings will be held between Leeds City Council and the Contractor on a quarterly basis, or more frequently if required. They will cover topics such as service delivery and development, performance, finance, safeguarding, contract issues, and compliments and complaints.

27 The Service will also be monitored against Leeds City Council's Quality Management Framework which is structured around the themes of: Well-led; Performance; Safe; Effective; and Coproduction.

What is the timetable and who will be responsible for implementation?

28 The mobilisation period for the main contract will begin in January 2023.

29 The discussions around the Covid Catch Up programme will commence in December 2023 and the outcome will be subject to a supplementary report, if a satisfactory proposal is made a variation issued as required by April 2024.

30 The main contract will begin on 1st April 2024.

Appendices

- EDCI screening

Background papers

- N/A