



Friday, 14 July 2017

**POLICY DEVELOPMENT AND DECISION GROUP
(JOINT COMMISSIONING TEAM)**

A meeting of **Policy Development and Decision Group
(Joint Commissioning Team)** will be held on

Monday, 24 July 2017

At the rising of the Policy and Development and Decision Group
(Joint Operations Team)

The meeting will be held in the Riviera International Conference Centre,
Chestnut Drive, Torquay

Membership

Councillor Mills

Councillor Amil

Councillor King

Councillor Excell

Mayor Oliver

Councillor Haddock

Councillor Parrott

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

**Amanda Coote, Town Hall, Castle Circus, Torquay, TQ1 3DR
(01803) 207026**

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

POLICY DEVELOPMENT AND DECISION GROUP (JOINT COMMISSIONING TEAM) AGENDA

1. Apologies

To receive apologies for absence.

2. Disclosure of Interests

- (a)** To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

- (b)** To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

3. Minutes , 03/04/2017 Policy Development and Decision Group (Joint Commissioning Team) (Pages 3 - 7)

To confirm as a correct record the Minutes of the meetings of the Policy Development and Decision Group (Joint Commissioning Team) held on 3 April, 18 May and 19 June 2017.

4. Urgent Items

To consider any other items the Chairman decides are urgent.

Mayoral Decisions

5. Sexual and Reproductive Health and Wellbeing procurement (Pages 8 - 18)

To consider a report on the above.



Notes of the Policy Development and Decision Group (Joint Commissioning Team)

3 April 2017

-: Present :-

Mayor

Councillors Amil, Excell, Haddock, King, Mills and Parrott

(Also in attendance: Councillors Barnby, Brooks, Ellery, Morey and Stubley)

28. Apologies

An apology for absence was received from Councillor Manning.

29. Minutes

The minutes of the Policy Development and Decision Group held on 21 February 2017 were confirmed as a correct record and signed by the Chairman.

30. Market Place Positioning

The Group considered the submitted report which updated members on the actions to develop a sustainable independent sector market for social care and support for Torbay. The report focused on the revised approach to the Market Position Statement (MPS) and aligning with the approaches of adjacent authorities. Members noted the development the web-based system aimed at adult social care and support providers to raise awareness of upcoming changes likely in the local health and care system, given the new model of care that is being developed.

Resolved:

That the report be noted.

31. Personal Social Services Survey of Adult Carers in England 2015-16

The Group received a presentation on the findings of the Personal Social Services Survey of Adult Carers in England which is co-ordinated by the Health and Social Care Information Centre. Members were advised that the survey aimed to collect information about carer's experiences of social care service and support and would feed into the monitoring of the National Carers strategy.

Resolved:

That the report be noted.

32. Annual Report of the Corporate Parenting Operational Group

Consideration of this item was deferred.

33. Annual Children Looked After Children: Permanence Place Planning

The Director of Children Services and Executive Lead for Adults and Children presented the submitted report which set out a new permanence place policy and its operating principles. It was noted that policy was supported by the Pathways to Permanence Practice Guidance and will be issued to all Children's Social Care Managers and Practitioners and made available on the Children's Services intranet space.

The Policy Development and Decision Group (Joint Commissioning Team) made the following recommendation to the Mayor:

That the Permanence Policy attached at Appendix 1 to the submitted report be approved and that regular updates are provided to members.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Commissioning Team) set out above at the meeting and the record of decision, together with further information is attached to these Minutes.

34. Sustainability and Transformation Programme Memorandum of Understanding

The Director of Adults presented the submitted report and explained that the Sustainability and Transformation Plan (STP) is a five year health and social care plan for Devon (including Torbay and Plymouth), linked to NHS England's Five Year Forward View which aims to build and strengthen existing local relationships and focus on long term sustainable outcomes. The Group noted that local authorities within the Devon-wide STP have been asked to sign a Memorandum of Understanding.

The Director further explained that the purpose of the Memorandum was to provide a mechanism for securing agreement and commitment to sustained engagement with and delivery of the Transformation Plan to realise a transformed model care in Devon. It was noted that the intent was to ensure the common purpose of delivering a clinically, socially and financially sustainable health and care system that will improve the health and wellbeing of the population and address inequalities.

Resolved:

That the report be noted.

35. Children's Services Improvement Plan - Six Monthly Update

The Director of Children's Services outlined the submitted report and improvement plan which summarised progress against recommendations. It was noted that some areas of improvement activity were less well developed particularly, those around cross cutting themes such as domestic abuse and early help. The improvement plan would be kept under regular review to ensure that any remaining gaps were addressed, that agreed actions were delivered and determine the impact of activity on outcomes for children and families.

Resolved:

That the report be noted

Chairman



**Minutes of the Policy Development and Decision Group
(Joint Commissioning Team)**

18 May 2017

-: Present :-

(In attendance: Councillors Barnby, Morey, O'Dwyer, Stubley, Thomas (D),
Tolchard and Tyerman)

36. Quorum

It was reported that, as apologies for absence had been received from the Mayor and Councillors Amil, Excell, Haddock, King, Mills and Parrott, the meeting was inquorate and that the items of the agenda would stand referred to the next meeting of the Policy Development and Decision Group (Joint Commissioning Team).

Chairman



**Notes of the Policy Development and Decision Group (Joint
Commissioning Team)**

19 June 2017

-: Present :-

Councillors Excell and Haddock

(Also in attendance: Councillors Barnby, Brooks, Ellery, Morey, Robson, Thomas (D) and Tyerman)

2. Quorum

It was reported that, as apologies for absence had been received from the Mayor and Councillors Amil, King, Mills and Parrott, the meeting was inquorate. The Clerk would meet with the Mayor to ascertain how he wishes to take forward the decisions from this meeting. The Mayor has three options:

1. Make the decisions in private and publish his record of decisions.
2. Rearrange the meeting.
3. Defer the items to the next meeting on 24 July 2017.

Chairman



Meeting: Policy Development and Decision Group (joint commissioning team)

Date: 24th July 2017

Wards Affected: All

Report Title: Sexual and Reproductive Health and Wellbeing procurement

Is the decision a key decision? Yes

When does the decision need to be implemented? 1 August 2017 reprocurement

Executive Lead Contact Details: Cllr Derek Mills, Dr Caroline Dimond, Director of Public Health, 01803 207336, Caroline.Dimond@torbay.gcsx.gov.uk

Supporting Officer Contact Details: Sarah Aston, Advanced Public Health Practitioner, 01803 208475, sarah.aston@torbay.gov.uk

1. Proposal and Introduction

- 1.1 All local authorities have a mandatory responsibility to provide sexual and reproductive health services to its resident populations. This includes STI testing and treatment, contraception for all women and prevention of poor sexual health outcomes such as teenage pregnancy. Services in Torbay were moved to Torbay Council with the Public Health 2013 transfer. Services have not been out to open procurement since this date.
- 1.2 It is proposed that a joint procurement exercise is carried out with Devon County Council across both local authority areas to achieve better outcomes for local residents as well as savings and efficiencies.
- 1.3 By embedding prevention (e.g. Condom distribution schemes) and self-care (e.g. online STI self – test kits) into the new contract, the Council will demonstrate the Corporate Plan ambitions that as part of a Healthy Torbay and will “ensure there is a focus on targeted prevention and early intervention within all plans.”
- 1.4 Services in scope of this proposed contract are: STI testing and treatment, contraceptive services and prevention activities, e.g. condom distribution. Services out of scope include GP enhanced contraception and emergency contraception for under 25 year olds in Pharmacies.
- 1.5 The savings proposed as part of this contract (£220,000) do not represent the overall savings from the entire sexual and reproductive health work stream of £280,000, which will also be taken from GP & Pharmacy services and out of area charges.

2. Reason for Proposal

2.1 The procurement process is a necessary element of the Council's commitment to achieving best outcomes for its populations, and therefore should be agreed by members.

2.2 Working collaboratively with Devon allows greater economies of scale and opens the market to a wider range of suitable providers who will drive and modernise service provision.

2.3 Torbay and South Devon NHS Foundation Trust and Torbay Council Public Health department have assessed that the service is not viable on a Torbay Council only footprint

3. Recommendation(s) / Proposed Decision

3.1 That the Mayor be recommended to approve the proposed procurement plan for the sexual and reproductive health plan and timescales as set out in Appendix 1 to the submitted report.

Appendices

Appendix 1: Procurement Plan

Background Documents

Section 1: Background Information

1.	<p>What is the proposal / issue?</p> <p>To procure sexual and reproductive health services through the open market in partnership with Devon County Council.</p> <ul style="list-style-type: none">• To create a single element or 'lot' for integrated core sexual and reproductive health services across Torbay and Devon• To create a single element or 'lot' for targeted prevention (of unintended pregnancy and sexually transmitted infections) across Torbay and Devon
2.	<p>What is the current situation?</p> <p>The current situation is that there is a Torbay and South Devon contract for main sexual health and contraceptive services (led by Torbay Council with Devon as joint signatories) which is provided by Torbay and South Devon NHS Foundation Trust.</p> <p>There is a further contract for targeted prevention activity across all of Torbay and Devon (led by Devon County Council, with Torbay Council as signatories) which is provided by The Eddystone Trust.</p> <p>Sexual health systems could be more user focussed and could work better to meet the needs of local residents. Service user needs have changed over time and services need to adapt and respond to these accordingly. Examples of this include online triage and booking systems as well as ordering of STI self – test kits which are not currently available in Torbay.</p>
3.	<p>What options have been considered?</p> <ol style="list-style-type: none">1. A risk sharing and budget pooling (also known as a Section 75) agreement was originally considered in early spring 2017. This was rejected after legal advice from Devon County Council deemed that there was no appropriate basis to proceed. This means that entering into a budget and risk sharing direct agreement (without going to open procurement) with the current providers Torbay and South Devon NHS Foundation Trust (TSDFT) & Northern Devon NHS Foundation Trust (NDHT) was not possible.2. Maintaining the current level of provision and extending current contracts was considered but was deemed unlikely to lead to any significant improvements, such as improved pathways for patients or any budgetary savings. The evidence for this came from a review with current providers across Devon and Torbay (May 2017) where a range of system gaps were explored and examined. It was concluded that a more joined up approach to the whole sexual health system would

	<p>improve outcomes for local residents, as well as a greater emphasis on prevention and self-care.</p> <p>3. A Torbay only option was considered but after discussions with senior Torbay and South Devon NHS Foundation Trust staff, this was rejected as being economically unviable.</p> <p>After internal and joint discussions with Devon County Council, it is strongly recommended that a joint open market procurement process is pursued.</p> <p>Benefits to a shared commissioning approach include economies of scale, shared clinical pathways and staff with a broader range of skills able to deliver the full range of specialist services required and an improved offer to the public and groups who experience poor sexual health, e.g. Young People.</p> <p>It opens up competition within the marketplace so as to drive best value for cost and efficiency. It will also lead to greater transparency of finances by the new provider which will enable the Council to understand and drive greater efficiencies in future.</p> <p>These benefits are only available to Torbay Council if the approval is given to pursue a joint venture approach with Devon County Council.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>Ambitions: Prosperous and Healthy Torbay</p> <p>Principles:</p> <ul style="list-style-type: none"> • Use reducing resources to best effect • Reduce demand through prevention and innovation • Integrated and joined up approach <p>Targeted actions:</p> <ul style="list-style-type: none"> • Promoting healthy lifestyles across Torbay
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>Children and young people, sexually active adults – any impact is likely to be positive and result in increased access via e-technology offers.</p> <p>All sexually active populations accessing sexual health and reproductive health services will be affected by this proposal and all will be consulted with.</p>
<p>6.</p>	<p>How will you propose to consult?</p> <p>Consultation is planned to take place through July –August 2017. This will be predominantly an online survey, promoted through the Torbay Council and Devon County Council consultation channels and platforms.</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>The financial and resource implications of this decision are:</p> <ul style="list-style-type: none">• The proposals are in accordance with approved budgets for Public Health• Cost savings to the Council in the first year of the contract (estimated to be approximately £220,000)• Greater transparency and accountability of financial arrangements with any new provider, enabling savings and efficiencies <p>The legal implications of this decision are:</p> <ul style="list-style-type: none">• Torbay Council will remain compliant with its mandatory requirement to provide open access sexual and reproductive health services
8.	<p>What are the risks?</p> <p>Risks:</p> <ol style="list-style-type: none">1. Not agreeing to pursue open procurement in partnership with DCC on the current timescale could lead to not being able to work with DCC in partnership.2. If this is the case, Torbay would not have a viable service and would be compelled to bear significantly greater financial burden as the current service model will not continue without Devon County Council.3. Economies of scale, efficiencies, financial savings and improvements for local residents would be significantly challenged.
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>The social value of this procurement exercise is a strong consideration. Added public social value is a feature and a successful provider will be evaluated on what additional social, economic and environmental value can be added to Torbay.</p> <p>An example of this is:</p> <ol style="list-style-type: none">1. Training and capacity building across the wider health and social care workforce to improve sexual health outcomes2. Behaviour change interventions addressing wider lifestyle issues, including drug and alcohol use, domestic violence, sexual exploitation, mental health and wellbeing and connecting individuals into appropriate pathways.3. The provider of services will be expected to deliver benefits and outcomes (social value) which go beyond the explicit requirements of this tender and contribute to building the capacity, capability, skills, assets and resources of the Torbay and Devon communities. Through local partnership working with both public sector and private sector

	employers, employment opportunities, potential and experiences will be increased to the benefit of local areas
10.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <ol style="list-style-type: none"> 1. A Sexual and Reproductive Health Needs Assessment has been conducted which highlights the current local needs. This drew on a range of current data sources, including the JSNA. This is now published on our website. 2. In addition to this a piece of work was done to deepen our understanding of where the gaps and opportunities for improvement are. In – depth interviews were done with a small sample of Torbay and Devon residents as well as a development day with current providers. 3. A review of literature and evidence was also completed exploring the best evidence and latest research in sexual health developments. 4. A report was created and highlighted a number of service gaps and subsequent insights and potential opportunities to improve outcomes for local residents. 5. We know from this work that: <ol style="list-style-type: none"> a) People who live in areas of increased deprivation experience poorer sexual health outcomes b) We also know that groups who experience inequality are also more likely to have poorer sexual and reproductive health outcomes. c) We also have learnt that there is a strong desire by both local residents and providers to ensure that pathways in and out of services are connected (e.g. to mental health or drugs and alcohol services). 6. A new service specification will include a strong link to prevention and connecting people through systems and supporting self-care and prevention.
11.	<p>What are key findings from the consultation you have carried out?</p> <p>The full formal consultation will commence from 28th July 2017 and run until 18th August 2017. The findings will be used to inform the development of the new service specification.</p>
12.	<p>Amendments to Proposal / Mitigating Actions</p> <p>Current proposed changes to service are:</p> <ol style="list-style-type: none"> 1. Increased focus on Primary and Secondary Prevention in order to prevent getting STIs and then passing them on 2. Switch to digital (web platform, using technology to tailor and target messages, possibility of developing online STI testing & treatment) 3. Footprint recommendations (single footprint across all of Devon and Torbay)

- | | |
|--|---|
| | <p>4. Two elements or 'lots' are recommended (one for integrated sexual and reproductive health clinical services and second element for prevention activities)</p> |
|--|---|

Awaiting consultation feedback for any further changes to specification to be made.

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Increased digital offer Improved preventative and self-care options		
	People with caring Responsibilities	Increased digital offer Improved preventative and self-care options		
	People with a disability	Increased digital offer Improved preventative and self-care options		
	Women or men	Increased digital offer Improved preventative and self-care options		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	Increased digital offer Improved preventative and self-care options		
	Religion or belief (including lack of belief)			No differential impact
	People who are lesbian, gay or bisexual	Increased digital offer Improved preventative and self-care options		
	People who are transgendered	Increased digital offer Improved preventative and self-care options		
	People who are in a marriage or civil partnership			No differential impact

	Women who are pregnant / on maternity leave	Increased digital offer Improved preventative and self-care options	
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Increased digital offer Improved preventative and self-care options	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Improved access for all populations via increased digital presence Improved preventative and self-care options	
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	None	
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	Risk of successful bidder not being the incumbent Integrated Care Organisation / Torbay and South Devon NHS Foundation Trust (ICO / TSDFT). This may impact on the ICO in terms of delivery of other services.	

