

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Sue Chandler, Cabinet Member for Integrated Children's Services

DECISION NO:

24/00011

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

Key decision: YES

Decision required because the total value of the contract will exceed £1m and affects more than two Electoral Divisions.

Subject Matter / Title of Decision

Kent County Council's contribution to the Children and Young People's Mental Health Service (CYPMHS)

Decision:

As Cabinet Member for Integrated Children's Services, I agree to:

- i) Provide five months' notice on 1 April 2024 to the Kent and Medway Integrated Care Board (ICB) of the withdrawal of investment for fast-tracked assessments for Looked After Children and Harmful Sexual Abuse from 1 September 2024.
- ii) Continue to contribute £150,000 annual funding for services to the Pupil Referral Units and Post Sexual Abuse.
- iii) Delegate decisions and necessary actions to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member to implement the decision.

1. Reason(s) for Decision:

- 1.1 The proposed decision is to cease the Council's financial contribution of £1,117m to the NHS Commissioned Children and Young People Mental Health Service (CYPMHS) in relation to the fast-track assessments for Looked After Children and Harmful Sexual Abuse.
- 1.2 The current contract is due to end on 31 August 2024 (two-year contract extension currently operating) with the ICB looking to directly award for a further 12 months before recommissioning a like for like service with an up-to 13-year contract, commencing from September 2025, with transformational change embedded through the term.
- 1.3 Throughout the contract period, North East London NHS Foundation Trust (NELFT) have consistently met and exceeded the performance target of the contract, and this has been demonstrated through the monthly data reporting. However, it has not been determined since 2017 whether Kent Looked After Children (LAC), having received their initial assessment, are waiting the standard time for the start of intervention or not. It has not been demonstrated that a Kent LAC has a priority service over other non-LAC referrals. The funding is for a fast-track

assessment, not fast-track intervention.

- 1.4 Work has been undertaken by KCC and the ICB to improve the data collection that is provided by NELFT and to understand how the KCC investment is utilised within the contract. A workshop was held in September 2020 which looked at ways NELFT could provide additional data in relation to the number of LAC referrals that were Kent children. As a result of this, the KCC Management Information and Intelligence Unit were able to match child level data with NELFT on several occasions.
- 1.5 In 2021, a deep dive was completed to identify any trends with cases that are declined by NELFT at the point of initial assessment. Although the deep dive did not conclude sufficient evidence to show whether LAC children are being treated more disproportionately than other vulnerable children accessing the CYPMHS, it did show that further consideration should be given as to whether to continue with the investment or to reinvest the £1m into an independent assessment service.
- 1.6 Associated with the LAC Priority Assessments is an additional funding of £117k to support meeting the needs of children and young people who present with Harmful Sexual Abuse. The CYPMHS provides evidence-based interventions for children and young people who have been sexually abused or who exhibit harmful sexual behaviour. KCC has historically contributed financially to support this however, there is no statutory mandated requirement to do so and as such no reporting mechanism. These interventions are already part of NELFT's complex/behaviour pathway; therefore, children and young people would continue to access services through that route.
- 1.7 If KCC does not continue investing into the CYPMHS, there is no evidence to suggest that this would result in a reduced service, however the initial assessment time for Kent LAC would increase from two to four weeks. Once assessment has taken place all children and young people access the service based on a clinical need. It has always been acknowledged that children and young people access the service based on risk and clinical need.

2. Preferred Option

- 2.1 The preferred option is for the withdrawal of the £1,117m investment for fast-tracked assessments for Looked After Children and Harmful Sexual Abuse into the CYPMHS from 1 September 2024 and to continue to contribute the £150,000 annual funding for services to the Pupil Referral Units and Post Sexual Abuse.
- 2.2 If KCC does not continue investing into the CYPMHS, there is no evidence to suggest that this would result in a reduced service, however the initial assessment time for Kent LAC would increase from two to four weeks. Once assessment has taken place all children and young people access the service based on a clinical need. It has always been acknowledged that children and young people access the service based on risk and clinical need.
- 2.3 In addition to the LAC element, KCC contributes £150k per annum for the Pupil Referral Unit (PRU) which incorporates support for Post Harmful Abuse as part of NELFT's complex pathway work. The PRUs aim is to provide continuity of education for pupils who are unable to attend school due to health needs. This includes:
 - An education support service to schools for young people with physical medical conditions; and
 - An education outreach service for young people with mental health needs.
- 2.4 There are six PRUs in Kent. The units operate in term time only.

2.5 Regulations require local authorities to establish management committees to run PRUs in their area, to make provision for the constitution (including composition) and procedures of management committees, and to delegate specific powers to management committees (The Education (Pupil Referral Units (Management Committees etc. (England))) Regulations 2007 (as amended by the Pupil Referral Units (Miscellaneous Amendments (England)) Regulations 2012).

2.6 In September 2014, a new duty was laid upon governing bodies to make arrangements to support pupils with health conditions at school (DfE guidance, April 2014). KCC has reviewed the existing provision for pupils with health needs, who are unable to attend school. The Council's policy is intended to ensure that children with serious health conditions in terms of both physical and mental health, are properly supported so that they can achieve their academic potential.

3 Consultation

3.1 No formal public consultation was undertaken as we are not proposing any changes to this service and are not the contract manager of this service. However local consultation was undertaken with key partners including the ICB and Social Care.

4 Equalities Assessment

4.1 An Equalities Impact Assessment (EQIA) screening was completed as part of the governance requirements for change to the service with no high negative impacts identified.

4.2 Kent's LAC may have to wait longer for initial assessments. The contractual target for routine assessments to be completed within four weeks of accepted referral is 45%. August 2023 data reports 54.78% (data includes Medway). There would be no impact on Kent LAC receiving a service.

4.3 Children and young people will continue to access Harmful Sexual Abuse interventions through the complex/behaviour pathway managed by NELFT.

5 Securing Kent's Future

5.1 This meets Objective 2 in Securing Kent's Future: Delivering savings from identified opportunity areas to set a sustainable 2024/25 budget and MTFP. This proposal will further support the financial resilience of this Council by identifying opportunities where savings can be made at the earliest opportunity.

6. Financial Implications

6.1 Kent County Council's Medium Term Financial Plan for 2025/2026 has identified a saving of £1.0m from reviewing the ICB/NELFT contract for fast tracking mental health assessments for Looked After Children. This proposal will deliver this saving, and if the Council withdraws its investment in line with the contract renewal (1 September 2024), as set out in this proposal, this would deliver an additional saving for 2024/2025 of £0.558m, and £0.117m in 2025/2026.

6.2 This ICB CYPMHS contract has an annual value of £16m. KCC's contribution of £1.117m equates to 7% of the overall annual contract value.

6.3 The ICB's intention is to go out to the market in 2025 to procure a 13-year contract. This would tie KCC to a financial outlay of £14.5m over the contract lifetime.

6.4 The funding contribution for the PRUs would continue at £150k per annum. This will be funded from the High Needs Block of the Dedicated Schools Grant (ring-fenced education grant from the Department of Education).

Cabinet Committee Recommendations and Other Consultation:

The Children's, Young People and Education Cabinet Committee will consider the decision on 6 March 2024.

Any Alternatives Considered and Rejected:

1. Continue with the current level of investment £1.117m/year.
2. Negotiate a reduced contribution.
3. Give notice to the ICB of withdrawal of £1.117m investment and reinvest in an independent assessment service.
4. Enter into a new arrangement with the ICB to support a new LAC Network for Kent and Medway.
5. Agree to continue funding for a further 12 months.

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

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signed

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date