

Report sponsor: Simon Riley, Strategic Director  
of Resources  
Report author: Toni Nash, Head of Finance

## **Contract and Financial Procedure Matters**

### **Purpose**

- 1.1
- Acceptance of Grant – Opportunity Area Grant of £1.43m
  - Acceptance of delegated approval for procurements relating to Opportunity Areas Programme
  - Direct award of 0-19 Public Health Nursing Contract
  - Contract for service delivery provision of Derby Integrated Sexual Health Service - Pre-exposure prophylaxis for HIV
  - Accept Safer Streets Funding to install CCTV in an area of the City's Darley ward and to enter into any Grant/Funding Agreement (subject to reasonable conditions).

## Recommendation

### 2.1 To approve:

- a) The acceptance of the Opportunity Area Grant for Derby for an additional grant of up to £1.43m as outlined in section 4.1
- b) Delegated approval to the Strategic Director of Peoples Services, in consultation with the Cabinet Member for Children and Young People, the spending of Opportunity Area funds through grants and contracts as outlined in section 4.5
- c) The direct award of a new short-term contract to the current provider of the 0-19 Public Health Contract under the umbrella of a Voluntary Ex-Ante Transparency Notice - that essentially extends the service's delivery for 12-24 months as outlined in section 4.10
- d) Entering into of a new contract for service delivery provision of Pre-exposure prophylaxis for HIV for 12 months with the option to extend for a further 12 months and delegate authority to the Strategic Director for Peoples Service to approve the Council undertaking the optional extension period at such time as appropriate as outlines in section 4.14.
- e) The acceptance of funding in the region of £0.420m from the Safer Streets Fund, allocated by the Home Office, and ported to DCC via the Office of the Police and Crime Commissioner for Derbyshire (OPCC), subject to acceptable grant conditions being agreed as detailed in section 4.17
- f) To approve the addition of Safer Streets CCTV to the 2020/21 capital programme as detailed in section 4.17
- g) To delegate authority to the Strategic Director of Communities and Place, following consultation with the Cabinet Member for Communities, Neighbourhoods and Street Pride, and the Strategic Director of Corporate Resources to enter into grant/funding agreement contracts and associated arrangements for the Safer Streets CCTV plan, as detailed in section 4.17.

## Reason

### 3.1 To comply with Financial Procedure Rules.

## Supporting information

### 4.1 **Opportunity Area – Acceptance of Grant**

The Derby Opportunity Areas Programme has been funded by the Department for Education - DfE since October 2016. Derby's most deprived areas have received funding via education settings and private education specialists to improve social mobility giving children from disadvantaged backgrounds the best start in life. Successful projects have ranged from KS1 & KS2 reading and writing support through to post 16 careers advice.

### 4.2 Through the continued success of this programme and with the recent Covid-19 pandemic, the DfE have offered to expand the programme for a further 12 months with a new focus on making up lost learning time due to the pandemic, as well as levelling up the education outcomes and tackling barriers to skills and employment.

- 4.3 The local Opportunity Area Board continues to make recommendations to the DfE on how Opportunity Area funding should be allocated. Derby City Council has been asked to receive this additional grant from the DfE on behalf of the local area and award it to providers in line with recommendations from the local Opportunity Area Board and DfE, and in line with public sector procurement rules. It is expected that all of the funding the Council receives from DfE would be awarded to the Opportunity Area programme. The DfE will ask the city council to receive a grant up to £1.43m for the area during 2020/21 and 2021/22 financial years and to award this in line with the recommendations from the local Opportunity Area Board and DfE.
- 4.4 The purpose of this targeted work, programmes and money is to ensure children, particularly from disadvantaged backgrounds get the best start in the early years, to build teaching and leadership capacity in schools, to increase access to university, to strengthen technical pathways for young people, and work with employers to improve young people's access to the right advice and experiences. The programme will also help pupils catch up on lost learning time while schools were closed to many pupils during the pandemic, and to help narrow the attainment gap.
- 4.5 **Opportunity Area - Delegated Approval**  
Proposals are made to the Opportunity Area Board via its subgroups, and if they secure the agreement of the Opportunity Area Board and the DfE, then, as the accountable body for the funding, the Council commences the formal process of obtaining the necessary Council approvals to award grants or procure and award contracts. If the value of the proposed award exceeds £0.100m, then this process includes obtaining Cabinet approval to commence procurement and award. Where Cabinet approval is required, the time frame from a proposal being initially discussed to the end of the procurement cycle can take several months depending upon timing of Opportunity Area Board meetings and Cabinet meetings.
- 4.6 This report asks Cabinet to note there is a rigorous process under which funding proposals are formulated, scrutinised and agreed to prior to requesting Cabinet approval. It is seeking agreement for a timely decision-making process within the constraints of the short lifespan of the Opportunity Area programme, by delegating decision making to the Strategic Director of People Services in respect of commencing procurement processes and the award of both grants and contracts. Notwithstanding this delegation, Officers would ensure full compliance with Contract and Financial Procedure rules.
- Where the Opportunity Areas Board and the DfE have recommended that a contract award process should be commenced in respect of a specified contract, to delegate authority to commence such tendering process to the Strategic Director for People Services in consultation with the Cabinet Member for Children and Young People.
- 4.7 Cabinet are asked to note that the Opportunity Areas programme will remain on Children and Young People's Scrutiny Board work programme to ensure continued scrutiny of the programme including the effectiveness of the contracts and grants awarded.
- 4.8 It is recommended to accept the additional Opportunity Area Grant for Derby, up to £1.43m.

- 4.9 It is recommended to delegate approval to the Strategic Director of Peoples Services, in consultation with the Cabinet Member for Children and Young People, the spending of Opportunity Area funds through grants and contracts.
- 4.10 **0-19 Public Health nursing contract**  
The current existing 5-year nursing contract is valued at £36m (£7.2m per annum) and ends in March 2021. It is delivered by Derbyshire HealthCare Foundation Trust (Mental Health Trust) and delivery comprises of the following statutory services:
- Health visiting (statutory ante-natal and post-natal visits up to the child's age of 3)
  - Specialist health visiting (asylum seeking and teenage pregnancies).
  - School nursing – prevention in general schools and tackling risky behaviour (self-harm, etc)
  - Young Person's substance misuse up to age 19
  - Linkages across maternity and midwifery
  - Enhancing Family success (violence prevention programme)
  - National child weight management programme
  - Child obesity strategy delivery
  - Vision screening and Oral health programmes
  - Delivery of the national healthy child and best start in life programmes.
- 4.11 Due to the current impact of the Coronavirus Pandemic, Public Health and provider staff and resources had to be restructured and redeployed to help deliver the operational response to Covid 19. It has not been possible therefore, to undertake the normal competitive tendering process to secure a new service within the required timescales. This would have required the Council to have a provider in place by the end of 2020.
- 4.12 The unknown service landscape following the impact of Covid 19 and the soon to be announced direction of an Integrated Care System, will have bearing on all future procurements and service requirements, therefore it is proposed that a new short term contract is awarded for a period of up to 24 months to the maximum value of £14.4m to provide stability until the Council can scope requirements more accurately and consider the best commissioning approach.
- 4.13 It is recommended to approve the direct award of a new short-term contract to the current provider of the 0-19 Public Health Contract under the umbrella of a Voluntary Ex-Ante Transparency Notice (VEAT). This is a transparent and necessary prerequisite to the proposal to vary an existing publicly procured contract that essentially extends the service's delivery for 12 to 24 months. Adequate funding exists within the Public Health Grant.

#### 4.14 **Derby Integrated Sexual Health Service contract**

The current existing 5-year contract is valued at £11m (£2.2m per annum) and is delivered by Derbyshire Community Health Services ending March 2025. The current service contract comprises of the following statutory requirements of the Council:

- Tier 2 and Tier 3 sexual health interventions (Geno-urinary medicine) i.e. treatment of STIs
- Provision of contraception
- Support for HIV treatment
- Psychological support for sexual issues.

4.15 Over summer the government has mandated that all local authorities commission a local service for the provision of Pre-exposure prophylaxis for HIV. This is a service that can prevent the risk of catching and spreading HIV amongst high risk populations. The city's current provider of sexual health treatment is best placed to do this. The proposal is to introduce the new service element into the current contract by means on a contract variation. The additional service is £0.044m per year. Additional funds would equate to part year 2020/21 of £0.033m (and possibly £0.044m for the following years should it continue over the lifetime up until 2025 (including extensions). Therefore, total additional life-time cost could be £0.209m. Cabinet is asked to delegate authority to the Strategic Director for Peoples Service to approve the Council undertaking the optional extension period at such time as appropriate.

4.16 It is recommended to approve entering into of a new contract for service delivery provision of Pre-exposure prophylaxis for HIV for 12 months with the option to extend for a further 12 months and delegate authority to the Strategic Director for Peoples Service to approve the Council undertaking the optional extension period at such time as appropriate. Adequate funding exists from the Public Health Grant.

#### 4.17 **Safer Streets Funding**

The Safer Streets Fund is a £25m fund, available to Police Crime Commissioners (PCCs) in England and Wales in 2020/21. PCCs are asked to work with partners, to design and deliver local crime prevention plans with the outcome of reducing acquisitive crimes through situational prevention. The objectives of the fund are to:

- Reduce acquisitive crime in areas that receive funding – making residents safer and reducing demand on the police to focus on more complex crimes
- Build evidence about the impact of targeted investment in situational prevention in high crime areas to strengthen the case for future investment, both at a local and national level
- Grow local capability to undertake data driven problem solving and capture evidence and practical learning about how best to implement situational interventions to prevent crime.

4.18 PCCs are able to submit bids for defined local areas within the PCC geography that are persistently and disproportionately affected by acquisitive crime up to a bid amount of £0.550m.

- 4.19 In the last 12 months, crime in the West End, in line with the rest of the city and nationally, has seen a fall in acquisitive crime. However, the eligibility for this funding was based on figures taken over a period of five years. These figures highlighted how local people were persistently and disproportionately affected by crime, compared to the rest of Derby and therefore met the criteria to receive a proportion of the money from this scheme, totalling up to £0.420m. It will enable the Council to extend the existing CCTV network, to act as a deterrent and increase the chance of identification and capture.
- 4.20 Subsequent to the OPCC bid being accepted it became clear that the bid (albeit made by the OPCC with Council support) required approval from the Council Cabinet prior to the bid being submitted. The assumption was made that the bid did not require council approval as it was an OPCC bid. This was an oversight.
- 4.21 The funding will benefit citizens of the West End area through the provision of CCTV surveillance at key locations and assist in reducing the levels of acquisitive crime in this disproportionately affected area. To not accept the funding would mean that the Council would not deliver this benefit.
- 4.22 The Safer Streets funding is capital funding, with an additional £0.005m revenue budget allocated to cover 12 months of maintenance costs. The delivery is scheduled to take place by 31 March 2021. Any future revenue implications will be funded from the CCTV revenue budget, the cost of this has been estimated at £0.005m per annum to cover maintenance and £500 per annum to cover electricity.
- 4.23 If the Council fail to comply with the conditions of the Grant Agreement the Authority (Home Office) may reduce or suspend, or withhold grant payments, require all or any part of the Grant to be repaid and/or terminate the Grant Agreement with immediate effect.
- 4.24 It is recommended to accept funding in the region of £0.420m from the Safer Streets Fund, allocated by the Home Office, and ported to DCC via the Office of the Police and Crime Commissioner for Derbyshire (OPCC), subject to acceptable grant conditions being agreed.
- 4.25 It is recommended to approve the addition of Safer Streets CCTV to the 2020/21 capital programme.
- 4.26 It is recommended to delegate authority to the Strategic Director of Communities and Place, following consultation with the Cabinet Member for Communities, Neighbourhoods and Street Pride, and the Strategic Director of Corporate Resources to enter into grant/funding agreement contracts and associated arrangements for the Safer Streets CCTV plan.

## **Public/stakeholder engagement**

- 5.1 **Safer – Streets** - There are two virtual public engagement events planned at the end of October 2020, and early 2021 that will bring together the PCC, Derby City Council, Derby Homes and other related associations to engage with the community about project progress.

## Other options

- 6.1 **Opportunity Area** - Revert to Cabinet decision making route. However, this will cause delays in making decisions for this time limited programme.

## Financial and value for money issues

- 7.1 As outlined in the report.

## Legal implications

- 8.1 **Opportunity Area** - None directly arising from the Report. All contract and grant award processes will be undertaken in accordance with the Council's Contract and Financial Procedure Rules, with support from Legal and Procurement Services.

## Other significant implications

- 9.1 No implications arising from this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	22/09/2020
Finance	Alison Parkin	15/09/2020
	Mandy Fletcher	23/09/2020
Service Director(s)		
Report sponsor	Simon Riley	22/09/2020
Other(s)	Andy Thomas	22/09/2020

**Background papers:** None

**List of appendices:** None