

# Meeting of ICB Board

**Date: Thursday 6 October 2022**

**Time: 10.30am**

**Location: Engineers House, The Promenade, Clifton Down, Clifton, Bristol, BS8 3NB**

<b>Agenda Number :</b>	6.4
<b>Title:</b>	Unity Sexual Health Contract 2024/25
<b>Purpose: Decision</b>	
<b>Key Points for Discussion:</b>	
<p>BNSSG ICB is an associate commissioner of the Unity Sexual Health contract, which commenced on 1 April 2017, for an initial five-year term. Bristol City Council (BCC) is the lead commissioner alongside the ICB, North Somerset Council and South Gloucestershire Council. All parties agreed to extend the contract for a further two years and it is due to end on 31 March 2024. The annual value of the contract is circa £8.37m, of which the ICB contributes £2,132,591 for Termination of Pregnancy (ToP) services.</p> <p>A recommissioning process to procure a new contract for 2024 onwards commenced in early 2022. However due to the publication of both a new national sexual health strategy, and a national sexual health specification, which are due in late 2022 (tbc), all commissioners have been asked to support to add an additional year of the current arrangements. This would mean the Unity Sexual Health Contract would now end on 31 March 2025. This additional year would enable commissioners to ensure that the new service model would be informed by both the national strategy and specification, the BNSSG sexual health needs assessment (SHNA) which is nearing completion, and a public consultation on the proposed model. Following legal advice to secure the additional year the system commissioners will issue a Contract Award Notice via both Regulation 32 and Regulation 72.</p> <p>It should be noted that responsibility for the commissioning of sexual health services was split between Public Health and Clinical Commissioning Groups (CCGs) in the 2013 reorganisation of the NHS. CCGs retained responsibility for commissioning (ToP), which form part of the current Unity contract. Specialised commissioning responsibilities for HIV services may be delegated to the ICB from April 2024; these services are currently the responsibility of NHS England Specialised Commissioning.</p> <p>ICB Board members are also asked to note that paragraph 7 of the evidence base section in the attached paper highlights the infancy of the ICB as part of the rationale for the additional year. Whilst the ICB commissioners of the service acknowledge the publication of the national strategy and specification as being sound a rationale for the additional year, we do not accept this paragraph. BCC has acknowledged that this paragraph could have been worded differently, but as the paper was published online ahead of their cabinet meeting on 6 September 2022, it could not be changed.</p>	



The recommendation supported and proposed by the BNSSG Sexual Health Re-commissioning Board has already been reviewed and approved by the Bristol City Council Cabinet meeting.

**Finance, Estates and Digital Committee (FED) Recommendation**

BNSSG FED has reviewed the details of the paper and supports / recommends adding the additional year to the Unity contract.

**Next Steps**

Once the ICB Board has confirmed the additional year the commissioners across the system will action the additional year by issuing a Contract Award Notice (CAN) via two legislative routes in accordance with the Public Contracts Regulations 2015. – Regulation 32 and Regulation 72

<b>Recommendations:</b>	That the ICB Board formally approve the recommendation of adding the additional year to the current Unity Sexual Health contract arrangements by a further year, to now end on 31 March 2025.
<b>Previously Considered By and feedback :</b>	The request to extend the contract for a further year was supported in principle by the BNSSG Sexual Health Re-commissioning Board in July 2022. It was also formally approved by the Bristol City Council Cabinet at its meeting on 6 September 2022 and supported by the Finance, Estates and Digital Committee of the ICB at its meeting of 22 September 2022.
<b>Management of Declared Interest:</b>	None identified to date. A register of interests is in place for the re-commissioning process
<b>Risk and Assurance:</b>	In order to mitigate against the potential risk of challenge, albeit small, of further extending the current Unity Sexual Health contract, a contract award notice will be published at the point the contract for the 2024/25 year is signed. This award notice will include the rationale for the further year and the use of both Regulation 32 and 72 in accordance with the Public Contracts Regulations 2015.
<b>Financial / Resource Implications:</b>	The current CCG financial contribution to the Integrated Sexual Health Service budget is £2,132,591 per annum. It should be noted that it is possible UHBW request additional funding for the one year extension but negotiations on this have not begun. All commissioners have stated that they do not envisage an increase in budgets being possible for 22/23 and will continue to negotiate with providers to ensure that services will be delivered within the contracted financial envelope.
<b>Legal, Policy and Regulatory Requirements:</b>	The ICB has a statutory duty to commission Termination of Pregnancy Services.
<b>How does this reduce Health Inequalities:</b>	Sexual health issues disproportionately affect those who experience poverty and social exclusion. The current service model promotes access to services for all sections of the community through its website and single point of telephone access. This aims to remove

	barriers which might prevent disadvantaged communities accessing services in a timely fashion
<b>How does this impact on Equality &amp; diversity</b>	Bristol City Council has completed an Equality Impact Assessment for the contract extension. It has identified that a large number of people with protected characteristics could be disproportionately impacted if the service was not extended. By extending the current contract, there will be continuity of care for all patients who use the service, and will allow the new strategy and specification to be incorporated into the future service model, alongside the findings from the Sexual Health Needs Assessment.
<b>Patient and Public Involvement:</b>	Bristol City Council is currently leading the development of a comprehensive BNSSG-wide Sexual Health Needs Assessment, which will be completed in October 2022. This will include population and service level data, a review of the evidence around what works in sexual health, a population wide and staff survey and interviews with key stakeholders. A further process of public consultation on the proposed service model will take place during 2023.
<b>Communications and Engagement:</b>	Engagement work has been undertaken as part of the Sexual Health Needs Assessment, the outcome of which will then inform the public consultation process on the proposed service model for the procurement.
<b>Author(s):</b>	Vicky Ledbury, Contract Manager Non Acute Rachel Anthwal, Head of Contracts Non Acute
<b>Sponsoring Director / Clinical Lead / Lay Member:</b>	Lisa Manson, Director of Performance and Delivery



## Decision Pathway – Report

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**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 06 September 2022

<b>TITLE</b>	<b>Sexual Health Services contract extension to March 2025</b>		
<b>Ward(s)</b>	All		
<b>Author:</b>	<b>Christina Gray</b>	<b>Job title:</b>	<b>Director of Public Health</b>
<b>Cabinet lead:</b>	<b>Cllr Ellie King, Cabinet Member for Public Health and Communities</b>	<b>Executive Director lead:</b>	<b>Hugh Evans, Executive Director People</b>
<b>Proposal origin:</b> BCC Staff			
<b>Decision maker:</b> Cabinet Member			
<b>Decision forum:</b> Cabinet			
<b>Purpose of Report:</b>			
<p>To request approval for the extension of existing sexual health contracts for 1 year (1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2025) to accommodate the publication of the new national Sexual and Reproductive Health Strategy, sexual health service specification and the introduction of the NHS Provider Selection Regime during 2022 – 23.</p>			
<b>Evidence Base:</b>			
<ol style="list-style-type: none"> <li>1. Since 2013 Local Authorities have been responsible for commissioning sexual health services as part of their mandated public health responsibilities.</li> <li>2. In 2017, Bristol City Council, on behalf of Bristol, North Somerset, South Gloucestershire, Bath &amp; North East Somerset Councils and BNSSG Clinical Commissioning Groups jointly commissioned University Hospitals Bristol and Weston NHS Foundation Trust (UHBW) to fulfil this function. The service is called Unity Sexual Health Service and its role is to promote, improve and protect sexual health for the BNSSG population and reduce inequalities in that regard. This contract expires on 31<sup>st</sup> March 2024.</li> <li>3. To complement the main Unity service, primary care providers (GPs and pharmacists) are also commissioned to deliver long-acting contraception, emergency contraception, chlamydia screening and condoms.</li> <li>4. The request to extend the contract for a year from 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2025 includes sexual health services delivered in primary care as well as specialist sexual health services.</li> <li>5. The intention was to recommission these services with a new start date of 1<sup>st</sup> April 2024, however delay to expected publication of key national guidance combined with the NHS reorganisation and establishment of the new Integrated Care Board have had a significant impact on our ability to proceed with the procurement process.</li> </ol>			

6. The new national Sexual and Reproductive Health Strategy is now expected in 2022 – 2023. The new national service specification for Sexual Health, which is required to inform the local specification, is also expected in 2022 – 2023. The last specification was published in 2013. And the new NHS procurement regulations, which will likely have a significant impact on these services are also expected during 2022 – 2023.
7. The Clinical Commissioning Group has been replaced by the Integrated Care Board as of 1<sup>st</sup> July 2022. Commissioning is no longer a core function within the new arrangement, focuses being on collaborative system working, performance and delivery. The system is in its infancy, and it will be some months before we will fully know what the impact of this new approach is for the provision and delivery of services, and how this will impact on different system models for sexual health, as informed by the guidance documents outlined above.
8. The decision would be subject to financial agreement across all parties, who have been informed of the request to extend the contract and asked for written confirmation of their support in principle to extend.

**Cabinet Member / Officer Recommendations:**

That Cabinet:

1. Authorise the Executive Director People in consultation with the Cabinet Member Public Health and Communities to take all steps required to extend the Integrated Sexual Health services contract and primary care contracts (including individual contracts over £500k) for 1 year from April 2024 to March 2025 as outlined in this report.

**Corporate Strategy alignment:**

The Wellbeing theme of the Corporate Strategy describes the need to embed health in all policies to improve physical & mental health and wellbeing, reduce inequalities and the demand for acute services. It recognises that Public Health is a statutory requirement of local authorities and the need to commission Public Health services to improve the health & wellbeing of our residents. The provision of sexual health services is essential to achieve these aims.

**City Benefits:**

Whilst there is a requirement to provide open access sexual health services to all residents, sexual health problems are not equally distributed within the population. Strong links exist between deprivation and sexually transmitted infections (STIs), teenage conceptions and abortions, with the highest burden borne by women, men who have sex with men (MSM), teenagers, young adults and black and minoritised groups. Some groups at higher risk of sexual health problems face stigma and discrimination, which can influence their ability to access services.

The continuation of this integrated sexual health service will enable Bristol to bring key partners together to deliver a collaborative approach to tackling these health inequalities and improve health outcomes. Extending this contract provide for the continuation of stable and accessible services for the Bristol population.

**Consultation Details:**

Consultations have taken place with all BNSSG local authority commissioners and the CCG which is in agreement that it is necessary to maintain current arrangements until 2025 to accommodate the new national guidance.

**Background Documents:**

- a. [Commissioning local HIV sexual and reproductive health services - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- b. [Commissioning Sexual Health services and interventions \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)
- c. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/408357/Making\\_it\\_work\\_revised\\_March\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/408357/Making_it_work_revised_March_2015.pdf)
- d. [Integration and innovation: working together to improve health and social care for all \(HTML version\) - GOV.UK \(www.gov.uk\)](#)

<b>Revenue Cost</b>	<b>£8,420,703 for Unity contract (Bristol's contribution is £4,040,030)</b>  <b>£363,011 for Bristol primary care services</b>	<b>Source of Revenue Funding</b>	Public Health Grant (Bristol, North Somerset and South Gloucestershire Councils) and BNSSG CCG.
<b>Capital Cost</b>	£N/A	<b>Source of Capital Funding</b>	N/A
<b>One off cost</b> <input checked="" type="checkbox"/> <b>cost</b> <input type="checkbox"/>	<b>Ongoing</b>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** This report seeks Cabinet approval for the extension of the Integrated Sexual Health services contract (Unity and primary care contracts) for 1 year from April 2024, to accommodate the publication of new national guidance. It is estimated that the Unity contract will cost c£8.4m and Bristol's contribution will be c£4.04m with the balance being picked up by partner organisations. The primary care services contract will cost c£0.36m.

It is recommended that the confirmation of partners' agreements to make a extension for a further year is sought (via their own decision pathways) prior to the letting of the contract. This should include consideration of and acceptance of any risks by all partners, in the event that the contract sum changes, as a result of any contract extension negotiations which may take place. Any increase in BCC share of the costs will need to be funded from the Public Health Grant.

**Finance Business Partner:** Denise Hunt, Finance Business Partner 18 July 2022

<b>2. Legal Advice:</b> The extension is required to allow time for the Council to consider new national guidance and to follow a fully compliant procurement process. Legal services will advise and assist officers with regard to the contractual arrangements for the extension.		
<b>Legal Team Leader:</b> Husinara Jones, Legal Team Leader 11 August 2022		
<b>3. Implications on IT:</b> There are no IT implications evident in this proposal, which extends existing arrangements. Any future potential change in supplier or service may have some implications, for example if it requires any lawful, appropriate data transfers or raises issues in different systems used by suppliers in providing the service. In practice this should not have internal implications for BCC, but IT advice should be sought during the project to reprocur the service to confirm this and help assure any contractual arrangements relating to data or systems.		
<b>IT Team Leader:</b> Tim Borrett, Director: Policy, Strategy and Digital, 26 July 2022		
<b>4. HR Advice:</b> The report is seeking approval for the extension of existing sexual health these contracts for 1 year and there are no significant HR implications arising from this report.		
<b>HR Partner:</b> Lorna Laing, HR Business Partner 19 July 2022.		
<b>EDM Sign-off</b>	Hugh Evans	20 July 2022
<b>Cabinet Member sign-off</b>	Cllr Ellie King	28 July 2022
<b>For Key Decisions - Mayor's Office sign-off</b>	[name]	[date]

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>NO</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – <u>Eco-impact screening/ impact assessment of proposal</u></b>	<b>NO</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Exempt Information</b>	<b>NO</b>
<b>Appendix J – HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>