

Cabinet – 14 December 2022

Food For Life (FFL) Contract Extension

Portfolio:	Councillor Flint
Related portfolios:	Councillor Elson
Service:	Public Health
Wards:	All
Key decision:	Yes
Forward plan:	Yes

1. Aim

- 1.1. The aim of the request for extension is to continue support for healthy eating and growing in early years settings and schools impacting on children by working with school staff, caterers, and parents from 1 April 2023 to 31 March 2024. This period allows us to consider the future plans for healthy eating in schools and early years based on the proposed Walsall Food Plan.

2. Summary

- 2.1. This report seeks approval to extend the Soil Association Food for Life contract for one year from 1 April 2023 to 31 March 2024 in order to maintain a whole system approach to healthy food for children in Early Years settings and primary schools whilst giving time for the Council to review and learn how to best modify our approach to be more strategic. This would be the third extension to the original contract.
- 2.2. This report also requests approval to seek a variation to the current Food for Life contract, delivered by the Soil Association for a 12-month direct award period until 31 March 2024. This will ensure the Council continues to have arrangements in place for the continued delivery of improved food quality and food education in nurseries and schools as well as better food environments for children and will be based upon the advice from procurement and contract management.

- 2.3. This will allow public health officers sufficient time to redesign and reconfigure the service in line with The Walsall Food Plan which is currently in development. This extension will permit sufficient time to fully explore future commissioning arrangements or programmes which improve the food environment for the borough based upon emerging recommendations from the Walsall Food Plan.

3. Recommendations

- 3.1. That Cabinet approve the extension of the Soil Association Food for Life's existing contract from 1 April 2023 to 31 March 2024 at a cost of £220,000 (two hundred and twenty thousand pounds).
- 3.2. That Cabinet delegate authority to the Director of Public Health, in consultation with the Portfolio Holder for Health and Wellbeing, to extend contract on behalf of the Council and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services and variations should this be required at any time during the term, in line with Public Contract Regulations and the Council's Contract Rules.

4. Report detail - know

Context

- 4.1. The Food for Life (FFL) programme is about making good food the easy choice for everyone – making healthy, tasty, and sustainable meals the norm for all to enjoy, reconnecting people with where their food comes from, teaching them how it's grown and cooked, and championing the importance of well-sourced ingredients.
- 4.2. FFL Walsall was the first Soil Association commissioned service in the Black Country. FFL Walsall's contract is a framework agreement which allows a range of other West Midlands local authorities to call off services under the contract.
- 4.3. FFL Walsall is an integrated schools and early years programme, the first of its kind for FFL. The targets for settings over 3 years (2017 to 2020) were:
- 50 targeted primary schools from a total of 86 schools
 - 5 special schools including children of primary age from a total of 7 special schools

- 42 Early Years settings
 - 8 local authority-maintained nurseries (All – total of 8)
 - 4 children’s centres (All – total of 4)
- 4.4. Recruitment of settings in areas of deprivation was a priority for the Walsall Area Partnerships where the number of children measured as overweight / very overweight is most prevalent. Schools were also targeted based upon the area level of deprivation. A list of targeted settings was provided by Walsall Public Health. These settings were the priority target for the FFL programme, with full access to a FFL support package and training. A newly developed cook and eat programme was also located in these areas. All Walsall primary schools had universal access to the FFL Schools package to enable as many as possible to join the scheme and were offered the chance to take up spare training places for free.
- 4.5. Secondary schools, PRUs and independent schools are ‘out of scope’
- 4.6. The Soil Association Food for Life’s current contract was initially awarded from 1. September 2017 to 31. August 2020.
- 4.7. In 2020 Cabinet approved the extension of Food for Life from 1 September 2020 to 31 August 2021 and in December 2019 extended the contract further due to Covid-19 pandemic from 1 September 2021 to 31 March 2023 under Regulation 72 (1) (c) of the Public Contracts Regulations for 19 months to 31 March 2023.
- 4.8. The total Budget allocated is £220,000 per year for work in targeted areas of deprivation.
- 4.9. An extension of the contract will allow adequate time to consult around the needs of children and young people in regard to healthy eating and from this, integrate learning coming out of the DPH Annual Report and understand the future direction of the Walsall Food Plan to support child and family access to healthy food and maintain a healthy weight.

Council Plan priorities

- 4.10. Extending the contract as proposed will continue to support the Council Plan priorities specifically EPICC (Economic Growth People Internal Focus Children Communities) and also aims to provide children the best possible start and are safe from harm, happy, healthy, and learning well. The Council Plan also states that by focusing on child and young people’s early development it will pay dividends later on in life in educational attainment, life prospects, healthy living, and enables people to contribute to the economy and society. The council is prioritising the overall health and well-being of children and young people for

them to thrive emotionally, physically, mentally and feel they are achieving their potential, and also feel safe and connected to the communities.

- 4.11. The extension will also allow us to develop the best model for implementing a whole-systems healthy eating approach. This will improve food quality and food education in nurseries and schools as well as better food environments for children and families, reduce inequalities, have a positive impact on health, and maximise potential.

Risk management

- 4.12. A hiatus of provision would occur if we do not extend the contract. This would lose continuity and therefore has the potential to cause reputational impact to Walsall Council (see [Appendix 1](#) Equality Impact Assessment) because of an apparent gap in this important area of provision.
- 4.13. Due to this third short-term extension, there is a small risk of challenge from the market. Given however the knowledge of the local provider market, this risk is low.

Financial implications

- 4.14. The budget for this contract extension is £0.220m and will be funded from the existing budget from within the Public Health Grant. There are no financial implications for the Council associated with an extension as the cost is already built into the current budget.

Legal implications

- 4.15. The circumstances in which the contract can be extended are regulated by regulation 72(1) of the Public Contracts Regulations 1972. Given the relatively short nature of the extension, this can probably be justified under paragraph (e) of regulation 72(1)(e) on the basis that the extension does not constitute a substantial modification within the meaning of paragraph (8) of regulation 72(8).

Procurement Implications/Social Value

- 4.16. Advice has been sought by Public Health Walsall from the Council's Procurement Team who will publish public notices detailing the extension and any variations. They have highlighted the potential risk that a 31-month extension via Regulation 72 could potentially attract a challenge which could result in disruptions to service and associated reputational damage. Given knowledge of the local provider market, this risk is low.

- 4.17. All Public Health contracts include a specific clause to promote Social Value. This contract has considerable potential social value since healthy eating impacts on individuals, groups, and society. Focusing on children's knowledge, attitudes, or behaviours will impact on health and wellbeing throughout their lives and help to break down the ambient obesogenic environment.
- 4.18. Food for Life are required through performance monitoring processes to demonstrate how they offer Social Value in economic, environmental and/or social benefits to their employees and residents. The Council's Social Value Toolkit is used as a guide.

Property implications

- 4.19. There are no property implications arising out of this report.

Health and wellbeing implications

- 4.20. Continuing to commission these services will enable the Council to promote the health and wellbeing of Walsall residents.
- 4.21. Food for Life aims to ensure that meals in schools and nurseries meet national standards and that the wider community in Walsall are supported to know how to source, grow and cook healthy and sustainable meals. Nutritional messaging and engagement with parents ensuring nurseries and schools provide universally nutritious meals. This is a key factor in reducing health inequalities and to securing positive developmental outcomes for children and young people.
- 4.22. In addition, Food for Life work with early years providers to support oral health which is a priority for Walsall.
- 4.23. Key metrics of activity are as follows:
- 86 settings are enrolled in the programme in Walsall;
 - Food for Life Walsall is now reaching 18,296 children - 16,058 school children and at 2238 in nurseries;
 - 39 settings have achieved a FFL award (Early Years or Bronze) with a further 8 nearing completion;
 - 11 schools are currently working towards their Silver Food for Life School Award;

- 80 settings have submitted 1 or more criteria towards their FFL award (Early Years, Bronze or Silver)

Reducing Inequalities

- 4.24. The programme aims to make good quality, nutritious food accessible to all, proportionate to need by providing training and support to nursery and school staff. It also works with external caterers to raise standards in food served in children's settings.
- 4.25. The programme focusses on reaching families in areas of deprivation in Walsall and supports families within these communities around cooking healthy and easy meals from scratch and growing food at home.
- 4.26. Food for Life is an evidence-based intervention that works to change food culture, contributing to community-wide whole systems change, and impacting on education, sustainability, inequalities, communities, and health.
- 4.27. Appendix 1 - provides a Equality Impact Assessment

Staffing implications

- 4.28. There are no staffing implications arising out of this report.

Climate Impact

- 4.29. Food for Life aim to ensure that meals in schools and nurseries meet national standards and that the wider community in Walsall are supported to know how to source, grow and cook healthy and sustainable meals.
- 4.30. The Food for Life approach seeks to drive local food procurement and more sustainable agriculture, enabling better outcomes for air quality and climate.

Consultation

- 4.31. The provider offered qualitative evidence of the settings satisfaction with the programme in the form of quotes and also some direct quotes from residents who have been impacted via engagement with settings who were working towards an award.
- 4.32. Examples provided are as follows:

“Ever since we began working with Food for Life, we have been continuously supported in our journey to complete our award. We have been given a wide variety of resources and have enjoyed getting involved with your community. Whilst taking a whole setting approach.” (Food for Life Walsall nursery – Blossoms on the Common).

“I cannot praise enough the support that the team from Food for Life have given us at school! From the very beginning, when we decided to ‘go for Gold’, we have been supported and encouraged every step of the way. Nothing is ever too much trouble and the advice and support we have received to completely change our menu and enable us to deliver high-quality food for our children is having a remarkable impact on lunches and children’s eating habits and choices.” (Food for Life Walsall school – Radleys Primary School)

“The joint workshop for parents have been great and it is wonderful to see the knowledge learned filtering through into meals being prepared at home. We look forward to more in the near future.” (Food for Life Walsall school – Radleys Primary School)

“I was told by the Doctors to cook a vegetable soup for my husband’s health, but I didn’t know how. Now I have made this, I can make it again.” (Cook and Eat bag participant – parent at Food for Life school)

From the Cook and Eat bags I am now... “inspired to add more vegetables to meals” (Cook and Eat bag participant – parent at Food for Life school)

5. Decide

- 5.1. Cabinet is asked to agree a further one-year extension from 01 April 2023 to 31 March 2024 to the current contract with the Soil Association.
- 5.2. Cabinet is asked to delegate authority to the Director of Public Health and Portfolio holder to vary the contract.

6. Respond

- 6.1. Subject to Cabinet approval of the recommendations, Public Health will work with corporate colleagues to:
 - Progress the award of extended contracts
 - Complete a review and re-procurement of the service during the contract

extension period to ensure adequate time for tendering and implementation including any potential TUPE implications.

7. Review

- 7.1. Once awarded and fully commissioned, the extended contract will be reviewed in line with contract management and individual support plan review process.
- 7.2. Public Health will return to Cabinet in 2023 to seek approval to propose a new compliant commissioning process for the new healthy eating and weight management programme for children and young people in Walsall.

Appendices

Appendix 1 Equality Impact Assessment of extension

Background papers

None

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Signed



Stephen Gunther
Director of Public Health

14 December 2022

Signed



Councillor Flint
Portfolio Holder – Health and Wellbeing

14 December 2022

Appendix 1

Equality Impact Assessment (EQulA) of extension

Ref No.

Equality Impact Assessment (EQulA) for Policies, Procedures and Services

Proposal name	Extension of Food for Life Healthy Eating in Schools Programme		
Directorate	Adult Social Care		
Service	Public Health		
Responsible Officer	Esther Higdon Esther.Higdon@walsall.gov.uk		
Proposal planning start	September 2022	Proposal start-date (due actual date)	1. April 2023

1	What is the purpose of the proposal?	Yes / No	New revision
	Policy		
	Procedure		
	Guidance		
	Is this a service to customers/staff/public?	Yes	Revision (extension) direct award
	If yes, is it contracted or commissioned?	Yes	
	Other - give details		

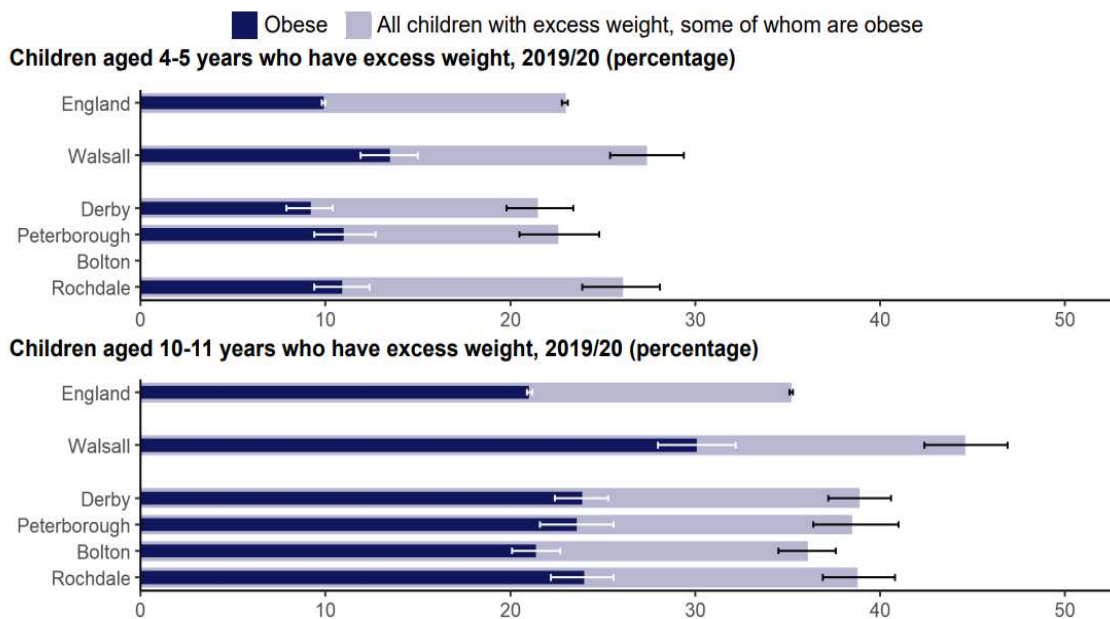
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
<p>The Food for Life programme was commissioned in 2017 in order to embed a whole primary school and Early Years setting approach to healthy eating. This includes influencing the caterers and the food served in the school or early years setting, teaching children about healthy eating and offering children the opportunity to grow and taste different foods</p> <p>To date</p> <ul style="list-style-type: none"> • 86 settings are enrolled in the programme in Walsall • Food for Life Walsall is now reaching 18,296 children - 16,058 school children and at 2238 in nurseries • 39 settings have achieved a FFL award (Early Years or Bronze) with a further 8 nearing completion • 11 schools are currently working towards their Silver Food for Life School Award • 80 settings have submitted 1 or more criteria towards their FFL award (Early Years, Bronze or Silver) <p>As seen this programme reaches large numbers of children in Walsall</p> <p>The Food for Life contract runs out in 2023. Walsall Public Health are seeking to extend the contract for 12 months to ensure that children and their families continue to get support for healthy eating in Walsall. This extension will allow the Public Health team and wider Council time to develop a whole systems approach to healthy eating based on the as yet unpublished Director of Public Health Annual Report and Walsall Food Plan</p> <p>The alternative is that we cease the contract which would lead to no support in schools for healthy eating</p>			
3	Who is the proposal likely to affect?		
People in Walsall		Yes / No	Detail
All			Children pre-school in Nurseries and attending childminding sessions and in primary school plus their parents. Focus is on schools and early years settings in more deprived areas
Specific group/s		yes	
Council employees			
Other (identify)			
4	Please provide service data relating to this proposal on your customer's protected characteristics.		

Levels of child obesity are worse in Walsall than in England. 13.5% of children in Reception and 30.1% of children in Year 6 are obese as opposed to 9.6% of children nationally in Reception and 24.1% in Year 6

The Child Health Profile 2021 with most recent child weight status reporting is as below:

Childhood obesity

These charts show the percentage of children who have excess weight (obese or overweight) in Reception (aged 4-5 years) and Year 6 (aged 10-11 years). They compare Walsall with its statistical neighbours, and the England average. Compared with the England average, this area has a worse percentage of children in Reception (27.4%) and a worse percentage in Year 6 (44.6%) who have excess weight.



Note: This analysis uses the 85th and 95th centiles of the British 1990 growth reference (UK90) for BMI to classify children as overweight and obese. I indicates 95% confidence interval.

Child weight is increasing year on year. It was seen in 2020 when children did not attend school regularly that the weight status of children increased by 4% whereas previously increased year on year by approximately 1%. This therefore indicates that school routines and meals have an impact on child weight and healthy eating and can be protective of weight gain.

A recent longitudinal national report [Changes in the weight status of children between the first and final years of primary school \(phe.org.uk\)](https://www.phe.org.uk/publications/changes-in-the-weight-status-of-children-between-the-first-and-final-years-of-primary-school) published 28.9.22 showed that in

England:

- If a child enters primary school in reception a healthy weight, 78.8% of these children remain a healthy weight in year 6, only 19.7% moved to a higher weight category (overweight or living with obesity)
- If, however a child enters reception overweight, living with obesity or severe obese, the majority (75.9%) remain in these weight categories

This indicates the importance of the work in Early Years settings and with parents

There is a strong correlation between weight status and deprivation, with children living in the more deprived areas experiencing a higher prevalence of obesity.

The same report identified that compared with all children who were a healthy weight reception:

- A lower proportion of children living in the most deprived areas remained a healthy weight in year 6 (74.3%), than children in the least deprived areas (84.7%)
- A higher proportion of children living in the most deprived areas had moved to living with obesity (excluding severe obesity) (8.2%) and severe obesity (2.0%) in year 6 than children in the least deprived areas (3.7% and 0.5% respectively)

5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).

FFL Team to add

The information you gather and present in this section should aid understanding and assist the decision-making process. It is particularly important to outline the potential impact decisions may have on different people. Ensure you gather and understand the views of stakeholders / interested parties, particularly the views of those who will be directly impacted and those with equality characteristics. No-one can give you a better insight than those people who use the service themselves

Challenges to the legality of an EQuIA have become familiar in recent years. The council is risk of legal challenge if we:

- Fail to fully consider all relevant information as part of the decision-making process
- Fail to pay due regard to equality characteristics
- Fail to conduct meaningful and fair consultation

Summarise, in detail, findings from all the engagement and consultation you have gathered relation to this proposal. Report the relevant results from surveys you have conducted and thematically analyse feedback gathered from meetings, discussions and focus groups – you can use quotes to illustrate common and pertinent points made.

Whilst customer monitoring will figure in Q4 above, it is worth considering this data here as well. Your engagement and consultation may be made up of key groups identified through your monitoring. Any discussions may include a summary of:

- current and likely demographic changes or any likely changes in future demand
- local consultations with and information from area managers
- any local engagement and/or consultation from area partnerships
- what other trends are impacting on service delivery?

National statistics or qualitative studies on the relevant policy area may also be of use in this question. These can be particularly supplemented by findings from consultation conducted locally.

Pupils in Food for Life schools are 40% more likely to report that they 'like' or 'really like' school meals. ([Jones et al, 2015](#))

Consultation**Activity**

Type engagement/consultation	Walsall Nursery- Blossoms on the Common, Walsall school engagement, Cook and Eat bag	Date	dd/mm/yy
Who attended/participated	Walsall Nursery, Radleys Primary School, Parents at Food for Life school		
Protected characteristics participants	Summary of the protected characteristic monitoring data.		

Feedback

- “Ever since we began working with Food for Life, we have been continuously supported in our journey to complete our award. We have been given a wide variety of resources and have enjoyed getting involved with your community. Whilst taking a whole setting approach.” (Food for Life Walsall nursery – Blossoms on the Common).
- “I cannot praise enough the support that the team from Food for Life have given us at school! From the very beginning, when we decided to ‘go for Gold’, we have been supported and encouraged every step of the way. Nothing is ever too much trouble and the advice and support we have received to completely change our menu and enable us to deliver high-quality food for our children is having a remarkable impact on lunches and children’s eating habits and choices.” (Food for Life Walsall school – Radleys Primary School)
- “The joint workshop for parents have been great and it is wonderful to see the knowledge learned filtering through into meals being prepared at home. We look forward to more in the near future.” (Food for Life Walsall school – Radleys Primary School)
- “I was told by the Doctors to cook a vegetable soup for my husband’s health, but I didn’t know how. Now I have made this, I can make it again.” (Cook and Eat bag participant – parent at Food for Life school)
- From the Cook and Eat bags I am now... “inspired to add more vegetables to meals” (Cook and Eat bag participant – parent at Food for Life school)

6	Concise overview of all evidence, engagement and consultation		
<p>Using objective moderation of Public Health funded projects, the recommendation was that the programme be continued for 12 months with a robust review of KPIs</p> <p>To continue with the current contract for a further year while a whole systems approach which will benefit children, young people and their families will impact positively on the group Children and Young People</p> <p>To cease the programme will impact on the weight status of children in early years settings and in primary school</p> <p>To cease the programme with no other support offered to children in Walsall while our levels of child overweight status are the highest in the country in Year 6 would lead to national scrutiny</p>			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral, or not known. Give reasons and if action is needed.		
Characteristic	Affect	Reason	Action needed Yes / No
Age	Yes Primary, SEND schools and EYS	target group for programme who if programme ceases will not receive service	Yes
Disability	Yes Those in school – mainstream and SEND specific	As above	yes
Gender reassignment	No	NA	NA
Marriage and civil partnership	No	NA	NA
Pregnancy and maternity	No Although older siblings in food for life setting may	As above	As above

		influence		
	Race	No		
	Religion or belief	No		
	Sex	No		
	Sexual orientation	No		
	Other (give detail)			
	Further information			
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			(Delete one) Yes
	<p>It is possible that the healthy weight programme for children in Key Stage 1 and Early Years (My Time Active, Super wiggles) will cease from April 2023. If this ceased alongside a cessation of the Food for life contract, the target group would have no support for healthy eating/healthy weight</p> <p>It is also possible that the support offered for young people 8-16 (Fun4Life) will change which again would mean that the target group would have no active support for healthy eating and healthy weight This is yet to be decided but would reduce the support for weight management for children as well</p> <p>With greater austerity, school caterers are needing to exhibit greater caution in them spend on school meals. Without support from the Soil Association Food for Life to caterers, the quality of food may reduce</p>			
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	<p>Adjustments needed to remove barriers or to better promote equality</p> <p>To gain Public Health SMT and SLT approval to continue with the Food for Life Programme for 12 months while DPH Annual Report 2022 Healthy Food recommendations are adopted, and the Walsall Food Plan is developed</p>		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome

Where the assessment indicates a potential negative impact (B, C or D in question 7), identify how you will reduce or mitigate this impact. The full impact of a proposal will only be known once it is introduced, so always set out arrangements for reviewing the actual impact of the proposals e.g., 6 month or 12 months after implementation.

Identify who the monitoring will be reported to and what it is part of e.g., service monitoring or project monitoring. Then ensure the outcome of each action is added, this is just as important as identifying the potential impact.

Update to EQIA	
Date	Detail

Use this section for updates following the commencement of your proposal.

Contact us

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Inside Walsall: http://int.walsall.gov.uk/Service_information/Equality_and_diversity