

## KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Sue Chandler, Cabinet Member for Integrated  
Children’s Services**

**DECISION NO:**

**19/00076**

Unrestricted

Key decision: YES

**Subject: Children and Young People’s Mental Health Services, funded by Kent County Council**

**Proposed Decision:**

As Cabinet Member for Children’s Integrated Services, I propose to:

- a) Finalise changes to the Section 76, allowing KCC to have clear oversight of the funding for Looked After Children and children impacted by sexually harmful behaviour and a more dedicated named resource for KHNES.
- b) Give notice to NELFT, via West Kent CCG, that funding for part of the Kent Health Needs Education Service and all the Early Help element will be recommitted to other early intervention programmes.
- c) Delegate authority to the Corporate Director for Children, Young People and Education, or other nominated officer to undertake the necessary actions to implement the decision.

**Reason(s) for decision:**

In 2017, KCC and the NHS jointly procured the Children and Young Person’s Mental Health Service. KCC agreed to invest £2.65m per year into the new contract via a Section 76 funding mechanism. The integrated service was agreed through both KCC and NHS governance and procured as part of a collaborative process.

The new model has delivered a significant increase in universal provision and a new clinical model has been designed and implemented. Although some parts of the new service are performing much better than previously, demand for the specialist interventions particularly across the Neuro-developmental pathway have been significantly higher than expected. As a result, KCC and the NHS have faced several challenges with the KCC Early Help elements of the contract.

KCC remains committed to working in partnership with the NHS to manage the mental health challenges that are faced by children and young people and significant work has been undertaken with the commissioners locally and with NELFT directly as the provider.

A full options appraisal has been undertaken in collaboration with the NHS and it is recommended that the KCC investment into the contract should be split, retaining the elements of the service that require clinical intervention/oversight and recommissioning the elements that can be delivered by the wider market and workforce.

**Equality Implications**

An Equalities Impact Assessment has been completed as part of the process.

**Financial Implications**

The KCC element of the contract is worth £2.65m per annum. The proposed decision will split the investment, with £1.257m retained in the contract and £1.2m refocused into alternative services/interventions. £200k of Dedicated Schools Grant refocussed through the DSG High Needs

Funding arrangements for KHNES.

A financial audit of the KCC investment is currently being undertaken by the NHS. The changes to the Section 76 agreement will allow KCC to have clear oversight of the funding and performance of the remaining Authority Services.

There is existing capacity within the service to undertake the recommended changes.

### **Legal Implications**

KCC have a duty, under Section 22 of the Children Act 1989, to safeguard and promote the welfare of each child we look after. Under Section 27 of the Act, local authorities are entitled to expect other authorities and certain NHS bodies to assist them in discharging their functions to children in need, looked after children and their parents and carers. Section 11 of the Children's Act 2004 places a duty on a range of organisations and agencies to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

This is a county-wide service and any changes will be communicated to schools, police and health providers

### **Cabinet Committee recommendations and other consultation:**

Children's, Young People and Education Cabinet Committee – 15 November 2019 (comments will be added following the meeting)

At its meeting on 11 January 2019, the Children's, Young People and Education Cabinet Committee debated the following decision: 18/00071 - Children and Young People's Mental Health Services, funded by Kent County Council

The decision has been discussed at the following meetings:

- Children's, Young People and Education Cabinet Committee – 29 November 2018, 11 January 2019, 28 March 2019, 28 June 2019
- Commissioning Advisory Board – 18 October 2019

### **Any alternatives considered and rejected:**

An options appraisal has been completed in collaboration with the NHS and supported by an analysis of the market, the KCC Public Health review of the offer for children with mild to moderate needs and the findings from the 2019 SEND inspection.

Other options considered were:

- Business as usual – retain the current service model and continue to work with the NHS to improve the contracting arrangements.
- Recommission a new service – withdraw KCC's investment in the contract and recommitment a new service.
- Align KCC Early Help workforce to the current contract

**Any interest declared when the decision was taken, and any dispensation granted by the Proper Officer:** None

.....  
**Signed**

.....  
**Date**