

# GREATER LONDON AUTHORITY

## REQUEST FOR DIRECTOR DECISION – DD2428

**Title: Analysis of London's Sustainability and Transformation Partnership (STP) plans to deliver the NHS Long Term Plan**

### Executive Summary:

This decision form seeks approval to commission the King's Fund to provide the Greater London Authority (GLA) with a report that includes analysis of the content of the five London Sustainability and Transformation Partnership plans, taking into account the principles of the Mayor's six tests.

It also requests a related single source exemption from the GLA's Contracts and Funding Code.

The report will enable the Mayor to determine the extent to which the STP plans align with the tests, and to champion and challenge the NHS accordingly, on behalf of Londoners.

### Decision:

That the Executive Director of Communities & Intelligence approves:

1. expenditure of up to £50,000 for this work (taking total expenditure so far to £145,979); and
2. a related exemption from the requirement of the GLA's Contracts and Funding Code, to commission the above services without procuring competitively.

### AUTHORISING DIRECTOR

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

**Name:** Sarah Mulley

**Position:** Executive Director,  
Communities & Intelligence

**Signature:**



**Date:** 03.12.17

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. In 2015, the NHS introduced significant policy changes, including the requirement for local health and care partner to develop sustainability and transformation plans. These plans were expected to outline how NHS services would work together with social care and other local authority services and how improvements would be made to the quality and efficiency of services and population health and wellbeing.
- 1.2. In response to these changes and the publication of London's five sustainability and transformation plans, the GLA commissioned a report from the King's Fund with the purpose of better understanding the proposed changes, assessing their credibility, and making practical suggestions for the next stage of development. Funding for the £45,979 contract was approved under cover of ADD2067.
- 1.3. The resulting STP report stated that while there were many positive elements within the plans, there were also a number of concerns about them, particularly related to closing the funding gap, proposed hospital bed closures, and the need for improved engagement and collaboration with local government and other sectors.
- 1.4. Following the report's publication, the Mayor of London announced six 'tests' he expected to be met before he gave his support to any major health and care transformation or service reconfiguration proposals in London. These tests cover:
  - health inequalities and the prevention of ill health;
  - hospital bed capacity;
  - financial investment and savings;
  - impact on social care;
  - clinical support; and
  - patient and public engagement.
- 1.5. The Mayor made a commitment to assess future Sustainability and Transformation Partnership (STP)/Integrated Care System<sup>1</sup> (ICS) plans against the six tests.
- 1.6. In February 2018, the GLA commissioned a second report from the King's Fund to report on progress in the five sustainability and transformation plans in London, since their publication in 2016. Funding of £50,000 was approved by the Executive Director of Communities and Intelligence (DD2211) and an exemption of the requirement to procure competitively secured, reflected in the DD. This brought the aggregate total expenditure to £95,979.
- 1.7. The NHS policy landscape has continued to change, with the introduction of the Long Term Plan (LTP) in January 2019, which sets out ambitions over the next ten years. Following the release of the LTP, the NHS published an implementation plan in June 2019. This requires STPs to develop a five year strategic plan, setting out how they will deliver the national commitments in their areas.
- 1.8. The GLA is now commissioning a further report, to assess the new STP plans. This would bring the aggregate total expenditure to £145,979.

#### *Procurement & single source background*

- 1.9. Section 9 of the GLA's Contracts and Funding Code requires where the expected value of a contract for services is between £10,000 and £150,000, that the services required should be procured

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<sup>1</sup> In June, South East London became London's first Integrated Care System (ICS). The NHS ambition is that all STPs will become ICSs by 2021.

competitively. However, Section 10 provides that an exemption from this requirement may be approved where a supplier has had previous involvement in a specific current project or where the work proposed is a continuation of existing work, which cannot be separated from the new work. To this end, The King's Fund's direct involvement in the earlier stages of the work provide for an exemption (see also section 1.11 below). Officers have liaised with TfL Procurement who have agreed an exemption would be appropriate. TfL Procurement have also undertaken to support GLA officers to ensure that the appropriate contractual documents are put in place.

- 1.10. Based on our knowledge of the health sector market, we believe the King's Fund is the only organisation with the necessary reputation, specialist skills and experience needed to provide an authoritative, credible, independent report on this subject area. It is a world-renowned health think tank, used frequently by the NHS and central government for this type of work. It is also currently working with STPs in other parts of England and will bring this experience to this London commission, enabling broader context-setting and valuable insights and comparisons. Taken with the foregoing, the King's Fund's experience of working with the GLA on earlier stages of the project (as outlined in paras 1.2 and 1.6) it is unlikely that any other supplier would be able to submit a more economically advantageous tender than the King's Fund.

## **2. Objectives and expected outcomes**

- 2.1. The objective of the commission is for the King's Fund to produce a report that includes analysis of the content of the STP plans, taking into account the principles of the six tests, to support a thorough and evidence-based assessment of the plans against the tests.
- 2.2. The report is expected to cover:
- an overview of the national and regional health policy context;
  - a summary of what the London plans say, covering common themes, differences (which may be justified based on local need), and specific proposals under each theme;
  - a high-level analysis of the London plans using the principles of the six tests; and
  - recommendations for strengthening and supporting the plans' implementation at an STP, London and national level.
- 2.3. The Mayor is working with partners to ensure that London is the best global city in which to receive health and care services. He has committed to champion and challenge the NHS<sup>2</sup> to achieve this outcome, and this work will be key in enabling him to do this effectively.

## **3. Equality comments**

- 3.1. Reducing health inequalities underpins most of the health team's work, including the Mayor's six tests. Health inequalities are differences in health that are unnecessary and avoidable, as well as unjust and unfair. They often exist between groups of people with protected characteristics<sup>3</sup>, and those who experience poverty and socioeconomic deprivation<sup>4</sup>.

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<sup>2</sup> The Mayor made a manifesto commitment to champion and challenge the NHS on behalf of Londoners, and this is identified as a mayoral priority for health in MD2439.

<sup>3</sup> Under the Equality Act 2010, protected characteristics are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (all except the last being 'relevant' protected characteristics).

<sup>4</sup> The Mayor's Equality, Diversity and Inclusion Strategy sets out how the Mayor will go beyond the legal duties of the Equality Act 2010 and contribute towards addressing wider issues such as poverty and socio-economic deprivation.

- 3.2. This project includes a specific focus on reducing health inequalities, with the first test specifically aiming to ensure that proposals consider the potential impact on inequalities, don't widen the inequality gap, and where possible will reduce inequalities<sup>5</sup>.
- 3.3. The report should enable the Mayor to determine the extent to which the six tests have been met, including how well the STP plans consider and set out plans address health inequalities. It will provide the Mayor with the necessary information to champion health and care partners and lobby for what they need to achieve their plans and reduce health inequality. The Mayor will also be better equipped with the knowledge to challenge these partners – to ensure that they fully consider the inequalities in their local populations, their plans' potential impact on these inequalities, and ultimately – what they will do to address and reduce the inequalities that exist.

#### *Alignment with the Health Inequalities Strategy*

- 3.4. This work has strong links to the Mayor's Health Inequalities Strategy (HIS), which sets out plans to tackle unfair differences in health to make London a healthier, fairer city. Health inequalities are inexplicably linked to other types of inequality. This is because they are most often a direct result of inequalities in other areas of life, i.e. socioeconomic differences. The Strategy outlines key actions to address the socio-economic causes of poor health (social determinants).
- 3.5. Applying the six tests to major health and care transformations and service reconfigurations will promote the implementation of the health inequalities strategy and will contribute toward the ambition to address London's stark health inequalities and reduce the number of years Londoners live in poor health.

#### *Alignment with the Equality, Diversity & Inclusion Strategy*

- 3.6. In addition to aligning with the Mayor's Health Inequalities Strategy, it is well aligned to his Equality, Diversity & Inclusion Strategy, particularly in relation to the objectives to make London a safe and healthy city. Objective 33 in the EDI Strategy is "to lead, and help coordinate, work to understand and address health inequalities and support at-risk communities to increase their health skills, knowledge and confidence". The Mayor's six tests are an important tool for the Mayor to use to lead and coordinate action to reduce health inequalities.

## **4. Other considerations**

### *Risks and issues*

- 4.1. The General Election has delayed the publication of the STP plans, which are now likely to be published in the new year. There is a possibility that the plans are not published in time for the King's Fund to complete the full analysis and deliver a report by 23 March 2020 – the beginning of the mayoral pre-election period. This would mean that the report would not be able to be published until after the election. We have included a contingency plan in this decision document, which would allow for the King's Fund to prepare an internal interim output prior to the pre-election period, with a final report to be released after the election.

### *Links to Mayoral Strategies & priorities*

- 4.2. The Mayor's six tests are well aligned with the Mayor's Equality, Diversity & Inclusion Strategy, particularly objective 33, which is about leading work across London to address health inequalities (see para 3.6).
- 4.3. In October 2018, the Mayor published the London Health Inequalities Strategy, a ten year strategy to tackle health inequalities through addressing the wider determinants of health, focusing on five key

<sup>5</sup> These are the words from the first test. <https://www.london.gov.uk/what-we-do/health/champion-and-challenge/mayors-six-tests>

areas: healthy children, healthy minds, healthy places, healthy communities and healthy living. The Mayor's six tests support the implementation of the Health Inequalities Strategy (see paras 3.4 & 3.5)

- 4.4. The Mayor also made a manifesto commitment to champion and challenge the NHS on behalf of Londoners, and this is identified as a mayoral priority for health in MD2439. This project will enable the Mayor to do so effectively.

## **5. Financial comments**

- 5.1. Approval is being sought for expenditure of up to £50,000 to commission the King's Fund to produce a report that includes analysis of the content of the five London Sustainability and Transformation Partnership plans.
- 5.2. This expenditure will be funded by the Communities & Intelligence Minor Programme budget for 2019-20.

## **6. Legal comments**

- 6.1. The foregoing sections of this report indicate that the activity in respect of which approval is sought may be considered to be facilitative of and conducive to the exercise of the GLA's general powers to undertake such activity as may be considered to promote the improvement of the environment in Greater London and have complied with the GLA's related statutory duties to:
- pay due regard to the principle that there should be equality of opportunity for all people;
  - consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
  - consult with appropriate bodies.
- 6.2. In taking the decisions requested, the Director must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010, and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Director should have particular regard to section 3 (above) of this report.
- 6.3. Section 9 of the GLA Contracts and Funding Code (the 'Code') requires the GLA to call off the services required from an accessible framework or conduct a competitive procurement exercise for the same. The director may however, approve an exemption from this requirement under section 10 of the Code upon certain specified grounds. One of those grounds is that an exemption may be approved where a supplier has had previous involvement in a specific current project or the where the work proposed is a continuation of existing work, which cannot be separated from the new work. Officers have indicated at section 1 of this report that this ground applies. The Director may therefore, approve the exemption proposed if satisfied with the supporting content of this report.
- 6.4. Should the approvals sought be granted officers must ensure that appropriate contract documentation is put in place and executed by the GLA and the King's Fund before the commencement of the services.

## **7. Planned delivery approach and next steps**

- 7.1. We understand that the STP plans are likely to be published early in the new year. We have developed the following indicative timeline based on the assumption that the reports will be published

by 13 January 2020, which would allow the King's Fund sufficient time to complete their analysis and deliver their final report (see para 4.1 also).

| Activity                                                                                                                                                                                                                                       | Timeline           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Procurement of contract [for externally delivered projects]                                                                                                                                                                                    | 3 December 2019    |
| Delivery Start Date [for project proposals]                                                                                                                                                                                                    | 2 December 2019    |
| Milestone – STP plan publication                                                                                                                                                                                                               | January 2020 (TBC) |
| Delivery End Date: final report to GLA                                                                                                                                                                                                         | 28 February 2020   |
| Report publication/launch                                                                                                                                                                                                                      | Mid-March 2020     |
| Project Closure:                                                                                                                                                                                                                               | March 2020         |
| <b>Note:</b> If the reports are not published until after 13 January, we would explore the option of an internal interim output in advance of the mayoral pre-election period. The final report would be delivered after the mayoral election. |                    |

**Appendices and supporting papers:**

None.

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

**Part 1 - Deferral**

**Is the publication of Part 1 of this approval to be deferred? NO**

**Part 2 – Sensitive information**

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form – NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to  
confirm the  
following (✓)

**Drafting officer:**

Alice McCallum has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Assistant Director/Head of Service:**

Jazz Bhogal has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Financial and Legal advice:**

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 2 December 2019.

**EXECUTIVE DIRECTOR, RESOURCES:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature**

*M. D. Allge*

**Date**

*3.12.19*

