

	Officer Key Decision
	Report to the Director of Public Health
	Cabinet Member for Public Health and Adult Social Care
Authority to Award Contract for Child Weight Management Programme	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 and 3 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)”
List. of Appendices:	3 Appendix 1 – Exempt Appendix 2 – Evaluation Grid Appendix 3 - Exempt
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Marie Mcloughlin Public Health Consultant (children and young people) marie.mcloughlin@brent.gov.uk Shona Okeke Senior Public Health Strategist shona.okeke@brent.gov.uk

1.0 Executive Summary

- 1.1 This report concerns the commissioning of an improved Tier 2 Child Weight Management Service for children and young people aged 5 to 18. Brent has made a commitment to tackling childhood obesity through the Health and Wellbeing Strategy. This is supported by the NHS Long Term Plan and the London Obesity Taskforce 'Every child a healthy weight'. The commissioned service will be made up of 3 components:
- A 12 week holistic healthy lifestyle programme for children and young people aged 5 to 18 who live, attend school or have a GP in Brent.
 - A co-produced community of interest and place programme
 - Support for local health and wellbeing events
- 1.2 This report requests authority to award a contract as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and, following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Director for Public Health in consultation with the Cabinet Member for Public Health and Adult Social Care:

- 2.1 Approves the award of the contract for the Tier 2 Child Weight Management Service to Maximus UK Services limited for 5 years (3+1+1) for a total sum of £1,732,500.00

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The latest data from the National Childhood Measurement Programme (NCMP) shows that obesity in Brent is still high in comparison to the rest of London and the UK. However, Brent has seen an increase in children with healthy weight between 2019/20 and 2021/22 and a slight decrease in children presenting as overweight and very overweight categories over the same period. This indicates that the initiatives that are in place are working.
- 3.2 Brent has made a commitment to tackling childhood obesity through the Joint Health and Wellbeing Strategy, which highlights the importance of creating healthy lives, places and spaces so that children can start well. This is supported by the NHS Long Term Plan and the London Obesity Taskforce 'Every child a healthy weight'.

- 3.3 The new service will also look to address health inequalities through a community led lens, as has been exercised in the delivery of the Black Community Action Plan and the Brent Borough Plan. Both strategies ensured that the voices of residents is a priority when developing programmes. The new provider for the Child Weight Management service will be expected to do the same.

Background

- 3.4 The Council requires the provision of a tier 2 child weight management service. Tier 2 services are delivered by local community weight management services, that provide community based diet, nutrition, lifestyle and behaviour change advice, normally in a group setting environment. Tier 2 weight management services are for children and families and should support the whole family. The focus of services for children may be on weight maintenance and growing into a healthier weight, rather than weight loss, depending on the age of the child, stage of growth and degree of obesity. Council officers have undertaken a procurement exercise and identified a contractor providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for a tier 2 Child Weight Management Service.

The Procurement Process

- 3.5 The Contract for Tier 2 Child Weight Management service will be let using the Contract Terms issued with the invitation to tender for a period of 3+1+1 years.
- 3.6 This procurement has been conducted in accordance with The Public Contracts Regulations 2015 (the Regulations). The Child Weight Management Programme is listed under Schedule 3 of the Regulations as a social or other specific service. At the time of the commencement of this procurement exercise, the threshold for Schedule 3 services for the purposes of the Regulations was £663,540. Accordingly, as the value of the proposed contract exceeds the aforementioned threshold for this category of service, a Contract Notice was placed on the Find a Tender service, Contracts Finder service and the London Tenders Portal on 11th August 2023 to seek initial expressions of interest. Bidders were provided with a specification, details of the tender approach and invited to complete the published tender documents comprising of a selection questionnaire, quality questions, pricing schedule and a social value action plan using the Council's Electronic Tendering Facility. Eight contractors subsequently completed the selection questionnaire and tender documents.

- 3.7 The tendering instructions stated that the Contract would be awarded on

the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following evaluation criteria and weightings:

- 70% quality
- 10% social value
- 20% price

Evaluation process

- 3.8 The tender evaluation was carried out by a panel of officers from Public Health.
- 3.9 SQ Pass/Fail was carried out on the basis of the contractors' financial viability and past experience. All tenders had to be submitted electronically no later than 13:30 on 13th September 2023. Tenders were opened on 13th September 2023 and eight tenders were received. 1 tender failed the SQ and 2 tenders were non-compliant. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.10 The panel met between 26th September 2023 and 2nd October 2023 and each submission was moderated by Procurement against the award criteria.
- 3.11 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Contractor F was the highest scoring tenderer. Officers therefore recommend the award of the Contract to Contractor F, namely Maximus UK Services Ltd.
- 3.12 The Contract will commence on 1st December 2023, subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 6.3 below.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Cabinet Member for Public Health and Adult Social Care has been consulted.

5.0 Financial Considerations

- 5.1 Part 3 of the Council's Constitution states that the Director of Public Health has delegated authority to approve the award of contracts for services valued at less than £2 million. The estimated value of the Contract is £1,732,500.00 over 5 years.

5.2 The cost of the Contract will be funded from the Public Health Grant .

6.0 Legal Considerations

6.1 The estimated value of the Contract over its lifetime is in excess of the Public Contracts Regulations 2015 (the “PCR 2015”) threshold for Schedule 3 Services and the award of the Contract is therefore governed by the PCR 2015. Section 3 of the report outlines how the Contract was procured in accordance with the PCR 2015.

6.2 The award of the Contract is subject to the Council’s own Standing Orders in respect of Medium Value Contracts. The Corporate Director in consultation with the Cabinet Member for Public Health and Adult Social Care has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.

6.3 The Council must observe a mandatory minimum 10 calendar day standstill period under the PCR 2015 before the Contract can be awarded. Therefore once the Corporate Director has determined which tenderer should be awarded the Contract, all tenderers will be issued with written notification of the Contract award decision. A minimum 10 calendar day standstill period will then be observed before the Contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the PCR 2015. The standstill period will run concurrently with the Council’s usual call-in process. Subject to there being no challenges after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the Contract can commence.

6.4 The Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) will apply to this Contract, with staff transferring from the incumbent provider to the new provider.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- and

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.

7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

8.0 Climate Change and Environmental Considerations

8.1 Sustainability policies/procedures/strategies are aligned with the West London Authorities Climate Commitment Charter.

ISO14001-certified and are committed to achieving Net-Zero by 2030 target

9.0 Human Resources/Property Considerations (if appropriate)

9.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the Contract.

10.0 Communication Considerations

10.1 Not applicable.

Report sign off:

Dr Melanie Smith
Director of Public Health