

Meeting: Cabinet **Date:** 11 July 2023

Wards affected: All

Report Title: Condom distribution service – Award of contract

When does the decision need to be implemented? 11/7/23 (after standstill period)

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1. Purpose of Report

- 1.1 To request that Cabinet endorse the decision to award a contract for a condom distribution scheme in Torbay, following a successful tender exercise completed in May 2023.
- 1.2 To note, this process has been a joint procurement exercise, led by Devon County Council. The same recommendation is being made to colleagues and leaders in Devon, with the intention of awarding and mobilising the service across both areas simultaneously.
- 1.3 The successful bidder for the services to be delivered across Torbay and Devon was selected because of the quality of the submission.
- 1.4 The renewed scheme intends to broaden access and improve engagement digitally, rather than purely relying on place-based settings and the need for registration to the scheme for 16+ target groups.
- 1.5 All 13–16-year-olds will continue to be able to speak to a trained and trusted professional and have an informed one-to-one discussion and will receive a ‘competency to consent’ assessment.
- 1.6 An intended short-term outcome is to improve access to contraception for young people. A further intended outcome includes a reduction in rates of teenage conceptions, and reduced incidence of sexually transmitted infections, including chlamydia and gonorrhoea.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report help to deliver local ambitions for Torbay residents by working differently to enable younger residents to have the resources to self-manage their health and wellbeing online as well as in person.
- 2.2 This proposal builds on feedback and consultation with young people, and therefore supports our ambitions for thriving people and having high aspirations for all our residents. The proposal particularly relates to Torbay Council's responsibilities as a corporate parent and has a deliberately strong social value component.
- 2.3 The recommendation to award to the preferred provider is because of the high quality of the bid, including the social value commitment to Torbay populations and organisations.

3. Recommendation(s) / Proposed Decision

1. That the contract for the provision of the condom distribution service be awarded to the preferred bidder as set out in Exempt Appendix 1.

Appendices

Appendix 1: Details of Preferred Bidder (Exempt)

Background Documents

None

Supporting Information

1. Introduction

- 1.1 A condom distribution scheme has existed in Torbay for over 15 years. This has supported a reduction in the teenage conception rate and been delivered via local NHS Trusts. Condoms are a highly effective way to manage sexual and reproductive health and are an essential part of a local effective prevention strategy. Unintended teenage conceptions and poor sexual health outcomes, including Sexually transmitted Infections (STI) and HIV (Human Immunodeficiency Virus) prevalence remain a key issue, particularly for 15–24-year-olds in Torbay.
- 1.2 The current contract has reached a natural end, which presents an opportunity to redesign the service, in response to changing needs of the target population (13–25-year-olds).
- 1.3 The new service will take a digital first approach, refocussing on supporting sexually active 16–24-year-old young adults to manage their sexual and reproductive health by ordering condoms and safer sex supplies to be directly delivered to them. Young people aged 13-18 will still be able to receive one to one advice, information and a safeguarding and competency assessment under this proposal.
- 1.4 Torbay Council has worked alongside Devon County Council and has jointly procured sexual health services for over 5 years. The benefit of jointly procuring is that services achieve a consistency of service delivery for residents who may work or study in Devon, but also a financial benefit in terms of economies of scale.

2. Options under consideration

- 2.1 Given the current delivery, availability of extensions and range of other contracts delivered by the incumbent provider to date, a direct award was considered, but this is not permissible to Devon County Council colleagues. In addition, due to the changing nature of 16- to 24-year-old needs and behaviours, it was concluded that a refreshed specification and service model was desirable.
- 2.2 Not awarding a contract was considered, but this course of action would result in a failure to meet the prevention needs of a significant group of residents who bear the burden of unintended conceptions and new Sexually Transmitted Infection (STI) diagnosis.
- 2.3 A limited or reduced scope was considered but would not achieve the ambitions and scale of need for Torbay residents.

3. Financial Opportunities and Implications

- 3.1 Funding for this service is already in place due to being an existing service whose budget is built into the baseline public health ring-fenced grant budget expenditure. The cost of this service in Torbay is £50,000 per annum.
- 3.2 The contract term is from 1st October 2023 until 30th June 2025 with provision for an extension of up to 24 months.

4. Legal Implications

- 4.1 There are no known legal implications other than a failure to award the contract without due justification which could result in a challenge to the procurement process by the successful bidder.

5. Engagement and Consultation

- 5.1 This service and decision takes account of engagement with local young people by the current provider. The initial development of online services has been extremely well received by young people, with elevated levels of demand.
- 5.2 National feedback about condom distribution services is indicating that young people expect to find services quickly and easily and online.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Social value was built into part of the tender for which the supplier was required to submit proposals on their social value commitments to Torbay.
- 6.2 This part of the tender submission was assessed by officers from Torbay Council and Devon County Council. The preferred supplier and was deemed to be excellent, due to the commitment specifically to Torbay organisations and young people, including Foster Carers and care experienced young people.
- 6.3 The monitoring of the social value commitments will be undertaken as part of the central contract monitoring process in Torbay through the Procurement, Contract Management and Commissioning team.

7. Tackling Climate Change

- 7.1 The preferred provider achieved an overall excellent score for its contribution to social value. This included explicit contributions and support for the local economy, environmental and local projects.

8. Associated Risks

- 8.1 Risks of failure to agree to award the contract centre on the significant risk of increased poor sexual and reproductive health outcomes to 13-to-24-year-olds in Torbay. This includes increases in rates of teenage conceptions, unintended conceptions, and STIs (Sexually Transmitted Infections), including HIV (Human Immunodeficiency Virus) incidence.
- 8.2 There is a risk that Torbay Council comes under significant scrutiny from the Office of Health Improvement and Disparities if a proven public health intervention is withdrawn with no legitimate or justifiable reasons for doing so.
- 8.3 Finally, there is a risk of legal challenge if the procurement is not concluded effectively, and the potential bidders decide that there are grounds for challenging the decision to not award.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		X - Young people experiencing digital poverty or unable to use online, will remain able to access services face to face.
People with caring Responsibilities			X - there is no differential impact on this group of this decision
People with a disability	X - This proposal to award will benefit the general health of the target population by		

	increasing access and visibility of preventative services.		
Women or men			X - there is no differential impact on this group of this decision
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		
Religion or belief (including lack of belief)			X - there is no differential impact on this group of this decision
People who are lesbian, gay, or bisexual	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		
People who are transgendered	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		
People who are in a marriage or civil partnership			X - there is no differential impact on this group of this decision
Women who are pregnant / on maternity leave			X - there is no differential impact on this group of this decision
Socio-economic impacts (Including impact on child poverty issues and deprivation)	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		

Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	X - This proposal to award will benefit the general health of the target population by increasing access and visibility of preventative services.		
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10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None