

<b>Novation of Contract for Health Visitors and Family Nurse Partnership from NHS England to Peterborough City Council.</b>
<b>Deputy Leader of the Council and Cabinet Member for Education , Skills and University</b>
<b>April 2015</b>
<b>Deadline date: N/A</b>

Cabinet portfolio holder:	Councillor Marco Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement
Responsible Director:	Wendi Ogle-Welbourn - Director for Communities
Is this a Key Decision?	YES If yes has it been included on the Forward Plan : Yes Unique Key decision Reference from Forward Plan: KEY/17APR15/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO

## R E C O M M E N D A T I O N S

The Cabinet Member is recommended to:

1. Approve the novation of a contract between NHS England and Cambridgeshire and Peterborough Foundation Trust for the delivery of Health Visitors and Family Nurse Partnership to Peterborough City Council for the period 1 October 2015 until 31 March 2017, for the sum of £6,132,452 resulting from the statutory transfer of planning and commissioning of public health services for 0-5 years olds from NHS England to local authorities.

### 1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks approval to novate the contract for the provision of Health Visitors and Family Nurse Partnership between NHS England and the Cambridgeshire & Peterborough NHS Foundation Trust ("CPFT") to Peterborough City Council (the "Council") from the date of the statutory transfer of the planning and commissioning of public health services for 0-5 year olds from NHS England to local authorities on 1 October 2015 to 31<sup>st</sup> March 2017.

### 2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement to consider exercising delegated authority under

paragraph 3.4.8(a) of Section 3 – Executive Functions of the constitution in accordance with the terms of his portfolio at paragraph (g) (viii) principally – *‘Responsibility for all Public Health functions of the Council; including all matters specifically provided by the Health and Social Care Act 2012 and associated legislation’.*

### 3. **TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	
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### 4. **DETAILS OF DECISION REQUIRED**

- 4.1 The existing statutory responsibility to commission services for 0-5 year olds under the Health Child Programme lies with NHS England. On 1<sup>st</sup> October 2015 this responsibility transfers to local government. This is the final transfer of public health services to local authorities under the Health and Social Care Act 2012. In order to formally transfer the responsibility there is a requirement to novate the existing contractual arrangements between NHS England, the commissioner and CPFT, the provider. Once novated the new contractual arrangements will be between the Council, as the commissioner and CPFT as the provider.

### 5. **CONSULTATION**

- 5.1 Consultation is key to the continued successful commissioning of services. Consultation has been undertaken with the service provider and key stakeholders including finance, commissioning and procurement colleagues. .

### 6. **ANTICIPATED OUTCOMES**

- 6.1 That the contract will be novated and the provision of these services will continue until 31<sup>st</sup> March 2017. This will coincide with the proposed retender and the commencement of a new contract on 1<sup>st</sup> April 2017 of the new Healthy Child Pathway which will include the Health Visitors and Family Nurse Partnership services.

### 7. **REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION**

- 7.1 Under the Health and Social Care Act 2012, many public health functions transferred from the NHS to local government on the 1 April 2013, since then local authorities have been making great strides to transform and embed public health within local authorities .Healthy Child Programme for 0-5 year olds, which is delivered by Health Visitors remained with NHS England to enable the expansion of Health Visitors and places on the Family Nurse Partnerships by April 2015. In January 2014 the government confirmed that the Healthy Child Programme for 0-5 year olds, which includes the commissioning of Health Visitors and the Family Nurse Partnership would transfer to local government on the 1 October 2015. Unlike the previous public health transfer it is only the commissioning that will transfer and not the workforce. Health Visitors and the Family Nurse Partnership will continue to be employed by their provider organisations. The transfer marks the final part of the overall public health transfer.

### 8. **ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 To do nothing is not an option as the transfer will happen under the Health and Social Care Act 2012 and there is requirement to maintain the continuity of the services to deliver the Health Visiting and Family Nurse Partnership Services.

- 8.2 Commissioning the services separately is not viable in terms of time or money, the cost of re-procuring this service would be significant, more so if this was to be re-procured in a six month period. A partnership is in place whereby joint monitoring of the contract for Health Visitors and Family Nurse Partnership is undertaken. This ensures a good quality of service and continuity of care for service users.

## **9. IMPLICATIONS**

### 9.1 Financial implications

The budget to fund these services will transfer to the council at the point of transfer on 1<sup>st</sup> October 2015, this budget will form part of the Council's ring fenced Public Health grant.

### 9.2 Legal implications

Public Health responsibilities which transferred to local authority Public Health departments under the Health and Social Care Act 2012 have continued to develop and have now been confirmed by central government that commissioning for 0-5 year olds will transfer to local government on the 1<sup>st</sup> October 2015.

The novation agreement will transfer all of NHS England's rights and obligations under the CPFT contract to the Council, thereby allowing the Council to enforce the terms of the contract against CPFT.

The proposals set out in this decision are consistent with the Human Rights Act 1998, and statutory guidance relating to Public Health functions in respect of the NHS Act 2006.

## **10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

None

## **11. BACKGROUND DOCUMENTS**

None