



# AGENDA

## OVERVIEW AND SCRUTINY BUSINESS PANEL

**Date: TUESDAY, 15 FEBRUARY 2022 at 7.05 pm**

**Civic Suite, Lewisham Town Hall, London SE6 4RU  
Also Remotely**

**Enquiries to: Jasmine Kassim, Telephone: 0208 314 8577 (direct line)  
Email: Jasmine.Kassim@lewisham.gov.uk**

### MEMBERS

Councillor Paul Maslin	Chair	Labour Co-op L
Councillor Octavia Holland	Vice Chair	L
Councillor Peter Bernards	Chair of Housing Select Committee	L
Councillor Juliet Campbell	Chair of Safer and Stronger Communities Select Committee	L
Councillor Louise Krupski	Chair of Sustainable Development Select Committee	Labour Co-op L
Councillor Joan Millbank	Labour Group Representative	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op L
Councillor Luke Sorba	Chair Children and Young People Select Committee	L
Councillor Susan Wise	Labour Group Representative	Labour Co-op L
Councillor Mark Ingleby	Chair of Public Accounts Select Committee	L

**Members are summoned to attend this meeting**

**Kim Wright  
Chief Executive  
Lewisham Town Hall  
Catford  
London SE6 4RU  
Date: Monday, 7 February 2022**



INVESTOR IN PEOPLE

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**Lewisham**



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## Overview and Scrutiny Business Panel

### Declarations of Interest

**Date:** 15 February 2022

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive

### Outline and recommendations

Members are asked to declare any personal interest they have in any item on the agenda.

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests.

1.2. Further information on these is provided in the body of this report.

## 2. Recommendation

2.1. Members are asked to declare any personal interest they have in any item on the agenda.

### 3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

- (a) Employment, trade, profession or vocation of a relevant person\* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person\* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person\* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
  - (a) that body to the member’s knowledge has a place of business or land in the borough; and
  - (b) either:
    - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
    - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person\* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

\*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

### 4. Other registerable interests

4.1 The Lewisham Member Code of Conduct requires members also to register the following interests:

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

## 5. Non registerable interests

- 5.1. Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

## 6. Declaration and impact of interest on members' participation

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## 7. Sensitive information

- 7.1. There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

## 8. Exempt categories

- 8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-
  - (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
  - (b) School meals, school transport and travelling expenses; if you are a parent or

guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor

- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).



## Overview and Scrutiny Business Panel

### Decisions made by Mayor and Cabinet

**Date:** 15 February 2022

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive / Head of Committees

### Outline and recommendations

Members are asked to consider decisions taken at a meeting of the Mayor and Cabinet held on 9 February 2022 in open session

#### 1. Recommendation

To consider decisions taken by the Mayor and Cabinet on 9 February 2022, which will come in to force on 16 February 2022, unless called in by the Overview and Scrutiny Business Panel on 15 February 2022.

#### 2. Background

2.1 The Mayor and Cabinet considered the following decision on 9 February 2022:

- i. Budget 2022-23
- ii. Contract Award Report Mountsfield Cafe
- iii. The Libraries Consortium Courier Service

2.2 The notice of the decision in respect of this report is attached below.

2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If this report is not called in, the decisions will come into force on 16 February 2022.



## NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor & Cabinet made the following decisions on February 9 2022. All recommendations shown were agreed by a 6-0 vote of voting members in physical attendance.

The decisions will become effective on February 16 2022 unless called in by the Overview & Scrutiny Business Panel on February 15 2022.

### 1. **Budget 2022-23**

Having considered an open officer report, and presentations by the Cabinet Member for Finance & Resources, Councillor Amanda De Ryk, and the Chair of the Public Accounts Select Committee, Councillor Mark Ingleby, the Mayor and Cabinet agreed that:

(1) the comments of the Public Accounts Select Committee of 27 January 2022 be received;

(2) That, having considered the views of those consulted on the budget, and subject to consideration of the outcome of consultation with business ratepayers and subject to proper process, as required, the Mayor and Cabinet adopted the following recommendations:

#### *General Fund Revenue Budget*

(3) asks Council to note the projected overall variance of £2.9m (or 1.2%) against the agreed 2021/22 revenue budget of £243.100m as set out in section 6 and that any year-end overspend will be met from corporate provisions and reserves;

(4) endorses and asks Council to endorse the budget cut reduction measures of £11.835m as per the Mayor and Cabinet meeting of the 2 February 2022, as set out in section 6 and summarised in Appendix Y1 and Y2;

(5) agrees and asks Council to agree the allocation of £6.500m in 2022/23 be set aside for corporate risks and pressures;

(6) agrees and asks Council to agree the allocation of £21.315m of resources from the corporate risks and pressures, social care precept, new homes bonus, social care grant, lower tier grant, market sustainability and Fair cost of care grant, services grant and legacy s31 monies in 2022/23 to be invested in funding quantified budget pressures and opportunities, both recurring and once-off and that within this £1.877m is held in corporate provisions for the Executive Director for Corporate Resources to apply as necessary to the identified but as yet unquantified risks as set out in section 6;

(7) agrees to recommend to Council that a General Fund Budget Requirement of £248.610m for 2022/23 be approved;

(8) asks Council to agree to a 2.99% increase in Lewisham's Council Tax element. This will result in a Band D equivalent Council Tax level of £1,421.22 for Lewisham's services and £1,816.81 overall. This represents an overall increase in Council Tax for 2022/23 of 4.2% and is subject to the GLA precept for 2022/23 being increased by £31.93 (i.e. 8.78%) from £363.66 to £395.59, in line with the GLA's draft budget proposals;

(9) notes the final settlement figure for 2022/23 has not yet been announced and delegates authority to the Executive Director for Corporate Resources to include any change to the provisional settlement of £124,170,641 in the report for Council with any difference covered from provisions and reserves as necessary;

(10) notes the provisional and estimated precept and levies from the GLA and other bodies as detailed in Appendix Y6 and delegates authority to the Executive Director for Corporate Resources to include any changes to these in the report for Council with any difference covered from provisions and reserves as necessary;

(11) notes and asks Council to note the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This is explained in section 6 and is set out in more detail in Appendix Y4;

(12) asks that the Executive Director for Corporate Resources issues cash limits to all Directorates once the 2022/23 Revenue Budget is agreed;

(13) considers, and asks Council to consider, the Section 25 Statement from the Chief Finance Officer attached at Appendix Y5;

(14) agrees and asks Council to agree the draft statutory calculations for 2022/23 as set out at Appendix Y6;

(15) notes and asks Council to note the prospects for the revenue budget for 2022/23 and future years as set out in section 6;

(16) agrees and asks officers to continue to develop firm proposals to redesign and transform services and inform the capital strategy by bringing them forward in good

time to support the work towards a savings and investment round to help plan early to meet the future forecast medium term finance strategy objectives;

Other Grants (within the General Fund)

(17) notes and asks Council to note the adjustments to and impact of various specific grants for 2022/23 on the General Fund as set out in section 7 of this report;

#### *Fees and charges*

(18) approves the approach to setting 2022/23 fees and charges for chargeable services in section 8 of the report and attached at Appendix Y8; External Audit

(19) accepts, and recommends that Council accepts, the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023.

#### *Dedicated Schools Grant and Pupil Premium Schools Block*

(20) note and recommends that Council notes that the provisional Dedicated Schools Grant allocation of £221.069m be the Schools' Budget (Schools Block) for 2022/23 covering both maintained schools and academies;

(21) notes that following the Schools Forum meeting on the 20 January, submission has been made to the Department for Education with regards to school funding formula, recommending the application of the National Funding Formula (including unit values) allowing for a 2% uplift in Minimum Funding Guarantee (MFG);

(22) agrees and recommends that Council agrees, (as recommended by Schools Forum) the once-off transfer of circa £0.7m of Dedicated Schools Grant to the High Needs Block;

(23) agrees and recommends that Council agrees, (as recommended by Schools Forum) the once-off transfer of £0.15m to fund the shortfall in the School Improvement and Brokerage Grant;

#### *Central Schools Services Block (CSSB)*

(24) notes, and asks Council to note, the construct and allocation of £3.693m for the CSSB block allocation for 2022/23, significantly reduced from the £4.261m 2021/22 allocation;

(25) notes a decrease in both the per pupil unit funding (£0.43) and pupil numbers (949) resulting in a decrease of £61.2k in the “pupil-led” funding element of the block;

(26) notes that the CSSB is anticipated to cease from 2023/24, with potential transfer of any residual funding to the Council’s main revenue grant. Officers are currently engaging with schools to consider options for trading, de-delegation and cessation or reduction in services;

#### *High Needs Block (HNB)*

(27) notes, and asks Council to note, the provisional HNB £67.608m to support the Council’s statutory duty with regards Special Education Needs (SEN). This is a net increase of £5.54m relative to 2021/22, The HNB will be finalised in March for deductions arising for institutions funded by the Education and Skills Funding Agency(ESFA);

(28) notes that the Schools Forum on 20 January 2022 agreed the transfer of circa £0.7m to the block to support the Council to meet its statutory functions;

(29) notes that the HNB is expected to overspend by between £5m to £6m in 2021/22, increasing the cumulative overspend to £11m in total for 2021/22 as £5m has been brought forward from 2020/21. This overspend is to be met from schools reserves;

#### *Early Years Block (EYB)*

(30) notes, and asks Council to note, the provisional Dedicated Schools Grant allocation of £24.12m to the block; and that the Department for Education has increased funding for “3 and 4 year old” from £5.76 to £5.93 (i.e. 17p per hour), and hourly rate for 2 year olds increase from £6.66 to £6.87, an 3% increase (i.e. 21p per hour) for 2022/23.

(31) notes that the maintained nursery supplementary funding allocation for September 2022 to March 2023 is subject to change and has not yet been finalised, initial projections from DfE suggest a reduction overall of circa £40k;

#### *Pupil Premium*

(32) notes, and asks Council to note, that the pupil premium will continue in the 2022/23 financial year. The funding rates in the year will be same as 2021/22 and the funding is based on data over a six year census period. It is expected that the DfE will provide updated final allocations in summer 2022;

#### *Social Care Levy Grant*

(33) notes, and asks Council to note, the new grant to support the increased costs of the 1.25% increase in schools National Insurance contributions of £8.8m.

### *Housing Revenue Account*

(34) notes, and asks Council to note, the consultation report on service charges to tenants' and leaseholders in the Brockley area, presented to area panel members on 10<sup>th</sup> November 2021, as attached at Appendix X3;

(35) notes, and asks Council to note, the consultation report on service charges to tenants' and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 24<sup>th</sup> November 2021 as attached at Appendix X4;

(36) agrees, and asks Council, to agree set an increase in dwelling rents of 4.1% (an average of £4.07 per week) – as per the formula rent calculations outlined in section 9

(37) agrees, and asks Council to agree, to set an increase in the hostels accommodation charge by 4.1% (or £3.27 per week), in accordance with formula rent calculations;

(38) approves, and asks Council to approve, the following average weekly increases/decreases for dwellings for:

(38.1) service charges to non-Lewisham Homes managed dwellings (Brockley) to ensure full cost recovery and 5.90% inflationary uplift for 2022/23;

- caretaking 5.90% (£0.29)
- grounds 5.90% (£0.13)
- communal lighting 5.90% (£0.08)
- bulk waste collection 5.90% (£0.09)
- window cleaning 5.90% (£0.01)
- tenants' levy 0.00% (£0.00)

(38.2) service charges to Lewisham Homes managed dwellings:

- caretaking 4.00% (£0.27)
- grounds 4.00% (£0.09)
- window cleaning 8.00% (£0.01)
- communal lighting 20.00% (£0.21)
- block pest control 15.00% (£0.27)
- waste collection 0.00% (£0.00)
- heating & hot water 10.00% (£1.05)
- tenants' levy 0.00% (£0.00)
- bulk waste disposal 4.00% (£0.03)
- sheltered housing 0.00% (£0.00)

(38.3) approves, and asks Council to approve, the following average weekly percentage changes for hostels and shared temporary units for;

- service charges (hostels) – caretaking etc.; no change
- energy cost increases for heat, light & power; no change
- water charges increase; no change

(38.4) approves, and asks Council to approve, an increase in garage rents by 4.9% (£0.77 per week) for Brockley and Lewisham Homes residents as outlined in Appendix X6;

(38.5) notes, and asks Council to note, that the budgeted expenditure for the Housing Revenue Account (HRA) for 2022/23 is £304.0m, split £94.4m revenue and £209.6m capital, which includes the decent homes and new build programmes;

(38.6) agrees the HRA budget strategy cut proposals in order to achieve a balanced budget in 2022/23, as attached at Appendix X1;

(38.7) agrees to write off twenty-one cases of Former Tenants' Arrears as set out in paragraphs 9.28 to 9.31 and Appendix X7, totalling £365,462.94;

#### *Treasury Management Strategy*

(39) approves and recommends that Council approves the prudential indicators and treasury indicators, as set out in section 10;

(40) approves and recommends that Council approves the Annual Investment Strategy and Creditworthiness Policy, set out in further detail at Appendix Z2;

(41) approves and recommends that Council approves the Investment Strategy as set out in section 10;

(42) approves and recommends that Council approves the Minimum Revenue Provision (MRP) policy as set out in section 10;

(43) agrees and recommends that Council agrees to delegate to the Executive Director of Corporate Resources authority during 2022/23 to make amendments to borrowing and investment limits provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;

(44) approves and recommends that Council approves the overall credit and counterparty risk management criteria, as set out at Appendix Z2, the proposed countries for investment at Appendix Z3, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Corporate Resources;

(45) approves and recommends that Council approves a minimum sovereign rating of AA for non-UK investments;

## *Capital Programme*

(46) notes the capital programme position and recommends that Council approves the 2022/23 to 2024/25 Capital Programme of £600.4m as set out in section 11 and Appendix W1.

### **2. Contract Award Report Mountsfield Cafe**

Having considered an open and a confidential officer report, and a presentation by the Cabinet Member for Environment and Transport, Councillor Pat Codd, the Mayor and Cabinet agreed that a contract be awarded to Bright & True to deliver the design, build and operation of a café at Mountsfield Park: The concessionaire contract will be for an initial period of 15 years, commencing around March 2022.

### **3. The Libraries Consortium Courier Service**

Having considered an open and a confidential officer report, and a presentation by the Deputy Mayor, Councillor Brenda Dacres, the Mayor and Cabinet agreed that:

(1) delegated authority be granted to the Executive Director for Community Services to:

(a) approve the award the contract to the successful contractor for The Libraries Consortium Courier Service Framework Agreement, following the procurement activity up to a total maximum of five years.

(b) approve the Call off the Framework Agreement for the Lewisham Library and Information Service for a period of two years, and subsequent contract extensions for a further three years (periods of two years or one year), up to a total maximum of five years.

**Kim Wright**  
**Chief Executive,**  
**Lewisham Town Hall,**  
**Catford SE6 4RU**

**February 10 2022**



## Overview and Scrutiny Business Panel

### Decision made by the Executive Director of Community Services

**Date:** 15 February 2022

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive / Head of Business and Committee

### Outline and recommendations

Members are asked to consider key decision taken by the Executive Director of Community Services – open session

#### 1. Recommendation

To consider key decision taken by the Executive Director of Community Services, which will come in to force on 16 February 2022, unless called in by the Overview and Scrutiny Business Panel on 15 February 2022.

#### 2. Background

2.1 The Executive Director of Community Services made the following key decision:

i. NHS Health Checks Contract Extension

2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If the report is not called in, the decision will come into force on 16 February 2022.



## Executive Director of Community Services

### Report title: NHS Health Checks Contract Extension

**Date:** 17th December 2021

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** Borough wide

**Contributors:** Public Health Commissioning Team & Public Health Lewisham

### Outline and recommendations

The NHS Health Checks programme aims to prevent cardiovascular morbidity and mortality through the early assessment, awareness and management of individual physiological and behavioural risk factors.

It is recommended that Executive Director of Community Services agree to extend the Council's contract with One Health Lewisham (OHL) for delivery of the NHS Health Checks programme for the total contract value of £341,104 for twelve months (1st April 2022 to 31st March 2023).

### Timeline of engagement and decision-making

COVID-19 Related Extensions by Directorate Report - 2nd March 2021

Mayor & Cabinet Award of contract for NHS Health Checks – 5<sup>th</sup> June 2019

## 1. Summary

- 1.1 Authority to award this 2 year contract with an option for a 2 year extension was given by Mayor and Cabinet on 1 July 2019, at a value for the total period estimated at £1,400,00 (Background papers).
- 1.2 From September 2019, Lewisham's GP federation 'One Health Lewisham' (OHL) was commissioned to deliver the entire Lewisham NHS Health Check programme. An extension of contract from September 2021 to March 2022 was granted by the Executive Director on 2 March 2021 for Covid related reasons. The programme operates within a statutory framework, under which local authorities are responsible for its delivery.

- 1.3 This report recommends a further 12 month extension of the contract at the total contract value of £341,104 for twelve months (from 1st April 2022 to 31st March 2023). (The exercise of this option is within the timeframe governed by the Mayor and Cabinet authorisation).
- 1.4 This would allow the provider to work with Commissioners and Lewisham's Public Health team to return to face to face and invitation based delivery, suspended due to the Covid-19 pandemic, and to realise the intended improvements in the contract in reach, equity of coverage, and targeting of those most at risk. It provides an opportunity for OHL to demonstrate effective management of the programme.

## 2. Recommendations

- 2.1 Executive Director of Community Services is recommended to agree to extend the Council's contract with One Health Lewisham (OHL) for delivery of the NHS Health Checks programme for the total contract value of £341,104 for twelve months (1st April 2022 to 31st March 2023).

## 3. Policy Context

- 3.1 Under the Health and Social Care Act (2012), the NHS Health Check became a statutory public health service in England. The mandated function requires local authorities to provide a number of functions:
  - For each eligible individual aged 40-74 to be offered an NHS Health Check once in every 5 years and for each individual to be recalled every 5 years if they remain eligible
  - For the risk assessment to include specific tests and measurements
  - To ensure the individual having their NHS Health Check is told their cardiovascular risk score, and other results are communicated to them
  - For specific information and data to be recorded and, where the risk assessment is conducted outside the individual's GP practice, for that information to be forwarded to the individual's GP
  - LAs are also required to continuously improve the percentage of eligible people having an NHS Health Check
  - NHS England has recently stated that practices may wish to consider suspending health checks for over 75s if necessary to free up capacity for COVID-19 response. However, these are funded through the GP Contract with NHS England, and NHS Health Checks for 40-74 year olds should continue.
- 3.2 The NHS Health Check programme supports the delivery of the Council's Corporate Strategy 2018-2022 through 'Delivering and defending: health, social care and support', particularly the focus on ensuring that 'Healthy lifestyles are increasingly a way of life across all of our communities'.
- 3.3 The NHS Health Check programme contributes to the delivery of key priorities of Lewisham's Health and Wellbeing Strategy. These include the overarching indicator of Under 75 mortality rate which aims to continue the decrease in the rate of under 75 CVD mortality as well as the Priority Indicators 'Achieving a healthy weight', 'Reducing alcohol harm' and 'Reducing the number of people smoking'

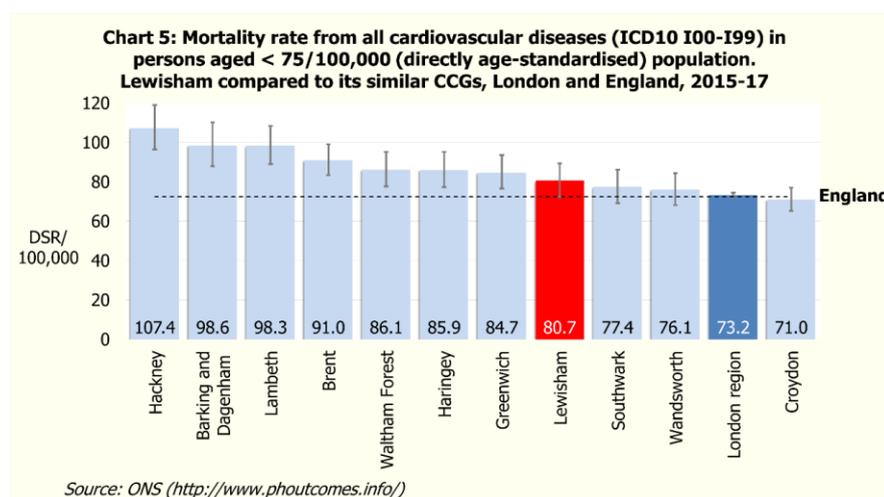
## 4. Background

### 4.1 NHS Health Checks

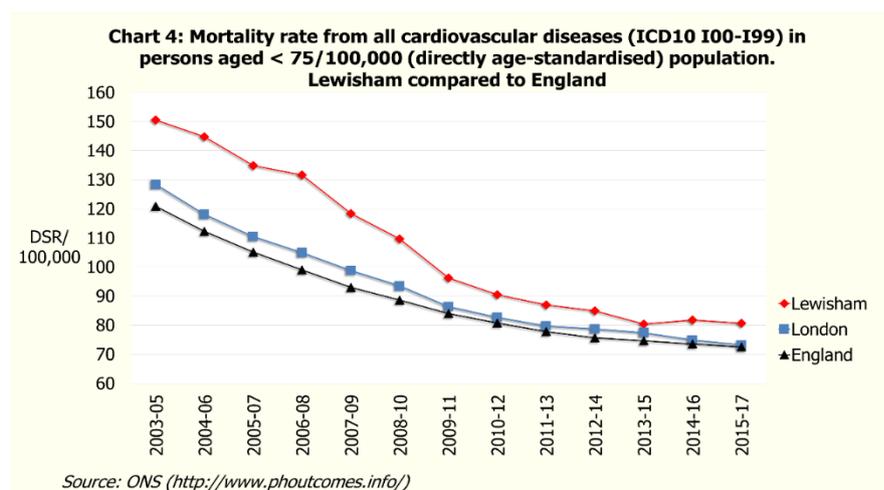
4.2 The NHS Health Check programme was launched in 2009 and aims to prevent heart disease, stroke, type 2 diabetes and kidney disease, and raise awareness of dementia across the population with a particular focus on high risk and vulnerable groups.

4.3 Lewisham has high premature mortality rates from circulatory diseases compared with London and England and cardiovascular disease (CVD) is a major contributor to the life expectancy gap between Lewisham and England. However, Lewisham has low levels of detected disease.

**Table 1: CVD mortality compared to statistical neighbours**



**Table 2: CVD mortality compared to London and England**



4.4 The NHS Health Check programme systematically targets the top seven causes of preventable mortality: high blood pressure, smoking, cholesterol, obesity, poor diet, physical inactivity and alcohol consumption. The Council has a responsibility to deliver that service.

**Is this report easy to understand?**

Please give us feedback so we can improve.

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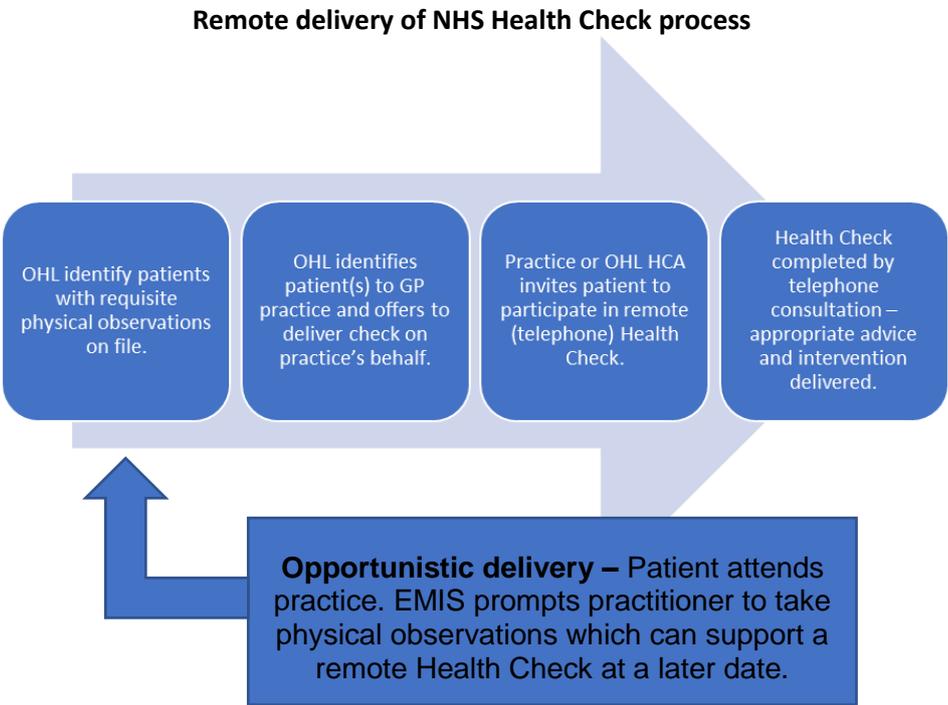
Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 4.5 The NHS Health Check is made up of three key components: risk assessment, risk awareness and risk management. During the risk assessment, standardised tests are used to measure key risk factors and establish the individual's risk of developing cardiovascular disease. The outcome of the assessment is then used to raise awareness of cardiovascular risk factors, as well as to inform a discussion on, and agreement of, the lifestyle and medical approaches best suited to managing the individual's health risk.
- 4.6 OHL were originally contracted to provide 7,395 Health Checks in the year 2020-21. In October, this was revised to 1,940 delivered remotely. OHL delivered 2,047 Health Checks in 2020-21 and in Q3 and Q4 activity was around three quarters of that seen in the previous year.
- 4.7 OHL has continued to engage all practices to deliver Health Checks, including three practices that have not engaged previously. OHL has established a system for delivering Health Checks via telephone calls from its own health care assistants (HCAs), offering close to 5000 appointments and it has met the revised targets for number of Health Checks to be delivered during 2020-21. However, these Checks were carried out on patients who had already visited the practice and had one or more risk factor recordings. As they are already in touch with practices these patients may be at lower risk, which could increase health inequalities.
- 4.8 IT data systems have prompted healthcare professionals (HCPs) to take the requisite physical observations at any appointment; built searches to identify patients with requisite physical observations; expended considerable resource to address data quality issues owing to compatibility problems; and appointed a new data manager to support its transition to in-house data reporting.
- 4.9 The contract was awarded a 2 year contract by Mayor and Cabinet, with an option to extend for a further 2 years, on 5<sup>th</sup> June 2019.

## 5. Current Service Provision

- 5.1 In September 2019, One Health Lewisham was commissioned to deliver the entire Lewisham NHS Health Check programme in a "Prime Provider" role on a 2 year contract with an option for an extension for a further 2 years. Anticipated benefits of One Health Lewisham's delivery included:
- Visibility of all GP sites, providing the opportunity for consistent delivery and improved equity
  - Ability to target those most at risk of CVD, based on visibility of practice data and identification of known risk factors – male sex, BAME ethnicity, smoking status, familial history
  - Centralised reporting potential
  - Improved weekend and evening appointment provision, and access to those not registered with a GP, e.g. refugees or people experiencing homelessness
  - Visibility and opportunities to streamline care pathways, i.e. referrals.
- 5.2 OHL are a group of GPs with unique access to patients, and are uniquely placed to deliver the service and that officers can review the current model in conjunction with an options appraisal document currently being written by Public Health Lewisham with the aim to assess what future commissioning option is the most beneficial for Lewisham residents.

- 5.3 Due to the Covid pandemic, the NHS Health Check programme was suspended in Lewisham from March 2020. In July Public Health England (PHE) published a Health Check restart preparation document (PHE NHS Health Check Restart July 2020)) which stated that local plans should be in place to restart the programme from 1st August 2020.
- 5.4 Different models of delivery were encouraged as long as they continued to comply with the regulatory requirements and programme standards. An agreement was made that Phase 1 of the programme will be delivered by telephone in line with new National Guidance.
- 5.5 The programme re-launched on 1<sup>st</sup> October 2020 using a remote delivery model. Monthly delivery targets were agreed and contingency arrangements designed to accommodate service disruption due to heightened COVID restrictions. The delivery model implemented by OHL is broadly described below:



- 5.6 Whilst this switch to remote delivery has enabled Health Checks to be delivered in the context of COVID-19 restrictions, it presents challenges and risks to programme quality, including:
  - The cohort of patients with observations on file is reducing.
  - Prioritising delivery to patients with observations on record means the service risks failing to engage patients with lower GP attendance.
  - OHL have advised that they are experiencing higher rates of DNA for telephone Health Check appointments than observed for in-person Health Check appointments. It is not known if indicates a lower level of patient engagement with the Health Check process overall, and / or with healthcare delivered remotely, both of which could affect outcomes.

- Any difference in outcome(s) of Health Checks delivered remotely vs. in-person is unknown, e.g. engagement with lifestyle advice or recommended clinical intervention.
- 5.7 OHL are in a unique position to continue delivery of the NHS Health Check programme, as there are a number of different benefits. As stated, they uniquely have access to all GP practice lists within the borough, allowing population level screening and targeting to ensure equity across the borough and to target those most at risk. Without access to that information, delivery as described would not be possible.
  - 5.8 Due to the pandemic, the original programme and performance were impacted and there is a need to return to face to face delivery in primary care settings, with OHL (the GP federation) to continue to coordinate delivery across the whole borough's patient population, and ensure clinical follow-up.
  - 5.9 Returning to pre-Covid 19 delivery would reinstate the formal invitation process of face to face assessment with Point of Care Testing (PoCT), targeting those at highest risk of health inequalities. Attendance to gather data, test and discuss risk is the gold standard, and officers are working with OHL and primary care colleagues on a plan to return to this model
  - 5.10 Overall, the benefits intended from the OHL contract have yet to be realised due to the impact of COVID-19. The imminent release of the PHE review into the entire programme may also recommend a different approach. As such, this report recommends the extension provision with OHL, with the view to restart the face-to-face programme, test the benefits intended, request improved reporting, and review PHE's recommendations for the programme.
  - 5.11 Due to the nature of the service provided, a thorough needs based procurement process could not be done sufficiently by Lewisham officers to meet the specialised delivery that is currently being provided by OHL for 1<sup>st</sup> April 2022. In addition, the resurgence of the Covid pandemic would hinder mobilisation and would negatively influence performance that would subsequently affect those suffering from health inequalities within the borough.

## **6. Financial implications**

- 6.1 This report seeks approval to extend the current contract with One Health Lewisham to deliver the NHS Health Checks programme for a further year (April 2022 to March 2023). The annual contract value will be £341,104, which is within current budgets.
- 6.2 Expenditure will be funded from the Public Health Grant, which is currently ring-fenced.

## **7. Legal implications**

- 7.1 Under the Council's Contract Procedure Rules the contract that is the subject of this report is a Category A contract. The contract is a light touch contract and its combined value, taking into account the existing and proposed extended term, is above former OJEU (now Find a Tender) threshold for light touch contracts under the Public Contracts Regulations 2015.
- 7.2 Authority to award a 2 year contract with an option for a further 2 year extension was given by Mayor and Cabinet on 1 July 2019 at a value for the total period estimated at

£1,400,00 (Background papers). The contract was entered into in September 2021. An extension from September 2021 to March 2022 was granted for Covid related reasons by the Executive Director for Community Services on 2 March 2021.

7.3 The option to extend to 2023 was therefore authorised by Mayor and Cabinet in July 2019 and the period of requested extension in this report is covered by that authorisation, being within the four year authorised period.

7.4 Under rule 17 of the CPR a decision to extend an existing contract for a particular period can be taken, provided that such extension is permitted under the terms and conditions of the contract. Under clause B1.2 of the contract the Council may extend the contract under the option for up to an additional period of 2 years. The decision to exercise the option to extend is a key decision.

7.5 The Council has a public sector equality duty (Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

7.6 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website. The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

## **8. Equalities implications**

- 8.1 The NHS Health Checks programme is designed to detect risk factors for heart disease before symptoms develop. This can improve outcomes particularly for those at highest risk of heart disease, which includes those from lower socio-economic groups and some Black and Minority Ethnic communities. The programme seeks to reduce the risk of heart disease in these groups.
- 8.2 The proposals within this report specifically aim to address improve equity of access across the borough, and improve the reach of the programme.

## **9. Climate change and environmental implications**

- 9.1 There are no environmental implications.

## **10. Crime and disorder implications**

- 10.1 There are no crime and disorder implications

## **11. Health and wellbeing implications**

- 11.1 Lewisham has high premature mortality rates from circulatory diseases compared with London and England and cardiovascular disease (CVD) is a major contributor to the life expectancy gap between Lewisham and England. However Lewisham has low levels of detected disease.
- 11.2 The NHS Health Check programme systematically targets the top seven causes of preventable mortality: high blood pressure, smoking, cholesterol, obesity, poor diet, physical inactivity and alcohol consumption. The Council has a statutory responsibility to deliver that service, and it is a key part of our local approach to addressing health inequalities.
- 11.3 In line with local need the programme aims to prevent heart disease, stroke, type 2 diabetes and kidney disease, and raise awareness of dementia across the population with a particular focus on high risk and vulnerable groups.
- 11.4 The outcome of the programme is used to raise awareness of cardiovascular and other risk factors, as well as engaging residents to address and reflect on their health needs, their lifestyle and medical approaches best suited to managing the individual's health risk.

## **12. Social Value implications**

- 12.1 The Public Services (Social Value) Act 2012 requires that when the Council is procuring services above the EU threshold it must consider, before commencing a procurement process, how the procurement might improve the social, economic and environmental wellbeing of the area. It must also consider how the procurement might be conducted so as to secure that improvement. The matters to be considered must only be those relevant to the services to be procured; and it must be proportionate in all the circumstances to take those matters into account. These requirements are part of the Council's Constitution (Part IV.I Contract Procedure Rules).

- 12.2 The Council's Sustainable Procurement Code of Practice will be applied to this contract. This sets out various social, environmental and economic considerations to be applied. The purpose is to ensure that products and services are sourced and produced responsibly; to maximise resource and energy efficiency in the manufacturing and supply of goods and services in order to minimise environmental impacts; and to deliver outstanding value for money over the entire lifetime of the contract.
- 12.3 In addition, the service will ensure minimum pay rates in line with prevailing London Living Wage (LLW) or above where applicable.

## 13. Background papers

Mayor & Cabinet Award of contract for NHS Health Checks – 5th June 2019



NHS Healthchecks  
OHL- M and C repo

COVID-19 Related Extensions by Directorate Report - 2nd March 2021



COVID-19  
Extensions - Commu

Award of contract for NHS Health checks programme to One Health Lewisham Ltd



Award of contract  
for NHS Health chec

## 14. Glossary



glossary  
standard.pdf

## 15. Report author(s) and contact

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**Is this report easy to understand?**

Please give us feedback so we can improve. Page 22

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## 16. Decisions

Acting in accordance with Standing Orders (paragraph 13 of Section I), I hereby approve the recommendations set out in this report:

Signed: 

Date: 22 December 2022

Name (printed): Tom Brown

**Executive Director for Community Services**

# Agenda Item 4

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted