

Delegated Decisions by Cabinet Member for Public Health, Inequalities & Community Safety

Tuesday, 5 December 2023 at 1.00 pm

Room 3 - County Hall, New Road, Oxford OX1 1ND

Please note that due to guidelines imposed on social distancing by the Government the meeting will be held virtually.

If you wish to view proceedings, please click on this [Live Stream Link](#). However, that will not allow you to participate in the meeting.

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 12 December 2023 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public



Martin Reeves
Chief Executive

November 2023

Committee Officer: **Democratic Services Team**
committeesdemocraticservices@oxfordshire.gov.uk

Note: Date of next meeting: 9 January 2024

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

See guidance below.

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.

Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk .

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.

4. Commissioning a lifecourse, Tier 2, healthy weight service for Oxfordshire (Pages 1 - 6)

Forward Plan Ref: 2023/165

Contact: Derys Pragnell, Consultant in Public Health
derys.pragnell@oxfordshire.gov.uk

Report by Corporate Director of Public Health & Wellbeing.

The Cabinet Member is requested to approve incurring of expenditures for provision of a Tier 2, lifecourse healthy weight service (covering children, young people, and adults).

The Cabinet Member for Public Health, Inequalities and Community Safety is RECOMMENDED to

- a) Approve the budget for and authorise the Director of Public Health to commence the procurement of a Life-course Healthy Weight Public Health Service in Oxfordshire; and**

- b) Delegate authority to the Director of Public Health in consultation with the Head of Legal and Deputy Monitoring Officer and Section 151 Officer, to award and complete the contract for a Life-course Healthy Weight Public Health Service in Oxfordshire as referred to in this report following the conclusion of a procurement exercise pursuant to the Council's Contract Procedure Rules.**

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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Divisions Affected – N/A

**Delegated Decision by Cabinet Member for Public Health,
Inequalities and Community Safety**

5 December 2023

**Budget approval for provision of a Life-course Healthy Weight
Public Health Service in Oxfordshire**

Report by Corporate Director for Public Health and Community Safety

RECOMMENDATION

1. **The Cabinet Member for Public Health, Inequalities and Community Safety is RECOMMENDED to**
 - a) Approve the budget for and authorise the Director of Public Health to commence the procurement of a Life-course Healthy Weight Public Health Service in Oxfordshire; and
 - b) Delegate authority to the Director of Public Health in consultation with the Head of Legal and Deputy Monitoring Officer and Section 151 Officer, to award and complete the contract for a Life-course Healthy Weight Public Health Service in Oxfordshire as referred to in this report following the conclusion of a procurement exercise pursuant to the Council's Contract Procedure Rules.

Executive Summary

2. In Oxfordshire more than half (64%) of adults and over a third (31%) of school year 6 children are living with overweight or obesity (22/23). Obesity is one of the leading causes of preventable early deaths, increasing the risks of heart attacks, strokes, many types of cancer, and depressionⁱ. Excess weight comes with high social costs due to its impact on residents' quality of life and increased need for health and social care, costing an estimated 3% of the UK's GDPⁱ.
3. Levels of adult overweight and obesity continue to rise in Oxfordshire and levels of children's overweight and obesity are not improving. Although Oxfordshire combined rates are slightly below the England average, there are specific geographic areas and populations that disproportionately experience higher than the Oxfordshire average, meaning big inequalities remain in the County.
4. A recent Health Needs Assessment for Promoting Healthy Weight in Oxfordshireⁱ identified support for people with excess weight as a key component to addressing the issue. It highlighted that existing weight

management support services should be enhanced to provide for additional groups.

5. The current commissioning arrangements for healthy weight services are split into two contracts, a core service for adults and a pilot service supporting children and families. The contract for the adult service ends on the 31st August 2024 (cannot be extended further) and for the child service, is planned to also end on the 31st August 2024 (although could be extended until 31st January 2025). A new Life-course Healthy Weight Public Health Service will bring in additional elements of service as identified as gaps in the health needs assessment and be commissioned under a single contract.
6. The new contract arrangements need to be in place from **1st September 2024**, to avoid a break in service provision. The current providers are aware of the contract end date and the need to re-procure services. There is sufficient time to procure and award a new contract. It is anticipated that the invitation to tender will be published January 2024, with evaluation during March 2024, contract award by 31st May 2024 and then a mobilisation phase.
7. The Contract value will be a **maximum of £1,018,000 per annum**. The initial contract term is proposed to be 3 years and 6 months, with a unilateral option for the Council to extend by up to a further 36 months in aggregate.
8. The contract value will be over £500,000 and therefore is required to be entered in the Forward Plan, in accordance with the Access to Information Rules. This is a key decision and one that is delegated to the Cabinet Member for Public Health to take, consistent with overall Council policy to deliver agreed strategy/plans within the area of responsibility and within approved budgets.

Background Information

9. Global obesity rates have tripled since 1975, and the UK ranks amongst the worst in Europeⁱⁱ. Obesity and poor diet are linked with type 2 diabetes, high blood pressure, high cholesterol, cancer and increased risk of respiratory, musculoskeletal and liver diseaseⁱⁱ. Nearly two-thirds of adults in England are living with overweight or obesity and one-third of children leave primary school with overweight or obesityⁱⁱ. Obesity has a significant burden on the NHS contributing to 900,000 hospital admissions per year (2018-19) and costing £6.1 billion annually (2019)ⁱⁱⁱ. Childhood obesity predicts adult obesity and the health complications associated with it^{iv}.
10. Type 2 diabetes, a condition previously found almost entirely in adults, is now being diagnosed in children and young people due to excess weight. Being overweight or obese as a child can impact on self-esteem and quality of life and result in depression^{iv}.
11. The latest excess weight data for Oxfordshire (2022-23) show that nearly 1 in 5 (19%) children of reception school age are overweight or obese, rising to 1

in 3 (31%) of Year 6 children^v. The latest data for Oxfordshire adults (2021-22) show that 64% are overweight or obese^{vi}.

12. The Department of Health and Social Care (DHSC) published the policy paper 'Tackling obesity: empowering adults and children to live healthier lives in 2020'ⁱⁱⁱ. The paper acknowledged the need to make changes to the wider environment within which we live due to how this fosters obesity and outlined the need to expand weight management services to achieve a reduction in obesity levels. Their pledge was to reduce the number of adults living with obesity, halve childhood obesity by 2030 and reduce inequalities in obesity prevalence.
13. Weight management services are separated into four tiers: The local authority public health grant funds tier 1 – universal services (like health promotion); tier 2 – lifestyle interventions (typically 12-week group interventions that provide community-based diet, nutrition, lifestyle and behaviour change advice). Tier 3 – specialist weight management services and Tier 4 – bariatric surgery are provided by the NHS^{vii}. There are important pathways and links between services.
14. The following public health services are included within this commission:
 - (a) Tier 1 – universal offer for all Oxfordshire residents (all age including children and adults) to promote healthy weight and resources for self-help/learning
 - (b) Tier 2 – weight management services covering the life-course (with specific programmes delivered to support people in groups identified as having greatest need and where there were gaps in provision in the Health Needs Assessment).

Adult Tier 3 (specialist multi-disciplinary weight management) and Tier 4 (bariatric surgery) services in Oxfordshire are commissioned by the Integrated Care Board (NHS).
15. The revised life-course healthy weight service will be in line with the latest national guidance and evidence base. Provision will take into account local level data collected at school for all Reception and Year 6 children via the National Child Measurement Programme (NCMP) and for adults via the Active Lives Survey (a sample survey)^{viii}.

Corporate Policies and Priorities

16. This commission aligns with the following local priorities:
 - (a) Oxfordshire County Council's **Strategic Plan 2023-2025**^{ix} which includes commitments to tackle inequalities in Oxfordshire, prioritise the health and wellbeing of residents and create opportunities for children and young people to reach their full potential.
 - (b) The Oxfordshire **Joint Health and Wellbeing Strategy 2018-23**^x which recommends the prevention of childhood obesity, and prevention of

chronic disease through tackling obesity. The new strategy for 2024-2030 is in the final stages of development and is expected this focus will remain.

- (c) The **Berkshire, Oxfordshire and Buckinghamshire (BOB) Integrated Care Partnership (ICP) Strategy (2023)**^{xi} which outlines priorities to increase the proportion of people who are a healthy weight and physically active, especially in most deprived areas and in younger people.
 - (d) The 2022/23 **Director of Public Health Annual Report**^{xii} (Healthy Weight, Healthy Communities, Healthy Lives) which recommends for a whole-systems approach to obesity including providing access to weight management support.
 - (e) The 2022/23 **Health Needs Assessment for Promoting Healthy Weight**ⁱ which recommends five key objectives one of which is to ensure those living with excess weight are connected with healthy weight-promoting programmes and weight support services.
17. The service also fits with national guidance for tackling overweight and obesity:
- (a) The DHSC (2020) policy paper **Tackling obesity: empowering adults and children to live healthier lives**ⁱⁱⁱ
 - (b) The **NHS Long Term Plan (2019)**ⁱⁱ
 - (c) **NICE guidance** (2014) – Weight management: lifestyle services for overweight or obese adults^{iv}

Financial Implications

18. The contract value is expected to be approximately £1,018,000 per annum in line with the funding assigned for this contract. The contract term will be 3 years 6-months with a maximum extension of 36 months (in aggregate). If the contract was extended to its maximum term, thus lasting 6 years and 6 months, the total contract value would be approximately £6,617,000.

Comments checked by: Thomas James, Finance Business Partner

Legal Implications

19. The Council has a statutory obligation to “take such steps as it considers appropriate for improving the health of the people in its area” (s2B National Health Service Act 2006 (“NHS Act 2006”) as amended by s12 Health and Social Care Act 2012).

The Contract will be tendered in accordance with the requirements of the Provider Selection Regime which is due to come into effect on 1st January 2024 (if passed by Parliament in October 2024). In the event that the legislation does not pass, the Contract will be tendered in accordance with the requirements of the Public Contract Regulations 2015.

Comments checked by: Jayne Pringle, Principal Solicitor Contracts & Conveyancing

Staff Implications

20. The Live Well Promote and Prevent Team will carry out the procurement process. Procurement and Legal staff time will also be required to complete the procurement to the timescales of service commencement on 1st September 2024.

Equality & Inclusion Implications

21. Every Oxfordshire resident will be eligible for healthy weight guidance under the Tier 1 service.
22. The Tier 2 service, as a targeted service, will offer support to those with excess weight. All individuals with excess weight referred to the service will receive a motivational interview to assess readiness to change. Some Tier 2 interventions will be designed to meet the specific needs of population groups and communities experiencing disproportionately high levels of overweight and obesity.

Sustainability Implications

23. Bidder's will need to describe how they will provide social value that will benefit local communities within Oxfordshire, in accordance with the Council's social value policy.

Risk Management

24. If we do not proceed with this procurement, there will be no contractual mechanism for providing weight management support to individuals experiencing overweight and obesity.
25. The key risks identified for this commission are:
 - (a) There is strong interest in the commissioned evidence by the market engagement. This showed a number of different approaches to potential delivery, so ensuring these match the need for Oxfordshire will be key in evaluation of the full competitive tender.
 - (b) There is a risk of uncertainty of year-on-year government funding. This will be mitigated as far as possible through contractual terms and conditions.
 - (c) TUPE of staff and transfer of care of existing clients if the tender is awarded to a new provider. A minimum 3-month implementation period and plan will be required.

Consultations

26. Statutory consultation is not required for this proposal. However, we have drawn insight from relevant activity to inform this work.
27. In 2022 there were two consultations with local partners and communities to gather insights on establishing and maintaining a healthy weight and the role that food plays in staying healthy and well. These views will be incorporated into the commissioning process and service design.
28. A market engagement exercise was undertaken in July 2023 which demonstrated that there is interest from a number of different organisations in tendering for the new contract.

Ansaf Azhar

Corporate Director – Public Health and Community Safety

Contact Officer: Derys Pragnell, Public Health Consultant, Live Well Promote and Prevent Derys.Pragnell@oxfordshire.gov.uk

07th November 2023

ⁱHealth Needs Assessment for Promoting Healthy Weight (2023) – page 2

ⁱⁱ[NHS Long Term Plan » Obesity](#)

ⁱⁱⁱ[Tackling obesity: empowering adults and children to live healthier lives - GOV.UK \(www.gov.uk\)](#)

^{iv}[Overview | Obesity in children and young people: prevention and lifestyle weight management programmes | Quality standards | NICE](#)

^vHealth Needs Assessment for Promoting Healthy Weight (2023) – page 27

^{vi}[Obesity Profile - Data - OHID \(phe.org.uk\)](#)

^{vii}[NHS Tiered Care Weight Management Pathway – Obesity Empowerment Network \(oen.org.uk\)](#)

^{viii}[Obesity Profile - OHID \(phe.org.uk\)](#)

^{ix}[Our strategic plan 2022 - 2025 | Oxfordshire County Council](#)

^x[Oxfordshire Joint Health and Wellbeing Strategy](#)

^x[Item 10 - 230307 BOB ICP Integrated Care Strategy - FINAL.pdf \(westoxon.gov.uk\)](#)

^{xi}[2022-23 Director of Public Health annual report | Oxfordshire County Council](#)