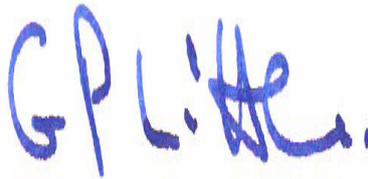
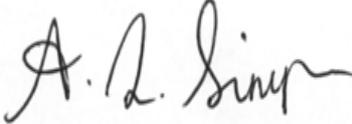


URGENT DECISION FORM

TO BE UPLOADED ON TO THE INTERNET BY DEMOCRATIC SERVICES

Date: 06/04/2020		Ref No:	
Type of Decision:			
Cabinet Decision	<input checked="" type="checkbox"/>	Council Decision	<input type="checkbox"/>
Key	<input checked="" type="checkbox"/>	Non-Key	<input type="checkbox"/>
Subject matter:			
Extension to the Integrated Sexual Health Service contract (April 2021)			
Reason for Urgency:			
The contract is due to end on March 31 st 2021 with no current option to extend. Preparatory work in advance of a tender process had commenced earlier in 2020, and has now been paused. The contract would be extended under Regulation 72 (1)(c) of the PCR2015 for a period of 12 months due to the COVID-19 situation.			
Freedom of Information Status			
Equality Impact Assessment			
[Does this decision change policy, procedure or working practice or negatively impact on a group of people? If yes – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]			
Decision taken:			
The Chief Executive approves an extension of the Integrated Sexual Health Service from 1 st April 2021 to 31 st March 2022. The planned redesign will take place at a later date when it is appropriate and safe to do so.			
Decision taken by:		Signature:	Date:

Chief/Senior Officer/Cabinet Chair		9.4.2020
		9.4.2020
After consultation with:		
Cabinet Member (if a Key Decision) or Chair or Lead Member (as appropriate)		9.4.2020
If it is a Key Decision, the Chair of Scrutiny Committee to agree that the decision cannot be deferred	Councillor Stella Smith consulted	14.4.2020
Opposition Leader or nominated spokesperson (Council Decision) or Leader or Majority Group Member on Overview and Scrutiny Committee (if a Key Decision) to agree that the decision cannot be deferred	Councillor N Jones consulted	9.4.2020
Leader of second largest Opposition Group (if a Key/Council Decision) to agree that the decision cannot be deferred	Councillor T Pickstone consulted	9.4.2020

**Although not a requirement of the constitution Councillor James Mason, Leader of Radcliffe First was also consulted.

Background

We are currently experiencing an outbreak situation in the UK and globally. This has been classified as a global pandemic by the World Health Organisation.

There are commercial actions that we must make swiftly to ensure we are able to stabilise services, rather than engage in the intended open tender exercises, whilst we collectively respond to the impact of COVID-19. In such exceptional circumstances this is permissible under current public procurement regulations using regulation 72 (1) (c). The conditions for relying on regulation 72 (1) (c):-

- (1) The need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (2) The modification does not alter the overall nature of the contract; and
- (3) Any increase in price does not exceed 50% of the value of the original contract or framework agreement

are met.

Details of decision required

Local authorities are mandated to commission and fund comprehensive, open-access HIV/STI testing services; STI treatment services (excluding HIV treatment); and contraception services for the benefit of all persons of all ages present in their area.

The Integrated Sexual Health Service contract, provided by Virgin Care Ltd, is a collaborative contract between Rochdale, Oldham and Bury Council's (ORB). Rochdale Borough Council is the lead commissioner of this contract which has been in place since January 2016.

Arrangements between the three Councils are set out in a tri-borough agreement, which will be refreshed in line with the new contract. Rochdale and Bury have included the provision of a specialist young person sexual health service (whereas Oldham have commissioned this separately).

The current contract expires on 31/03/2021, there is no option to further extend. Preparations for a tender process were underway which included the redesign of sexual & reproductive health systems taking into account the increased opportunities given by Local Care Organisations/Alliances and Primary Care Networks. This work has now been paused.

An extension period of 12 months is required to enable appropriate consultation with all stakeholders in relation to pre-procurement planning and for the subsequent open and robust procurement process.

Financial implications

The whole current contract value is £3,118,536. Bury's share is £904,068 plus a fee to Rochdale MBC as Lead commissioner. There is no intention to increase or reduce this contribution.

Bury Legal implications

Procurement Policy Note - Responding to COVID-19 Information Note PPN 01/20 March 2020 makes provision for the following;

This PPN and associated guidance covers options that may be considered in relation to procurements under the Public Contract Regulations 2015 (for the current financial thresholds, see PPN 06/19):

- direct award due to extreme urgency (regulation 32(2)(c));
- direct award due to absence of competition or protection of exclusive rights;
- call off from an existing framework agreement or dynamic purchasing system;
- call for competition using a standard procedure with accelerated timescales;
- extending or modifying a contract during its term.

Associated Risks

Sexual Health services are mandated public health services. The demand for these services is likely to increase during the Covid-19 emergency. The Sexual Health Provider Virgin Care, like most other healthcare services are experiencing limitations and using the latest national guidance from [BASHH](#), has needed to adapt the service to be able to ensure high risk or priority conditions are dealt with timely and appropriately. This has included liaising with Primary Care to ensure neither option is flooded beyond capacity.

With regards to the contract extension, the terms of the extension are to be negotiated with ORB and the provider. ORB should also consider that the provider may request contractual relief (as described in PPN 02/20).

Conclusion

The Chief Executive approves an extension of the Integrated Sexual Health Service from 1st April 2021 to 31st March 2022. The planned redesign will take place at a later date when it is appropriate and safe to do so.

Report Author Shenna Paynter

Job Title Public Health Programme Manager

Date 6th April 2020