

**Report to the Cabinet**

Meeting to be held on Thursday, 7 December 2023

**Report of the Director Public Health and Wellbeing**

**Part I**

Electoral Division affected:  
None;

**Corporate Priorities:**  
Caring for the vulnerable;

**Request for Waiver of Procurement Rules - Reception Aged Vision Screening**

Contact for further information:

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**Brief Summary**

The current Reception Aged Vision Service provision expires on 31 March 2024. The Public Health Improvement Team is seeking to extend the contract by 4 months until 31 July 2024 to align the contract end date with the academic school year.

At the beginning of the school year (September), each school will be assigned a date for their vision screening service from September to July. Undertaking a tender exercise mid-school year risk disrupting the service delivery and could lead to some reception-aged children not receiving a vision screen. Extending the contract to July 2024 will therefore ensure that the screening programme delivered over the school academic year will be completed smoothly and transitioned to the new contract from the next school year onwards.

**Recommendation**

Cabinet is asked to approve a waiver of the county council's procurement rules as set out at paragraph 14.2 of Appendix R of the county council's Constitution to extend the Reception Aged Vision Screening service contract by 4 months until 31 July 2024.

**Detail**

Children with vision problems are especially at a disadvantage in terms of school enrolment, educational attainment, and learning. Children with poor vision often



show signs of poor reading comprehension and may struggle to keep up with class assignments. Ultimately, poor vision can therefore negatively affect a child's ability to learn and grow in an educational setting.

Furthermore, children with undiagnosed vision problems tend to avoid recreational activities that require distance vision, such as team sports and may demonstrate poor hand-eye coordination. When a child does not participate in physical activity during the day, they miss out on the benefits exercise can have on their academic performance and motor development.

Reception Aged Vision screening is an integral part of the universal delivery of the national Healthy Child Programme (HCP) 0-19 years, and meets the criteria laid down by the UK National Screening Committee, which recommends that screening of children's vision should be offered to all children aged 4 to 5 years.

Screening for reduced vision in children aged 4 to 5 years is primarily undertaken to detect children with amblyopia, a form of abnormal vision system development. Early detection of amblyopia is necessary to avoid permanent visual impairment by allowing treatment to be undertaken within the sensitive period of neuroplasticity (growth and change) in the visual system.

The primary aim of the childhood vision screening programme is to offer all eligible children aged between 4-5 years in reception a vision screen that identifies impaired vision. This is provided to schools (Reception year) in the 12 districts of Lancashire and is orthoptist-led.

The outcome of the screening test is communicated to each child's parents or carers. The provider also makes contact with the Electively Home Educated team to reach reception children not educated at school. Children who fail the tests are referred to either an orthoptist in the Hospital Eye Service or a community optometry clinic, based on the results of the screen, for diagnosis and commencement of treatment.

At the beginning of the school year (September), each school will be assigned a date for their vision screening service from September to July. During the academic year 2022/2023, the provider screened 96% of all eligible children. 1,679 of the children screened failed the test and were referred on for further treatment.

Undertaking a tender exercise mid-school year risks disrupting the service and could lead to some reception-aged children not receiving a vision screen. Extending the contract to July 2024 will therefore ensure that the screening programme delivered over the school academic year will be completed.

The current service provision expires on 31 March 2024. The Public Health Improvement Team is seeking to extend the contract by 4 months until 31 July 2024 to align the contract end date with the academic school year.

## **Consultations**

N/A



## Implications:

This item has the following implications, as indicated:

### Risk management

The potential gap in service delivery is significant, as it would be mid-stream into the academic year. An extension to the current contract will support continuity, while compliant procurement process is enabled. The risk of challenge from the provider market to extend this contract by 4 months is deemed low.

### Financial

This service is currently funded from within the Public Health budget. The extension will not present any additional costs and will be contained within the existing budget envelope.

### Legal

The current contract is a public contract subject to the Public Contracts Regulations 2015. As such, the contract can only be lawfully modified in the circumstances contained within Regulation 72 of the Public Contracts Regulations 2015.

Regulation 72(1)(e) provides:

*Where the modifications, irrespective of their value, are not substantial within the meaning of paragraph (8)*

*(8) A modification of a contract or a framework agreement during its term shall be considered substantial for the purposes of paragraph (1)(e) where one or more of the following conditions is met:—*

- (a) the modification renders the contract or the framework agreement materially different in character from the one initially concluded;*
- (b) the modification introduces conditions which, had they been part of the initial procurement procedure, would have—*
  - (i) allowed for the admission of other candidates than those initially selected,*
  - (ii) allowed for the acceptance of a tender other than that originally accepted, or*
  - (iii) attracted additional participants in the procurement procedure;*
- (c) the modification changes the economic balance of the contract or the framework agreement in favour of the contractor in a manner which was not provided for in the initial contract or framework agreement;*
- (d) the modification extends the scope of the contract or framework agreement considerably;*
- (e) a new contractor replaces the one to which the contracting authority had initially awarded the contract in cases other than those provided for in paragraph (1)(d).*



The value of the proposed modification is £55,622.80 and the effect will be limited to continuing the existing contractual services for an extended duration of 4 months.

It is suggested that the modification does not meet any of the Regulation 72(8) conditions and therefore the proposal should be regarded as non-substantial and so lawful for the purposes of the Public Contracts Regulations 2015.

### **List of Background Papers**

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

