

Report to the Cabinet Member for Health and Wellbeing and the Deputy Leader of the County Council
Report submitted by: Head of Service Health Equity, Welfare and Partnerships
Date: 8 March and 9 March 2017

Part I

Electoral Divisions affected:
All

Lancashire Trauma Injury Intelligence Project Commission

Contact for further information:

Andrew Ascroft, (01772) 539864, Senior Public Health Practitioner
andrew.ascroft@lancashire.gov.uk

Executive Summary

This report sets out the current arrangements and future proposals for the commissioning of the Lancashire Trauma Injury Intelligence Project (TIIP) and requests a direct award of contract on the grounds set out in this report.

Recommendation

- (i) The Cabinet Member for Health and Wellbeing is recommended to approve the future plans for the commissioning of the Lancashire TIIP.

Subject to the approval of (i)

- (ii) The Deputy Leader of the County Council is recommended to approve the waiver of procurement rules as set out in Section 14 of the Lancashire County Council 'Standing Orders - Procurement Rules January 2017' in respect of the Lancashire TIIP.

Background and Advice

Following the transition of Public Health into Lancashire County Council in April 2013 Lancashire County Council commissions the Public Health Institute at Liverpool John Moores University (LJMU) to deliver the Lancashire TIIP. The current value of this commission is £35,018 per year and has been in place for 4 years. The total value of the current commission to date is therefore £140,072. This is jointly funded by Public Health and the Police and Crime Commissioner for Lancashire. The current commission with LJMU ends on 31st March 2017.

The Lancashire TIIP requires LJMU to work with each Accident and Emergency Department and Urgent Care Centre across Lancashire to improve the quality of information they collect and share from individuals who attend due to an injury. In addition to Lancashire Accident and Emergency Departments, LJMU also work with

23 of the 25 Accident and Emergency Departments across the North West of England. The Lancashire TIIP requires LJMU to make information available regarding Lancashire residents who attend these Accident and Emergency Departments due to an injury.

Intelligence generated as part of the Lancashire TIIP is made available to appropriate partner agencies across Lancashire via the Lancashire Multiagency Data Exchange (MADE) database that is hosted by Lancashire County Council. This information is used to better understand the profile of injuries across Lancashire to inform the delivery and commissioning of targeted injury prevention initiatives. The information also informs the role of Director of Public Health and Wellbeing fulfilling his role as a Responsible Authority in Licensing.

On Thursday 12th January 2017 the Lancashire TIIP Steering Group reviewed the current delivery of the Lancashire TIIP. The importance of the intelligence generated by the Lancashire TIIP from Accident and Emergency Departments across the North West of England was agreed. The need for a provider to continue to work with Lancashire Accident and Emergency Departments to further improve the quality of information collected regarding injury attendances was agreed. The need for a provider to access intelligence from all North West Accident and Emergency Departments relating to Lancashire residents was also agreed. The group considered there was a potential to reduce the current contract value by removing from the specification the requirement to write themed reports.

It is not considered that currently an alternative provider could be identified to deliver the Lancashire TIIP without a significant detrimental effect on the current information sharing arrangements. LJMU have longstanding formalised injury information sharing arrangements with all but 2 Accident and Emergency Departments across the North West of England which are embedded into formalised Information Sharing Protocols. Discontinuing these arrangements at the current time for an alternative provider to re-establish them would disrupt the current flow of information, would damage existing working relationships and would be costly, duplicating work that has already taken place.

Due to the lack of an alternative provider for this service and the need to maintain stability in the flow of injury data collected and shared as part of the Lancashire TIIP the Deputy Leader is recommended to approve the waiver of procurement rules as set out in Section 14 of the Lancashire County Council 'Standing Orders - Procurement Rules January 2017' in respect of the Lancashire TIIP.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

The County Council is under an obligation to procure goods, services and works through tender processes which are open, fair and competitive.

A failure to place the contract as proposed would invariably disrupt the flow of information from North West Accident and Emergency Departments.

In summary therefore, whilst it is recommended in this report that the County Council take a course of action that invites a risk of procurement challenge, the alternative would create a more significant risk for the County Council and its partners in their ability to deliver their functions that require access to accurate and reliable injury attendance data. The market situation will be closely monitored and the Council be ready to amend its approach should the situation change.

Financial

The current contract value for the Lancashire TIIP is £35,018 per year. The current commission has been in place for 4 years. The total value of the current commission is therefore £140,072.

It is recommended that the value of the Lancashire TIIP commission is reduced to £25,000 per year. A 2 year contract with an option of extending for another year would equate to a total contract value of £75,000. This would be funded through the Health, Equity, Welfare and Partnerships budget (£37,500) and the Police and Crime Commissioner for Lancashire (£37,500).

As per Paragraph 5.4 of the Lancashire County Council 'Standing Orders - Procurement Rules January 2017', due to the period of the contract being uncertain, the estimated value of the Lancashire TIIP contract 'calculated on the basis that the Contract will be of four years' duration' is £140,072.

Legal

The proposal does present something of a risk given that the value of payments over the total duration of the two contracts (including the proposed renewal) would exceed the threshold requiring a competitive tender. When based upon separate contracts this would not apply as each contract treated separately falls below the threshold. It would be a breach of the Public Contracts Regulations 2015 (the Regulations) to disaggregate the value of contracts in order to avoid the application of the Regulations.

This does not appear to be the case as the initial contract is due to expire and there are persuasive reasons for entering into a further arrangement with the current provider based upon the network of arrangements across the North West with the same provider and the County Council's dependence upon access to that network.

Furthermore, the terms of the agreement are to be changed indicating that there are two separate agreements rather than an extension of the existing contract.

As there is a degree of interdependency amongst those local authorities participating in the North West TIIP arrangements it would be advisable to consider the possibility of a future collaborative tender procurement exercise involving the participants.

List of Background Papers

| Paper | Date | Contact/Tel |
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None

Reason for inclusion in Part II, if appropriate

N/A