

**From:** Clair Bell, Cabinet Member for Adult Social Care and Public Health

Richard Smith, Corporate Director Adult Social Care and Health

**To:** Adult Social Care Cabinet Committee - 28 September 2022

**Subject:** **Community Mental Health and Wellbeing Service – Contract Award**

**Key decision:** 22/00082

**Classification:** Restricted Appendix (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information)

**Future Pathway of report:** Cabinet Member decision

**Electoral Division:** All

**Summary:** The Community Mental Health and Wellbeing Service (commonly known as Live Well Kent and Medway) is due to end on 31 March 2023. This paper provides the Adult Social Care Cabinet Committee with a progress update on establishing a new contract for Community Mental Health and Wellbeing Services (known as Live Well Kent & Medway) from 1 April 2023.

**Recommendation(s):** The Adult Social Care Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (Attached as appendix 1) to:

- a) **AWARD** the contract, to the successful providers identified in Exempt Appendix A, for the provision of Community Mental Health and Wellbeing Services (known as Live Well Kent and Medway) for a period of three years from 1 April 2023 to 30 March 2026 with the option to extend for further two years (24 months);
- b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health, after consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director for Finance, to agree the relevant contract extensions as required; and
- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

## 1. Introduction

- 1.1 One in four adults in Kent experience at least one diagnosable mental health problem in any given year, and it is estimated that around 212,000 people in the county have a common or severe mental illness.
- 1.2 In line with national guidance and the NHS Five Year Forward View, Kent County Council (KCC) and Kent and Medway Clinical Commissioning Group (now known as Kent and Medway Integrated Care Board – K&M ICB) jointly commissioned an integrated offer of community mental health and wellbeing support, which came to be known as Live Well Kent & Medway (LWK&M).
- 1.3 The vision for LWK&M is to keep people well and provide a holistic offer of support for individuals living with and without a mental health diagnosis.
- 1.4 Under the Care Act, KCC is obliged to provide or arrange for services, facilities or resources which would prevent, delay, or reduce individuals' needs for care and support, or the need for support of carers. Within the Care Act statutory guidance, secondary prevention or early intervention is defined as more targeted interventions aimed at individuals who have an increased risk of developing needs, where the provision of services, resources or facilities may help slow down or reduce any further deterioration or prevent other needs from developing.
- 1.5 Section 117 of the Mental Health Act places a duty on Health and Social Care to provide aftercare services to individuals in relation to the reason for their admission under Section 3, 37, 45A, 47, or 48 of the Mental Health Act 1983. to reduce the risk of readmission.
- 1.6 The NHS Long Term Plan reinforces a focus on better care for vulnerable groups, better access to preventative mental health services and a reduction in suicide rates.
- 1.7 The Community Mental Health and Wellbeing Service plays a vital role in ensuring the effective and timely provision of preventative and recovery mental health and wellbeing services and can help meet key priorities:
  - Promote independence, social inclusion and improved quality of life
  - Prevent/reduce admissions to emergency and urgent care
  - Reduce the number of people entering secondary mental health care
  - Reduce suicides
  - Reduce levels of homelessness
  - Improve economic wellbeing and reduce unemployment rates
  - Respond to the high activity and complexity needs of clients living in the community and avoid need for care home admissions
  - Provide more holistic solutions and reduce care packages
  - Improve mental health and wellbeing
  - Play a key role in the delivery of early intervention and prevention strategies.

- 1.8 A key decision taken by the Cabinet Member for Adult Social Care and Public Health on 22 April 2022 approved the commencement of a procurement to award a new Community Mental Health and Wellbeing Service Contract, for a maximum of three years, with a two-year extension option.
- 1.19 This paper aims to inform the Adult Social Care Cabinet Committee on the progress to date to establish a new contract for Community Mental Health and Wellbeing Services (known as Live Well Kent and Medway) from 1 April 2023.

## 2. Background

- 2.1 The current Community Mental Health and Wellbeing Service (Live Well Kent and Medway (LWK&M)) commenced on 1 April 2016 and will run to 31 March 2023. The current service is delivered by two Strategic Partners, Porchlight and Shaw Trust, who both deliver services directly and subcontract to a Delivery Network of providers.
- 2.2 A comprehensive service review was conducted in 2019, which identified that LWK&M continues to deliver successful outcomes in line with the original vision for the service, supporting the market to increase and improve the overall offer of mental health and wellbeing interventions available in Kent.
- 2.3 Market, stakeholder engagement and a public consultation was undertaken in 2021 to gather views to shape the new service specification and contract before a formal procurement process commenced in May 2022.
- 2.4 The procurement timetable is summarised below

### Procurement Milestones

Event	Date
Procurement go-live	4 May 2022
SQ stage tender submission deadline	1 June 2022
Invitation To Tender (ITT)	29 June 2022
ITT stage tender submission deadline	2 August 2022
Tender evaluation	3 August 2022 – 22 August 2022
Adult Social Care Cabinet Committee	28 September 2022
Cabinet Member decision	w/b 3 October 2022
Issue contract award letters	w/b 10 October 2022
Service mobilisation	October – 31 March 2023
Service commencement	1 April 2023

- 2.5 The intention of the commissioning process was to procure a well-managed contract for adult social care and public health that contributes to the Making a difference everyday approach of putting people at the heart of everything we do. This will be ensured using:

- Key Performance Indicators (KPIs). Ongoing management and monitoring of quality ensures that all providers remain compliant to their contractual commitments; and
- Contract Management. Regular communication with the provider to strengthen the relationship. Regular analysis and review of KPIs, and management information for quality of services and improved contract monitoring.

2.7 Based on the procurement process carried out, the successful providers can be found in exempt Appendix A. This is a Restricted Appendix that is exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially confidential information.

2.8 The contract will be jointly commissioned by KCC Adult Social Care and Public Health, Kent and Medway Integrated Care Board (K&M ICB – Formerly known as Kent & Medway Clinical Commissioning Group) and Medway Council. Medway Council will only be contributing funding for the following service element; The 24-7 Telephone and Online Support Service (Release the Pressure helpline).

### 3. Financial Implications

3.1 The contract is due to commence on 1 April 2023 for a period of three years (with an optional two-year extension option), unless terminated in accordance with the Conditions of Contract.

3.2 The tables below outline the contract costs

#### **Contract costs to KCC Adult Social Care and Public Health (Initial three years and extension options)**

	<b>KCC Public Health</b>	<b>KCC Adult Social Care</b>
Initial 3-Year Contract Term	£6,757,945.50	£9,232,609.50
2 Year Optional Extension Period	£4,505,297.00	£6,155,073.00
Total (Initial 3-Year Contract Term + 2 Year Optional Extension Period)	<b>£11,263,242.50</b>	<b>£15,387,682.50</b>

The above contract values can be funded within the approved budget.

**Contract costs for Kent and Medway Integrated Care Board  
(Initial three years and extension options)**

	<b>Kent and Medway ICB</b>
Initial 3-Year Contract Term	£4,466,511.00
2 Year Optional Extension Period	£2,977,674.00
<b>Total (Initial 3-Year Contract Term + 2 Optional Extension Period)</b>	<b>£7,444,185.00</b>

3.3 The annual contribution from each funding partner can be found in the table below

**Annual Contribution by Funding Partner**

<b>Funding Partner</b>	<b>Annual Contribution</b>
KCC Public Health	£2,252,648.50
KCC Adult Social Care	£3,077,536.50
Kent and Medway Integrated Care Board	£1,488,837.00
Medway Council	£22,850.00
<b>Total</b>	<b>£6,841,872.00</b>

3.4 The service will include an annual uplift. This uplift will be solely funded by the K&M ICB and therefore there is no financial commitment to KCC. The annual uplift % and amount will be agreed with the K&M ICB each year for the subsequent year and will be based on known factors and budget availability.

3.5 Medway Council will only be contributing funding for the following service element; The 24-7 Telephone and Online Support Service (Release the Pressure helpline).

**4. Legal implications**

4.1 A procurement exercise was undertaken to identify suitable suppliers in accordance with PCR 2015 Regulation 32(2)(c) and Procurement Policy Note 01/20.

4.2 The Strategic Commissioning Division used the standard Terms and Conditions of contract. There will need to be resource allocated at the end point contract award for contracts to be signed and sealed.

4.3 A Section 256/Memorandum of Agreement will be entered in to by all funding parties to provide a framework within which to work with health partners and other local authorities and includes financial protections for KCC.

4.4 Section 2 of the Care Act 2014 places a general duty on local authorities to provide, arrange or otherwise identify services, facilities, and resources to

prevent, delay or reduce the needs of adults for care and support. The Community Mental Health and Wellbeing Service contributes significantly to:

- Prevention
- Integrated partnership working and
- The provision of good quality services and goods

4.5 TUPE regulations will apply. During mobilisation, KCC needs to be conscious to mitigate the disruptive effect that this may have on current people accessing the service.

## **5. Equalities implications**

5.1 An Equality Impact Assessment (EQIA) is in place for the re-commissioning of the Community Mental Health and Wellbeing Contract. The EQIA is attached as appendix A.

5.2 An initial assessment was undertaken prior to the public consultation; market engagement and procurement exercise and no major issues were identified. Since then, the Equality Impact Assessment has been reviewed and there continues to be no major issues that have been identified.

## **6. Data Protection Implications**

6.1 It will be necessary to get the successful Strategic Partners to complete a Data Protection Impact Assessment (DPIA) as they will be controlling confidential data.

## **7. Conclusions**

7.1 The Community Mental Health and Wellbeing Service (commonly known as Live Well Kent & Medway) is due to end on 31 March 2023.

7.2 Live Well Kent & Medway is jointly funded by KCC Adult Social Care, KCC Public Health, K&M ICB and Medway Council, in furtherance of the requirement to prevent needs escalating, contained within the Care Act 2014 and the NHS Long Term Plan and the duty stipulated in the Mental Health Act (1983) to provide aftercare services to reduce the risk of readmission.

7.3 Ongoing performance and quality monitoring, the 2019 service review and market engagement findings provide significant evidence that the service delivers successful outcomes in line with the original vision, supporting the market to increase and improve the overall offer of mental health and wellbeing interventions available in Kent.

7.4 The outcomes achieved to date for Kent residents who have used LWK&M demonstrate the numerous benefits of the service. LWK&M has become a vital element of Kent's mental health pathway and the service has demonstrated a clear need for such support.

- 7.5 KCC commissioners responsible for the management of the contract completed a comprehensive market analysis. The market analysis concluded by stating, considering the evidenced need for community mental health and wellbeing services in Kent, the success of current provision and the clear interdependencies between the continuation of these services and the success of the Community Mental Health Transformation Programme, it is recommended KCC continue to work in collaboration with K&M CCG (Now known as K&M ICB) and Medway Council to jointly commission the Community Mental Health and Wellbeing Service. This approach supports the aspiration for closer integration and working with Health/CCG (ICB) commissioning colleagues.
- 7.6 Comprehensive work has been carried out to develop the new contract and a formal procurement process was undertaken in accordance with the Public Contract regulation 2015 (PCR15) to award the Community Mental Health and Wellbeing Service Contract, to the successful providers identified in Exempt Appendix A. This is a Restricted Appendix that is exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially confidential information.

## 8. Recommendations

8.1 Recommendations: The Adult Social Care Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (Attached as appendix 1) to:

- a) **AWARD** the contract, to the successful providers identified in Exempt Appendix A, for the provision of Community Mental Health and Wellbeing Services (known as Live Well Kent and Medway) for a period of three years with the option to extend for further two years (24 months);
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- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

## 9. Background Documents

22/00033 - Community Mental Health and Wellbeing Service Commissioning  
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2596>

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