

KENT COUNTY COUNCIL – RECORD OF OFFICER DECISION

DECISION TAKEN BY:

Dr Anjan Ghosh, Director of Public Health

DECISION NO:

OD/23/00008

For publication

Subject matter: Long-Acting Reversible Contraception in Primary Care. Extension of current contract

Cabinet Member decision to which this action relates:

23/00062 - Long-Acting Reversible Contraception in Primary Care

Decision:

To extend the existing Long-Acting Reversible Contraception (LARC) Service contract in Primary Care for an additional two months, with the extension period ending on 30 November 2023 to align with procurement processes.

Reason(s) for decision:

The current Long-Acting Reversible Contraception (LARC) Service, delivered through primary care, is scheduled to conclude on 30 September 2023. However, it has become apparent that a two-month extension is imperative to facilitate a seamless transition to the forthcoming contract

The legal team is diligently reviewing and refining the terms and conditions to ensure their applicability to this specific contract, necessitating additional time for comprehensive consideration. This delay could not be foreseen and the risk of not doing so would reduce the timescales needed for procurement, in turn risking a low response rate from primary care.

Financial Implications:

The extension of two months is anticipated to result in an estimated expenditure of around £112,000. It's important to note that this contract operates on an activity-based model, meaning the final amount will depend on the actual activities undertaken during this period.

Legal implications:

The proposed extension period will enable the legal team to conduct a thorough evaluation of the revised terms and conditions, thereby upholding the contract's legal integrity. This extension is allowed in line with public contract regulations.

Equality Implications:

Given that the service model remains unchanged in the re-commission, and the continuation of the service through primary care guarantees consistency, the impact on equality considerations is expected to be minimal.

Comments received from any Members or Officers consulted:**Legal:**

Kent County Council's (KCC) internal legal team were consulted prior, and they advised the commissioning team that the contractual Terms and Conditions would require bespoke drafting prior

to being published. Consequently, this led to a need to review and refine the terms and conditions which necessitated additional time prior to the opportunity being published and resulted in the current contract being extended by two months.

Interim Procurement Lead (Public Health and Children’s):

The interim procurement lead was consulted and advised that a two-month extension was a prudent course of action given the risk of reduced response rates to the procurement opportunity by the original contract termination deadline of 31 September 2023.

Director of Public Health

The KCC Director of Public Health (DPH) was consulted and informed of the risks of not extending the current contract by two months to allow for enough time to review and revise the terms and conditions. The DPH agreed to the extension and agreed that it was the most prudent course of action, given the risk of not maintaining continuity for the service with the original contract termination date.

Any alternatives considered and rejected:

The possibility of not extending the current contract was examined. However, this course of action would grant Primary Care an insufficient timeframe to transition to the new contract, rendering successful implementation highly unlikely. This outcome would result in Primary Care either delivering the LARC service without a formal contract, thereby compromising legal and operational frameworks, or discontinuing the delivery of this vital service altogether, thereby raising significant public health concerns. To circumvent these detrimental outcomes, the extension is deemed the most prudent course of action.

Any conflict of interest declared by any executive member consulted by the decision maker and any dispensation granted by the Proper Officer:



29th August 2023

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Signed

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date

Dr. Anjan Ghosh
Director of Public Health
Kent County Council