

# Health Scrutiny Committee (sub-committee of the People Scrutiny Commission)

## Supplementary Information



**Date:** Wednesday, 11 March 2020

**Time:** 2.00 pm

**Venue:** The Writing Room - City Hall, College Green, Bristol, BS1 5TR

### 11. Service transfer of the Adult Community Contract

(Pages 2 - 13)

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**Date:** Wednesday, 04 March 2020



# Health Scrutiny Committee (sub-committee of the People Scrutiny Commission) 11<sup>th</sup> March 2020



**Report of:** NHS Bristol, North Somerset & South Gloucestershire CCG

**Title:** Update on the mobilisation and service transfer of the adult community contract

**Ward:** n/a

**Officer Presenting Report:** Lisa Manson, Director of Commissioning

## Recommendations:

That Health Scrutiny Committee note the report and progress relating to the mobilisation of Community Health Services and the transfer of Specialist Community Paediatrics and Children's and Adolescent Mental Health Services to Sirona care & health.

## The significant issues in the report are:

This paper provides an update to Health Scrutiny Committee on the mobilisation of the adult community contract and service transfers for stranded services as a result of the outcome of the procurement and notice by incumbent providers to cease providing these services from 31 March 2020, including the notice by Weston Area Health Trust to stop providing Specialist Community Paediatrics and Children's and Adolescent Mental Health Services from 31 March 2020



## 1. Summary

This paper is to provide an update on progress made by the CCG following the award of the new Adult Community Services contract and transfer of stranded services as a result of the procurement and decisions made by incumbents to cease trading or serving notice on existing contracts. For the full report please refer to Appendix 1 Main report to BNSSG CCG Governing Body Meeting on 3<sup>rd</sup> March 2020.

## 2. Context

As a result of Sirona care & health being awarded the Adult Community Health Services contract in September 2019, North Somerset Community Partnership (NSCP) and Bristol Community Health (BCH) as incumbent providers have decided to cease trading as of the 31 March 2020 and served notice on a number of their remaining contracts. This has resulted in a number of stranded services that were originally provided by the incumbents but were not part of the adult community services procurement as they related to services provided to children or other adult services. This included musculoskeletal services, podiatry, bladder and bowel services. In addition there were some services providing support for adults and children with Personal Health Budgets (Partner2Care). It was agreed that these services would be transferred to Sirona on the basis that they related to small amounts of activity and were provided by staff within the adult services teams.

As a result of Weston Area Health Trust (WAHT) serving notice on delivering Community Paediatrics and Children's and Adolescent Mental Health Services the BNSSG CCG Strategic Finance Committee agreed on 1 November 2019 to support the transfer of the North Somerset Children's services into the existing Community Children's Health Partnership (CCHP) contract.

These services will transfer on 1 April 2020 to Sirona care & health as lead provider under a variation to the existing CCHP contract to support the safe and effective transfer of North Somerset children's services and allow the provider to improve service resilience and quality going forward under one prime provider, ensuring a consistent approach and model of care for Children's services across BNSSG. The CAMHS element of the service will be subcontracted to AWP.

The CCHP contract was awarded in 2016 following procurement and sees Sirona already provide specialist children's community services in Bristol and South Gloucestershire. It is noteworthy that this contract also retained the flexibility to include North Somerset's children's services at a later date. The benefit of transferring under the CCHP contract provides us the opportunity for us to integrate children's services across BNSSG and ensure a consistent offer for our whole population. The CAMHS element for North Somerset will be subcontracted to Avon & Wiltshire Mental Health Partnership NHS Trust (AWP) mirroring the arrangements already in place for South Gloucestershire and Bristol

## 3. Policy

Not applicable

#### **4. Consultation**

##### **a) Internal**

There is no requirement for formal consultation by the CCG and communications and engagement are constantly under review to ensure the successful safe transfer of services and the engagement of all stakeholders in the process. This includes a partnership group within the mobilisation structure and shared communications from all incumbents to staff and patients and carers during the transition.

##### **b) External**

Incumbent providers have been notifying patients about the change of services, as part of their responsibility concerning records and data transfer. This is additionally being updated on Remedy and communications plan for all stakeholders across BNSSG for all services in place and being followed.

#### **3. Public Sector Equality Duties**

- 3a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.

3b) BNSSG CCG will undertake full EIA and QIA screening for all services where there will be a service change is being undertaken by Sirona care & health to ensure there is a consideration of equality and diversity issues and is reviewed by the mobilisation group and subgroups for each area of work

**Appendices:**

Appendix 1 Main report to BNSSG CCG Governing Body Meeting on 3<sup>rd</sup> March 2020.



Appendix 1  
Community Health S

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

**none**

# BNSSG CCG Governing Body Meeting

**Date:** Tuesday 3<sup>rd</sup> March 2020

**Time:** 1.30pm

**Location:** The Vassall Centre, Gill Avenue, Downend, Bristol, BS16 2QQ

<b>Agenda Number :</b>	6.2
<b>Title:</b>	Update on the mobilisation and service transfer of the adult community contract
<b>Purpose: For Information</b>	
<b>Key Points for Discussion:</b>	
<p>This paper provides an update to the Governing Body on the mobilisation of the adult community contract and service transfers for stranded services as a result of the outcome of the procurement and notice by incumbent providers to cease providing these services from 31 March 2020, including the notice by Weston Area Health Trust to stop providing Specialist Community Paediatrics and Children's and Adolescent Mental Health Services from 31 March 2020.</p>	
<b>Recommendations:</b>	To note the progress relating to the mobilisation of Community Health Services and the transfer of Specialist Community Paediatrics and Children's and Adolescent Mental Health Services to Sirona care & health.
<b>Previously Considered By and feedback :</b>	Governing Body, SFC and Commissioning Executive have received update reports
<b>Management of Declared Interest:</b>	Consideration has been given to potential or actual conflicts of interest. Conflicts of interest are regularly updated and those with any significant conflict of interest are not involved in any decision-making relating to their conflict.
<b>Risk and Assurance:</b>	<p>The risk register and progress against the mobilisation plan are reported to the CCG Joint Mobilisation Board as part of the CCG assurance process.</p> <p>Sirona Board and the CCG are currently assured that there are no risks which would impact on the safe transfer of services on 1st April 2020.</p>
<b>Financial / Resource Implications:</b>	All adult services and stranded services costs have been managed within existing budgets that ensure safe transfer, with no additional costs being born by the system.

<b>Legal, Policy and Regulatory Requirements:</b>	Legal advice has been sought where necessary to inform decisions in relation to stranded services.
<b>How does this reduce Health Inequalities:</b>	The decision to contract with one Provider across BNSSG for Adult & Children Community Health Services aims to ensure that there is a reduction in health inequalities for the area and that there is consistency of service for all no matter where they live.
<b>How does this impact on Equality &amp; diversity</b>	Full EIA and QIA screening for all services where there will be a service change is being undertaken by Sirona care & health to ensure there is a consideration of equality and diversity issues and is reviewed by the mobilisation group and subgroups for each area of work.
<b>Patient and Public Involvement:</b>	<p>There is no requirement for formal consultation by the CCG and communications and engagement are constantly under review to ensure the successful safe transfer of services and the engagement of all stakeholders in the process. This includes a partnership group within the mobilisation structure and shared communications from all incumbents to staff and patients and carers during the transition.</p> <p>Incumbent providers have been notifying patients about the change of services, as part of their responsibility concerning records and data transfer. This is additionally being updated on Remedy and communications plan for all stakeholders across BNSSG for all services in place and being followed.</p>
<b>Communications and Engagement:</b>	Regular meetings are held with the CCG and incumbents relating to the process of communications and engagement during the transition period.
<b>Author(s):</b>	Graham Wilson, Interim Infrastructure, Community Contract PMO Lead Sophie Whitehead, Programme Manager
<b>Sponsoring Director:</b>	Lisa Manson, Director of Commissioning

## Agenda item: 6.2

# Update on the mobilisation and service transfer of the adult community contract

### 1. Background

This paper is to provide an update to the Governing Body on progress made by the CCG following the award of the new Adult Community Services contract and transfer of stranded services as a result of the procurement and decisions made by incumbents to cease trading or serving notice on existing contracts.

As a result of Sirona care & health being awarded the Adult Community Health Services contract in September 2019, North Somerset Community Partnership (NSCP) and Bristol Community Health (BCH) as incumbent providers have decided to cease trading as of the 31 March 2020 and served notice on a number of their remaining contracts. This has resulted in a number of stranded services that were originally provided by the incumbents but were not part of the adult community services procurement as they related to services provided to children or other adult services. This included musculoskeletal services, podiatry, bladder and bowel services. In addition there were some services providing support for adults and children with Personal Health Budgets (Partner2Care). It was agreed that these services would be transferred to Sirona on the basis that they related to small amounts of activity and were provided by staff within the adult services teams.

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These services will transfer on 1 April 2020 to Sirona care & health as lead provider under a variation to the existing CCHP contract to support the safe and effective transfer of North Somerset children's services and allow the provider to improve service resilience and quality going forward under one prime provider, ensuring a consistent approach and model of care for Children's services across BNSSG. The CAMHS element of the service will be subcontracted to AWP.

The CCHP contract was awarded in 2016 following procurement and sees Sirona already provide specialist children's community services in Bristol and South Gloucestershire. It is noteworthy that this contract also retained the flexibility to include North Somerset's children's services at a later date. The benefit of transferring under the CCHP contract provides us the opportunity for us to integrate children's services across BNSSG and ensure a consistent offer for our whole population. The CAMHS element for North Somerset will be subcontracted to Avon & Wiltshire Mental Health Partnership NHS Trust (AWP) mirroring the arrangements already in place for South Gloucestershire and Bristol.

## 2. Mobilisation and service transfer update

Key progress since the last Governing Body meeting has been:

### CCG In-Housing

CCG in-housing of Continuing Healthcare (CHC) Fast Track teams from incumbents was completed safely on 1 February 2020. The staff from BCH and NSCP joined the existing staff already based within the CCG as part of the CHC team. The CHC team oversees the contracts for the adult CHC assessment and review teams, focuses on the placements and care for individuals in receipt of adult CHC and undertakes assessments for children's continuing care (CCC) funding.

### Adult services

- Regular fortnightly Joint Mobilisation Board (JMB) is held between the CCG and Sirona to support the safe transfer of services on 1 April 2020.
- Mobilisation work streams in place within Sirona reporting fortnightly to the JMB to provide assurance on progress and discuss any issues and risks. These include communications & engagement, digital, business intelligence, information governance, estates, finance & contracts, quality, workforce and services.
- Meeting with Incumbent Providers held monthly to monitor progress on safe transfer of services to Sirona.
- Exit costs agreed with incumbents and are within budgets.
- Bristol Community Health and North Somerset Community Partnership as identified in the CCG due diligence will wind up in a sustainable way and will retain a cash balance.
- Sirona have completed their review of the Transfer of Undertakings (Protection of Employment) (TUPE) list.
- Sirona Board agreed at their January Board to take stranded services from North Somerset Community Partnership.
- Staff consultation is underway ready for planned transfer of staff to Sirona on 1 April 2020. This will be a 'lift and shift' approach where the majority of staff will transfer within existing staffing structures, in order to support safe transfer of services.

### Children's services (stranded services)

- Children's mobilisation has been aligned with the process being used to monitor Sirona for the adults contract to ensure the CCG is updated fortnightly at the Joint Mobilisation Board to receive assurance that services will transfer safely on 1st April.
- Mobilisation costs to support the transfer of children services has been finalised between the CCG and Sirona.
- Meetings with Incumbent Providers are held monthly to monitor progress on the safe transfer of services to Sirona.

- Children Services from Bristol Community Health successfully transferred to Sirona on 1 February 2020, after serving notice on their mandatory sub-contract with Sirona and NSCP services will transfer on 1 April 2020.
- NSCP children's services for MSK, podiatry, bladder and bowel service transfer agreed at Sirona Board in January 2020 and staff consultation with NSCP is underway ready for service transfer on 1 April 2020 with contracts variations now signed for MSK, podiatry, bladder and bowel service.

### **Children's Specialist Services**

- Weston CAMHS and Community Paediatrics and therapies will be included within the Sirona CCHP contract from 1 April 2020, with CAMHS services sub-contracted to AWP
- The mobilisation of children's services has been aligned with the process being used to monitor Sirona for the adults contract to ensure the CCG is updated fortnightly at the Joint Mobilisation Board to receive assurance that services will transfer safely on 1 April.
- Meetings with incumbent provider are held weekly to monitor progress on safe transfer of children's services to Sirona.
- Mobilisation costs to support the transfer children services has been finalised between the CCG and Sirona
- The approach will be safe transfer of services, followed by delivering equity of service provision across BNSSG in the first year and service transformation during 2021/22 and 2022/23 linked to the Long Term Plan.
- Regular meetings have been arranged with WAHT, Sirona and AWP to ensure that transition is managed to enable safe transfer.
- A Memorandum of Understanding (MOU) has been signed between CCG, Sirona and AWP which documents how as partners we will work together to realise the ambitions we have for these services ensuring that a system approach is maintained and supports ongoing transformation.
- WAHT has begun the consultation process with staff that will be affected by the service transfer.

### **Other Commissioners**

The decision of incumbent providers (BCH and NSCP) to cease trading has also resulted in a number of stranded services which are commissioned by other organisations needing to be provided by other providers in the future. These are:

- Public Health Nursing is commissioned from NSCP by North Somerset Council (NSC), and the transfer of these services to NSC is planned for 1 April 2020.
- North Somerset One Front Door and No Worries Services are also commissioned by NSC and provided by NSCP. It is the responsibility of NSC to commission future arrangements for these services. .
- NHS England commission some support for prison health services from BCH. It is the responsibility of NHSE to commission future arrangements for these services. We are meeting regularly with NHS England to support this process.

- NHSE currently commission Diabetic Retinopathy services from BCH. This contract has been awarded by NHSE to InHealth Intelligence who has begun writing to stakeholders to inform them of the changes.
- NHSE currently commission Childhood Immunisations from NSCP. This contract has been awarded to Sirona care & health

### **3. Contract updates**

BNSSG as a system has seen a number of changes over the last 4 to 5 months, particularly the transformation plans agreed in the Long Term Plan and therefore the CCG is reviewing the 2021/22 adults community services contract with Sirona prior to contract commencement to ensure that the contract reflects any changes which have been agreed across the system since the contract was signed in September 2019.

### **4. Integrated support and assurance process (ISAP)**

NHS England and Improvement have a responsibility to support and assure the procurement and mobilisation of the adult community services contract, due to the high value of the contract. The CCG and Sirona Care & Health will meet with NHS England and NHS Improvement on 27 February for the final checkpoint meeting in assuring the mobilisation. This follows the interim meeting in November 2019, where no significant concerns were raised and the feedback was positive.

This final meeting is to assure NHSE/NHSI that all risks and issues associated with mobilisation and service transfer are continuing to be managed. A verbal update will be given at the Governing Body meeting on 3 March following the outcome of the meeting.

### **5. Financial resource implications**

#### **5.1 Stranded Services**

Stranded services resulting from BCH and NSCP serving notice on their remaining community contracts have been commissioned with Sirona within the CCG existing budgets.

#### **5.2 Asset Lock and Retained Reserves in BCH and NSCP**

CCG due diligence and discussions with BCH and NSCP have confirmed that both organisations will wind up in a sustainable way.

#### **5.3 Weston Community Paediatrics and CAMHS**

The memorandum of understanding has been agreed between the parties setting out the contractual arrangements, which will be included in the contract variation to the CCHP contract, with no additional costs borne by the system.

Final due diligence clarification queries were submitted by Sirona and AWP and responded to in full by WAHT. Whilst a few issues remain these are not expected to be material.

Due diligence has highlighted higher agency costs within CAMHS and Community Paediatrics and therapies which is due to recruitment challenges, which will be worked through by Sirona and AWP following safe transfer of the services.

## **6. Legal implications**

Legal advice has been sought where necessary for stranded services as result of the procurement and notice on the Specialist Children's and CAMHS service to ensure there is a safe transfer of all services and that the CCG is assured of all legal implications relating to decisions made.

## **7. Risk implications**

As part of the mobilisation a detailed mobilisation plan and risk register was established for the mobilisation of the community contract which is regularly reviewed by the Sirona Board with mitigating actions agreed in order to facilitate the safe transfer of services. The risk register and progress against the mobilisation plan are reported to the CCG Joint Mobilisation Board as part of the CCG assurance process.

Sirona Board and the CCG are currently assured that there are no risks which would impact on the safe transfer of services on 1 April 2020.

Regular updates are provided to the Commission Executive, Strategic Finance Committee and Governing Body where any risks are discussed and actions agreed.

## **8. How does this reduce health inequalities**

The decision to contract with one Provider across BNSSG for Community Health Services aims to ensure that there is a reduction in health inequalities for the area and that there is consistency of service for all no matter where they live.

The decision to encompass NSCP and NSC services into the CCHP (Children's Community Health Partnership) contract will also deliver the same consistency across the geography of BNSSG.

## 9. How does this impact on Equality and Diversity?

Full EIA and QIA screening for services is being undertaken by Sirona care & health for services that will change to ensure there is a consideration of equality and diversity issues and is reviewed by the mobilisation group and subgroups for each area of work.

## 10. Consultation and Communication including Public Involvement

There is no requirement for formal consultation and communications and engagement are constantly under review to ensure the successful safe transfer of services and the engagement of all stakeholders in the process. This includes a partnership group within the mobilisation structure and shared communications from all incumbents to staff and patients and carers during the transition.

Remedy is being updated and work is underway to ensure correct communications across stakeholders.

Regular meetings are held with the CCG and incumbents relating to the process of communications and engagement during the transition period to agree shared and consistent messaging.

## Appendices

### 1. Glossary of terms and abbreviations

<b>Continuing Health Care</b>	Continuing health care describes a situation where, following a thorough assessment of needs, a person's overall health needs are judged to be so great that the NHS will manage and pay for all the care they need. An NHS professional will supervise the agreed care plan and care can be provided in any setting, for example the person's own home, a hospice, a care home or a hospital. In this situation, no charges are made for care services that are arranged as part of a care plan.
<b>Stranded Services</b>	These are services provided by incumbent providers, who have served notice on those contracts, where the CCG is required to put in place an alternative provision to ensure continuation of services at contract end.