

| | |
|--|--|
| Report to: | CARE TOGETHER SINGLE COMMISSIONING BOARD |
| Date: | 4 October 2016 |
| Reporting officer of Single Commissioning Board | Anna Moloney - Consultant Public Health Medicine |
| Subject: | COMMISSIONING DATA MANAGEMENT SERVICES |
| Report Summary: | <p>Tameside single commissioning unit have been tasked by the Greater Manchester Directors of Public Health to commission the provision of data management services from Arden and Gem CSU on behalf of the ten GM Authorities.</p> <p>Arden and Gem CSU are the local provider of data services for NHS Digital and the holder of local NHS Secondary care Data.</p> <p>A Waiver to Procurement Standing Orders is required to allow direct of award of contract.</p> |
| Recommendations: | That a waiver is granted under Procurement Standing Order F1.4 to enable the direct award to Arden and Greater East Midlands (AGEM) CSU and NHS Oldham Clinical Commissioning Group for the above services. |
| Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer) | <p>Decision of the SCB as the Tameside element of the costs associated with the contract waiver (£3,232.53) will be funded from existing Public Health resources which are within the Section 75 agreement of the Integrated Commissioning Fund.</p> <p>Access to shared data across GM will support future investment decisions to improve the health and wellbeing of the population.</p> |
| Legal Implications: (Authorised by the Borough Solicitor) | The SCB is obliged to follow procurement standing orders which include provision to make a direct award where the SCB requirements the can only be met by a single bidder because competition is absent either for technical reasons or due to the protection of exclusive rights, including intellectual property rights and no reasonable alternative or substitute exists. This provision mirrors Regulation 32 of the Public Contract Regulations 2015 however the Public Contract Regulations 2015 are not engaged as the above contracts are below the relevant threshold. Only Arden and Greater East Midlands (AGEM) CSU and NHS Oldham Clinical Commissioning Group are able to provide these services as a result of their relationship with NHS Digital and being commissioned host of the Greater Manchester Shared Services respectively. It would not be unreasonable in this case to make a direct award under procurement standing order F1.4. |
| How do proposals align with Health & Wellbeing Strategy? | <p>The service will enable access to NHS secondary care data for Tameside and the rest of Greater Manchester.</p> <p>Analysis of data is required to inform plans to improve local health and social care services.</p> |
| How do proposals align with | The service will enable access to NHS secondary care data |

| | |
|--|--|
| Locality Plan? | for Tameside and the rest of Greater Manchester. Analysis of data is required to inform plans to improve local health and social care services. |
| How do proposals align with the Commissioning Strategy? | Allows access to timely raw data for the whole of Greater Manchester that enables analysis and reporting on priorities. |
| Recommendations / views of the Professional Reference Group: | The Cauldicott Guardian, suggested that a PIA form be completed otherwise it was supported. |
| Public and Patient Implications: | The service will allow timely analysis of data to inform commissioning decisions and improve service delivery. |
| Quality Implications: | The service will enable the same access as the CCGs across Greater Manchester enabling bench marking and profiling. It will enable reconciliation that enables data quality checks to happen. |
| How do the proposals help to reduce health inequalities? | Access to timely data that includes local geographies allows analysis to take place for different groups and areas for bench marking purposes and service development. |
| What are the Equality and Diversity implications? | None. |
| What are the safeguarding implications? | None. |
| What are the Information Governance implications? Has a privacy impact assessment been conducted? | Whilst the service will be procured on behalf of the ten greater Manchester authorities, each authority will retain responsibility for information governance and enter into separate data processing agreements with the provider. Access is via secure N3 connection. |
| Risk Management: | An agreement will be entered into by all participating Local Authorities detailing their responsibilities. The contract with the provider clearly states that Tameside will not be responsible for any IG, data processing or access issues on behalf of the other participating Authorities. |
| Access to Information : | The background papers relating to this report can be inspected by contacting Jacqui Dorman, Public Health Intelligence Manager:  Telephone: 0161 304 5303  e-mail: jacqui.dorman@tameside.gov.uk |

1. BACKGROUND

- 1.1 The Greater Manchester Public Health Intelligence Network (GMPHIN) represents public health intelligence professionals from all 10 local authorities within the Greater Manchester conurbation. It provides the collective voice of public health intelligence across Greater Manchester and champions and provides evidence of best practice in the use of local data to help inform plans to improve the health of the population and support the Joint Strategic Needs Assessment process. The GMPHIN reports to the Greater Manchester Directors of Public Health Group.
- 1.2 Public Health intelligence requires access to a range of data across the health and social care economy. One of these sources of data is NHS secondary care data, including hospital admissions, emergency department attendances and outpatient appointments. This data is essential to enable analysis of key public health indicators and the performance of the local health economy.
- 1.3 NHS secondary care data is managed by NHS Digital (formerly the Health and Social Care Information Centre) regional arms "Data Services for Commissioning Regional Offices" (DSCROs), (previously known as Data Management Integration Centres DMICs) which are hosted within NHS Commissioning Support Units. The host for the North West DSCRO is Arden and Greater East Midlands (AGEM) CSU.
- 1.4 The GM Directors of Public Health agreed in principal to commission Arden and GEM CSU until 31 March 2019 to provide a Data Management Service that covers access to healthcare datasets with local authority access to the datasets via an SQL platform, including:
 - Secondary Uses Service (SUS);
 - Payment By Results (PBR);
 - Patient Demographics.
- 1.5 The Greater Manchester Directors of Public Health Group approved a lead commissioner model rather than the previous model consisting of separate contractual agreements. A single contract with a lead commissioner will reduce the overall operational burden on both Local Authorities and the provider with a reduction in contract price, administration costs and a clearer channel of communication for contract monitoring and review purposes.
- 1.6 Tameside were asked to be lead commissioner for:
 - Provision of Data Management Services (Arden and GEM CSU).
 - Provision of IM&T Services (GM Shared Services). This is a necessary prerequisite to the Arden and GEM CSU contract and will increase the cost of the Data Management Service for each LA.
- 1.7 As part of NHS Digital, the DSCRO are required to implement 'patient objections' and remove the details of patients who have 'objected' from any of the national datasets that are provided by the DSCRO (e.g. SUS data), unless there is an exemption in place. CCGs will typically be exempt from this arrangement because a complete set of (pseudonymised) patient level data is needed in order to carry out patient checks, accurately confirm activity and make direct payments to providers for the care received by the patients for which a CCG is responsible.
- 1.8 Access to data is via a secure N3 connection which is managed by Greater Manchester Shared Services. GMSS is hosted by NHS Oldham Clinical Commissioning Group on behalf of the twelve CCGs in Greater Manchester. Tameside will also commission the additional aspects this service and recharge other Local Authorities.
- 1.9 Whilst Tameside MBC will contract with Arden and Gem CSU for the data management service on behalf of the participating Authorities, each Authority will have separate data

processing agreement in place such that they will be individually responsible for their own data governance and any data breach.

- 1.10 A collaboration agreement will be put in place between the participating Authorities detailing responsibilities and obligations including payments and data governance.

2. PROCUREMENT STANDING ORDER SEEKING TO WAIVE / AUTHORISATION TO PROCEED

- 2.1 Procurement Standing Order F1.4 requires that, where the procurement rules apply, all direct awards are to be approved by the Executive Director, Governance, Resources and Pensions, the Assistant Executive Director, Finance the First Deputy Finance and Performance and the relevant service Executive Member. As this service falls within the integrated funds, this delegated function now rests with the Single Commissioning Board.

3. VALUE OF CONTRACT

- 3.1 The value of the contract with Arden and GEM CSU for Data management Services will be £27,985 per annum.
- 3.2 The value of the contract with GM Shared Services will be £6,200 per annum.
- 3.3 The respective contribution of each Local Authority, including Tameside MBC is detailed below:

Arden and GEM CSU Provision of Data Management Services

Total Annual Contract Value: £27,985.40

GM Shared Services (GMSS) Provision of Information Management and Technology (IM&T)

Total Annual Contract Value: £6,152.45

| Total cost of data management and IT services per local authority 2016/17 | | | | | |
|--|---------------------------------|-----------------|------------------|---------------------------------|------------------------|
| Local Authority | Service Element | | | | Total cost 2016/17 (£) |
| | Data Management Services (AGEM) | | | IT Services - Core and non-core | |
| | SUS | PDS | Total | | |
| Bolton | 2110.40 | 764.60 | 2,875.00 | 606.99 | 3,481.99 |
| Bury | 2110.40 | 764.60 | 2,875.00 | 663.12 | 3,538.12 |
| Manchester | 2110.40 | 764.60 | 2,875.00 | 606.99 | 3,481.99 |
| Oldham | 2110.40 | 764.60 | 2,875.00 | 877.49 | 3,752.49 |
| Rochdale | 2110.40 | 764.60 | 2,875.00 | 301.40 | 3,176.40 |
| Salford | 2110.40 | 764.60 | 2,875.00 | 550.86 | 3,425.86 |
| Stockport | 2110.40 | 764.60 | 2,875.00 | 800.32 | 3,675.32 |
| Tameside | 2110.40 | 764.60 | 2,875.00 | 357.53 | 3,232.53 |
| Trafford | 2110.40 | 764.60 | 2,875.00 | 780.76 | 3,655.76 |
| Wigan | 2110.40 | 0.00 | 2,110.40 | 606.99 | 2,717.39 |
| Total | 21,104 | 6,881.40 | 27,985.40 | 6,152.45 | 34,137.85 |

4. GROUNDS UPON WHICH WAIVER / AUTHORISATION TO PROCEED SOUGHT

- 4.1 The requirements can only be met by a single organisation, Arden and GEM CSU, as they hold the data to which access is sought.
- 4.2 Under Regulation 32 of the Public Contracts Regulations 2015 contracting authorities can use the negotiated procedure without prior publication where services can be supplied only by a particular economic operator where competition is absent for technical reasons or for the protection of exclusive rights, including intellectual property rights. Only Arden and Greater East Midlands (AGEM) CSU and NHS Oldham Clinical Commissioning Group are able to provide these services.

5. STRATEGIC FIT

- 5.1 Provision of the service will enable the work of the GMPHN.

6. REASONS WHY USUAL REQUIREMENTS OF PROCUREMENT STANDING ORDERS NEED NOT BE COMPLIED WITH BUT BEST VALUE AND PROBITY STILL ACHIEVED

- 6.1 The joint commissioning arrangements lead by Tameside will reduce the overall operational burden on both Local Authorities and the provider with a reduction in costs and a clearer channel of communication for contract monitoring and review purposes.
- 6.2 The previous contract arrangements the costs to Tameside for access to data were £7,600, under the proposed joint arrangements the cost will reduce by £4,368 to £3,232.

7. INTEGRATED COMMISSIONING FUND

- 7.1 As set out at the front of the report.