

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Mrs Clair Bell, Cabinet Member for Adult Social Care and Public Health

DECISION NO:

22/00083

For publication

Key decision: YES

Key decision criteria. The decision will:

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or
- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:
 - the adoption or significant amendment of major strategies or frameworks;
 - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.

Subject Matter / Title of Decision

Young Persons Drug and Alcohol Service Contract Extension

Decision:

As Cabinet Member for Adult Social Care and Public Health, I agree to:

I. APPROVE the extension of the contracted Young Persons Drug and Alcohol Service (contract number SS17033) with We Are With You for a period of fifteen months, from 1 January 2023 to 31 March 2024; and

II. DELEGATE authority to the Director of Public Health to take relevant actions, including but not limited to, entering into and finalising the terms of relevant contracts or other legal agreements, as necessary, to implement the decision.

Reason(s) for decision:

The Young Persons Drug and Alcohol Service contract is due to end on 31 December 2022, so commissioners have undertaken a formal contact review, which concluded with the core recommendation to extend the contract. The contract has provisions for an extension of up to 24 months.

The intention to extend the contract by 15 months will align all KCC-commissioned drug and alcohol contracts to end in March 2024. This will give the Council maximum flexibility and opportunity to re-commission in a way that will effectively support Kent residents in the future.

- **Background**

The Young Persons Drug and Alcohol Service contract, as delivered by Addaction, which later rebranded as We Are With You (With You), commenced on 1 January 2018, to provide an integrated substance misuse service for young people in Kent. The service is for those aged 11-18 with the flexibility to provide interventions for those aged 18-24 who have an identified need for the young

person's provision (rather than simply accessing the adult provision). The service incorporates evidence-based specialist community treatment, early interventions and workforce development.

The contract lifespan includes the challenging years of the COVID-19 pandemic, through which the service has demonstrated resilience, responsiveness, and ongoing development to meet the needs of young people and their families.

We Are With You has been delivering the Young Persons Drug and Alcohol Service in a manner that aligns with the Government's new ten-year drugs strategy, which advocates for the provision of good quality education, targeted support to prevent substance misuse, and for early interventions to avoid any escalation of risk and harm when such problems first arise.

The review has factored in that Government's planned transformation of public procurement is likely to bring changes to the procurement requirements in the near future and allowing time to observe implementation of the changes will be beneficial.

The contract is due to end on 31 December 2022 (five years in total) with an option to extend by an additional two years. Given the good performance of the current contract and the identified opportunity to gain efficiencies in the recommissioning process, it is recommended that the extension to the contract is enacted.

- **Financial Implications**

Commissioners estimate that the 15 months extension (from 01 January 2023 to 31st March 2024) will require commitment of £985,083.30, of which £869,299.55 will come from the Public Health grant. The remaining £115,783.75 is anticipated to come from the Kent Police and Crime Commissioner, which is in line with the annual funding they have previously contributed since the contract started.

- **Legal Implications**

As the original contract has provisions to extend for 2 years and to terminate at any time by giving three months' written notice, the proposed extension is in accordance with Regulation 72 of the Public Contracts Regulations 2015, which set out the legal basis for Local Authority modifying contracts without a new procurement procedure.

The local authority's Public Health grant require the Authority to "have regard to the need to improve the take up of, and outcomes from, its drug and alcohol misuse treatment services".

- **Equalities implications**

An Equality Impact Assessment (EqIA) was undertaken by commissioners when the service was commissioned in 2017 and recently for the extension. The proposal to extend the contract would require 'No change' in the current service delivery as no potential for discrimination was identified.

- **Data Protection implications**

General Data Protection Regulations are part of current service documentation for the contract and there is a Schedule of Processing, Personal Data and Data Subjects confirming who is data controller/ processor. There is also an existing DPIA relating to the data that is shared between KCC, the provider and the Office for Health Improvement and Disparities (previously named Public Health England) and the services.

Cabinet Committee recommendations and other consultation:

The proposed decision will be discussed at Health Reform and Public Health Cabinet Committee on

20 September 2022.

Stakeholder consultation formed part of the commissioning process when the contract was initially tendered. Public Consultation will form part of re-commissioning of future services.

Any alternatives considered and rejected:

Decommission the service - Decommissioning the service was concluded as a non-viable option that would place KCC in breach of the Public Health grant's conditions.

Retender the service – Retendering the service now would not enable the Council to re-commission all KCC-commissioned drug and alcohol services together which may result in missed opportunities for efficiencies.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date