

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

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

## DECISION NO:

22/00033

## For publication

### Key decision: Yes

result in 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)

## Title of Decision **COMMUNITY MENTAL HEALTH AND WELLBEING SERVICE COMMISSIONING**

**Decision:** As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **COMMENCE** joint commissioning activity for a Community Mental Health and Wellbeing Service; and
- b) **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.

**Reason(s) for decision:** The Community Mental Health and Wellbeing Service (commonly known as Live Well Kent) is due to end on 31 March 2023.

Ongoing performance and quality monitoring, service reviews and recent market engagement findings provides significant evidence that the service delivers successful outcomes in line with the original vision. The service has supported the market to increase and improve the overall offer of mental health and wellbeing interventions available in Kent.

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

Mental ill health currently represents 23% of the total burden of ill health in the UK and is the largest single cause of disability.

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.

The National Community Mental Health Framework for Adults and Older Adults was published in September 2019 and sets out a plan for radical change in the design of community mental health care.

The National Community Mental Health Framework (CMHF) supports delivery of the NHS Long Term Plan vision for an accessible, person-centred and place-based comprehensive mental health offer through the alignment of Community Mental Health Teams (CMHTs) and Primary Care Networks (PCNs) and stronger relationships with Local Authority and voluntary sector services.

In order to achieve its vision all Integrated Care Systems (ICS) in England will receive their 'fair share' of central transformation funding to deliver new models of integrated primary and community mental health care for adults and older adults with severe mental health problems.

Transformation funding should be used to bring about whole system change across local health & care partnerships, enabling people with severe mental health problems to live well in their communities. Kent and Medway have now secured funding over three years to deliver this ambitious programme.

In Kent and Medway, the programme delivery team has been established, workstreams have been developed and work has begun.

The Community Mental Health and Wellbeing Service performs a pivotal role and is a key partner as part of the transformation programme.

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 Kent County Council (KCC) continue to work in collaboration with Kent and Medway Clinical Commissioning Group (K&M CCG) or its successor body 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 commissioning colleagues.

**Financial Implications:** The Contract length will be 3 years with a 2-year extension option. The tables below outline the costs to KCC Adult Social Care and KCC Public Health and the contract costs to K&M CCG, for the initial 3 years and extension option.

Table 1: Contract costs to KCC Adult Social Care and Public Health (Initial 3 years and extension options)

	KCC Public Health	KCC Adult Social Care
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
<b>Total (Initial 3-Year Contract Term + 2 Year Optional Extension Period)</b>	<b>£11,263,242.50</b>	<b>£15,387,682.50</b>

The above contract values can be funded from within the approved budget and there will be a reduction in spend/budget for Adult Social Care and Health as the contribution from Public Health is from their ring-fenced grant.

Table 2: Contract costs to K&M CCG (Initial 3 years and extension options)

	Kent & Medway CCG
Initial 3-Year Contract Term	£4,466,511.00
2 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>

It is recommended that the service includes an annual inflationary uplift. There is an objective to move towards equal funding levels from KCC and KM CCG, noting the current % split. To achieve

this, it is recommended K&M CCG commit to funding the additional inflationary annual uplift (estimated to a minimum of 2%). K&M CCG has formally approved this recommendation.

**Legal Implications:** It is the intention to undergo a procurement exercise to identify a suitable supplier in accordance with PCR 2015 Regulation 32(2)(c) and Procurement Policy Note 01/20. 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 and Recovery
- Integrated partnership working and
- The provision of good quality services and goods

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

If there is a change in Strategic Partners, TUPE regulations will apply. KCC needs to be conscious to mitigate the disruptive effect that this may have on current service users.

**Equality Implications:** An Equality Impact Assessment is in place for the commissioning of the Community Mental Health and Wellbeing Contract. No major issues were identified.

**Data Protection Implications:** There are no anticipated data implications associated with these decisions, as there will be no change to current services, or the data collected or shared, and therefore this will be covered under existing Contract clauses. It will be necessary to get the Strategic Partners to complete a Data Protection Impact Assessment (DPIA) as they are controlling confidential data. A completed DPIA may be required to be completed as part of tender submissions.

**Cabinet Committee recommendations and other consultation:** The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 31 March 2022 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

KCC Commissioners responsible for the management of the contract have also designed and delivered market engagement events and a public consultation was undertaken between 23 August 2021 to 3 October 2021.

**Any alternatives considered and rejected:** An options appraisal was completed and this is attached as Appendix C to the recommendation report.

**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