

**From:** Roger Gough, Cabinet Member for Children, Young People and Education  
Matt Dunkley, CBE, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 29 November 2018

**Decision No:** N/A

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

**Classification:** Unrestricted

**Key Decision:** N/A

**Past Pathway of Paper:** None

**Future Pathway of Paper:** N/A

**Electoral Division:** All

**Summary:**

This paper summarises the current mental health services for children and young people in Kent. The paper outlines which are funded by KCC and which are funded by the NHS, with a focus on the services funded by KCC, delivered by the North East London Foundation Trust (NELFT).

The paper outlines the strengths and challenges within those services, including the current arrangements for contract management and outlines a range of options available for moving forwards.

To date, the performance of the services funded by KCC against agreed Key Performance Indicators, (KPIs) the timeliness of interventions and the accuracy and availability of data has been managed through an overarching transformation board, led by West Kent Clinical Commissioning Group (CCG).

Thus far, this arrangement has been unable to produce the desired effect and outcomes for KCC. Therefore, as a result, it is proposed that the monitoring and performance management arrangements change. It is the intention to continue to work in partnership with NHS colleagues to ensure the best whole system approach for children and young people.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to consider the 3 options suggested in this report. A further decision report will be presented to Committee at its meeting on 11 January 2019.

## 1. Context

- 1.1. An increasing number of children, young people and young adults are experiencing mental health problems. National statistics demonstrate that: 20% of adolescents may experience a mental health problem in any given year; 50% of mental health problems are established by age 14; and 75% of mental health problems are established by age 24.
- 1.2. Risk factors for developing mental health issues include (but are not limited to) children who live in poverty, parental mental ill health, family debt, being a child in need and becoming a looked after child. There is also a growing body of evidence outlining the risks with the use of social media. Agencies working in the Mental Health arena report an increasing level of complexity and adversity compared with 10 or even 5 years ago, with teachers suggesting that one in three children in the classroom have mental health needs.
- 1.3. By accessing effective and timely specialist and integrated treatment children, young people and young adults' mental health is more likely to improve.
- 1.4. KCC recognises the severity of the issue and is committed to working in partnership with the NHS to tackle the growing challenge of poor mental health within children and young people. The strategy issued by the Department of Health [Future in Mind](#), highlights the importance of a whole system approach including the provision of targeted early intervention services. KCC recognises that any one service acting alone cannot be expected to tackle this issue and that action must take place in partnership.
- 1.5. Nationally, all areas are required to submit a local transformation plan in relation to children and young people's mental health. The Kent and Medway Local Transformation plan has recently been cited by NHS England as an exemplar to tackle challenges that are of national concern. This plan is available [here](#)
- 1.6. KCC has a statutory responsibility to ensure that health and other services provide targeted and dedicated support to looked-after children according to need. This could include a dedicated team or seconding a CAMHS professional into a looked-after children multi-agency team.
- 1.7. Whilst there is no statutory obligation to provide the Early Help element of the CYPMH service, many cases that come through Early Help contain a need for Mental Health Support. It is also worth noting that each of the Local Authorities rated Good or Outstanding thus far under the new Inspection of Local Authority Children's Services (ILACS) Ofsted framework have evidenced robust Early Help provision is in place – The EH element of the CYPMH provision is to support the total Early Help offer and to reduce the escalation of mental health concerns into Tier 3 services.

## 2. Current Provision in Kent

- 2.1. KCC, Children, Young People and Education (CYPE) Directorate, Public Health and the 7 Clinical Commissioning Groups (CCGs) across Kent have worked together since 2015 to implement a county wide Children and Young People

Mental Health service partnership model. This model includes the provision of universal education services, early intervention services for children and young people experiencing early stage wellbeing difficulties, targeted services for those with a high complexity of need and specialist services for those young people with complex and serious mental health conditions.

- 2.2. A procurement process took place concluding in 2016. This process was managed by KCC and delivered by NHS and KCC officers. The process awarded the contract to provide the targeted and specialist support to North East London Foundation Trust (NELFT), which includes the oversight of a new Single Point of Access (SPA).
- 2.3. Kent Community Health NHS Foundation Trust (KCHFT) were awarded the contract to deliver the school nursing service which included the early stage emotional wellbeing packages of care. Services are accessed through the SPA via a triage process which allocates the child or young person to the right service based on the information available.
- 2.4. A number of elements of the new model have started to deliver good impact,
  - Over 11,000 referrals have been made to the Single Point of Access (SPA) and as a result the KCHFT school nursing service has delivered 1,523 packages of care to Primary school aged children and 760 packages of care to Secondary school aged children and young people since September 2017.
  - Services are complimented by a range of provision including initiatives such as HeadStart Kent, which is a Big Lottery funded investment of £10m over 5 years.
  - The HeadStart Kent Programme has so far engaged 40 schools, 1094 staff in schools and communities have been trained and 834 young people have had resilience conversations, which have been used to increase access to services and activities to improve their emotional health and wellbeing.
  - Good Mental Health Matters' a locally funded NHS resource has had 235 secondary schools sign up and seen just under 5,000 visits to the website.
  - The innovative programme 'Mind and Body' have recently won an award from the 2018 National Positive Practice in Mental Health Awards.
  - NELFT provision to support the youth justice service is fully embedded into the service delivery model and is working well to support young people involved in the criminal justice system.
- 2.5. The total system and associated funding are set out in Appendix 1.
- 2.6. To work together in the integrated model the Council entered into a Section 76 (S.76) arrangement with West Kent CCG (North, West and East Kent) and Thanet CCG (East Kent), for the NELFT contract to provide services to support:
  - Priority assessment for Looked After Children;
  - Work in Early Help Units, to intervene early and stop escalation into Tier 3 mental health services;
  - Children at risk of, or subject to, the effects of harmful sexual behaviour; and

- Kent Health Needs Education Service (KHNES)

- 2.7. In April 2017, NELFT were awarded the contract to run CYPMHS for 5-years from 1st September 2017 with a total contract value of £82,504,977 over 5-years (£15,964,287 p.a.). Of this KCC fund four key areas; Early Help (£1.2m); Children in Care (£1m); Kent Health Needs Education Service (£240k); and Children at risk of or subject to harmful sexual behaviour (£217k) total £2.657m p.a. over 5-years.
- 2.8. The contract with NELFT commenced in September 2017. By January 2018 it had become apparent that the Early Help element of the contract was not being delivered to the agreed specification. Concerns were raised to the Lead Commissioner and work has been ongoing ever since, to resolve these concerns.
- 2.9. The concerns can be summarised into the following 3 areas: Access to services, data and contract monitoring.
- NELFT completed a new clinical model and an associated staffing restructure in April 2018 to structure their services into a 5-pathway model which includes an Early help pathway. This model was chosen by NELFT as they believe that it offers better access to the right clinical support where appropriate. However, NELFT have outlined that delivery against all of the elements of the model has been heavily impacted by unanticipated demand for the specialist elements of the model and an inherited back-log. This has had an extremely negative impact on delivery of the early help pathway where the rate of children accessing support from this pathway is less than 15% of target. In addition, there is currently no delivery to the education health needs service.
  - NELFT have so far been unable to implement an effective data collection and management system quickly, which has resulted in data to assess the effectiveness of the service being presented ad-hoc. Reporting of this issue has been presented to the Kent Health Overview Scrutiny Committee. KCC has been triangulating evidence of delivery through its own data systems. NELFT have assured KCC of routine reporting and KCC will monitor this very closely for the next 3 months to ensure systematic reporting is in place.
  - Due to the S.76 arrangements, the Council does not manage NELFT directly, the responsibility for monitoring the Council's requirements rest with the CCGs. This has led to some difference in approach to assessment of the contract's performance. Stuart Collins KCC Director of Integrated Children's Services has utilised financial penalty (£400,000) for the underperformance of the contract. The cost pressure has been accepted by the CCG, who did not apply the penalty to NELFT, an approach which is unsustainable for the CCGs. The S.76 agreement refers to no variations to the agreement without prior written consent of all parties. However, some of the changes in staffing and model have not been adequately agreed with KCC colleagues. This includes the staffing model to deliver to Early help Units.

### 3. Options for Consideration

- 1.1. Based on the overall information available, there are several options to be considered on how to proceed with the service. These are as follows:
- 1.2. Option 1: Establish separate contract management meetings additional to the current arrangements in place, to work through the current issues and how the partners can work together to overcome the areas of difficulty. Establish a formal working group with West Kent and Thanet CCGs, to develop an action plan with committed timescales to work together, to resolve the current service issues. This can then be formally issued to NELFT by the CCG.
- 1.3. Option 2: Working with the CCG, vary the existing contract with NELFT to allow the Council to manage NELFT directly for the Council's element of the contract. This could involve potentially varying the S.76 arrangement regarding the funding allocation, KPI's and expectations of the service. This would enable any un-used funding for this service to be re-allocated to alternative services/providers to ensure the services are delivering the best outcomes for children and young people.
- 1.4. Option 3: Work with KCC legal colleagues to terminate the S.76 agreement and establish a new model of provision. A new service could be developed and re-tendered and a new provider contracted. However, this would potentially cause a gap in delivery and present significant issues with the interface with the SPA.
- 1.5. KCC is committed to working in partnership with the NHS and the provider to manage the challenges that are facing mental health services for children and young people. KCC wishes to retain a partnership approach with the NHS and to review how to make the model work in the interests of children and young people.
- 1.6. However, KCC also has to ensure that the contribution it makes to the contracts in place are delivering the expected outcomes that the Local Authority is responsible for.
- 1.7. The change in approach would need to be agreed jointly between the Council, CCG and NEFLT to understand how the service may be affected by splitting the contract management function into different areas:
  - i. The Council would seek to pay NEFLT directly, rather than via the CCG, in accordance to the delivery of the services. This would be subject to the review of the service costs and, if appropriate, certain elements may be better suited to paying the CCG e.g. potential SPA contribution costs.
  - ii. The S.76 would then cease to be appropriate in its current form, subject to the agreement of the content and payment agreements. Subject to the decisions, the S.76 will require amendment or termination and potentially a memorandum of understanding put in place between the Council and the relevant CCGs.

- iii. Should the CCG or NELFT not wish to proceed with the Option 2, the Council will need to revisit the alternative options proposed, potentially with Legal support, to decide the most appropriate course of action.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to consider the 3 options suggested in this report. A further decision report will be presented to Committee at its meeting on 11 January 2019.

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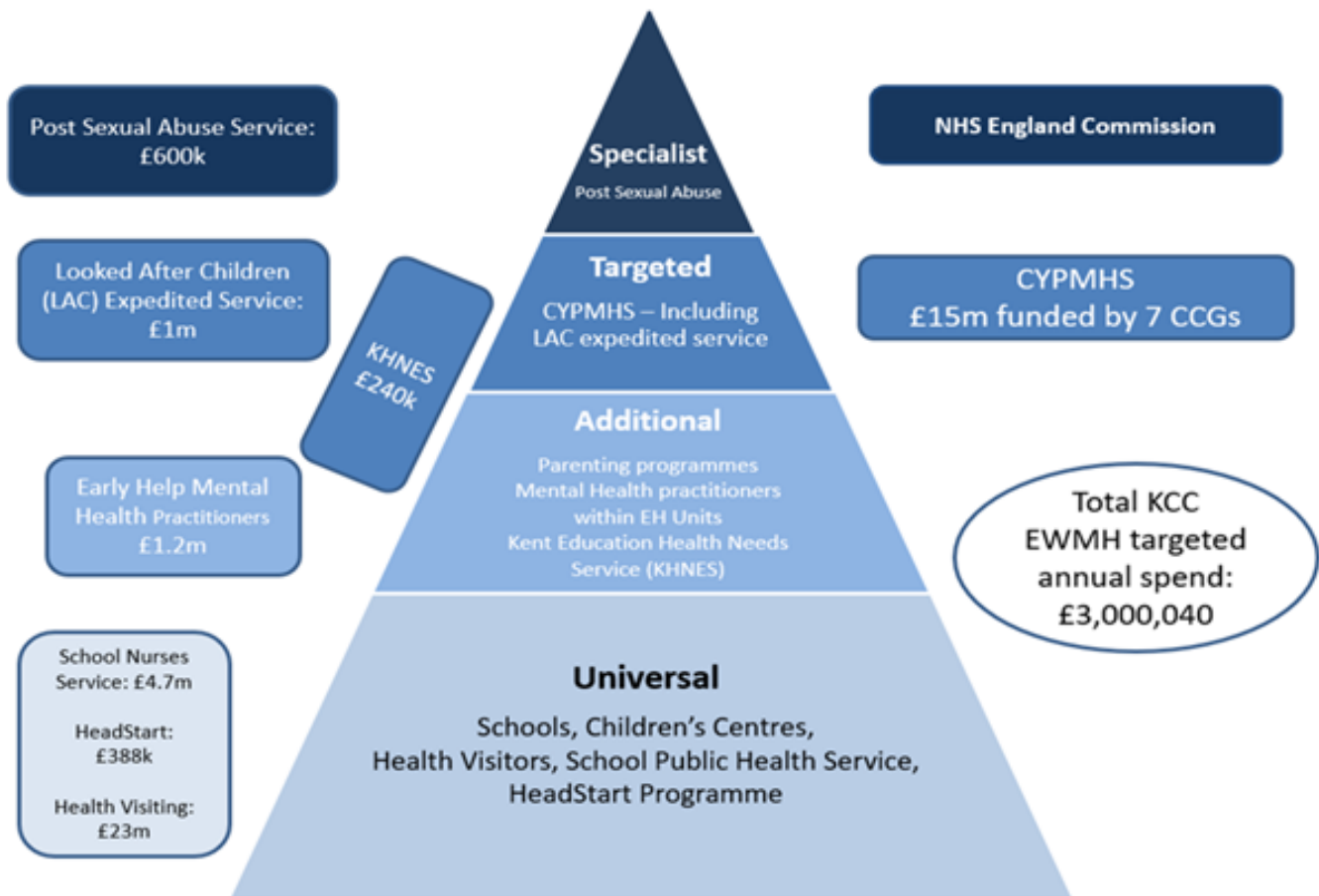
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## Appendix 1 – Services and Annual Funding Arrangements for Emotional Health and Mental Wellbeing Services in Kent



EHMW Service	Funding and Source	Provider
CYPMHS: Post Sexual Abuse	KCC CYPE funding £600k	North East London Foundation Trust (NELFT)
CYPMHS: LAC Expedited Service	KCC CYPE funding £1m	
CYPMHS: KHNES	KCC CYPE funding £240k	
CYPMHS: Early Help Mental Health Practitioners	KCC CYPE funding £1.2m	
CYPMHS: CCG elements	7 CCGs funding £15m	
HeadStart Kent	The Big Lottery £10m (over 5-years)	KCC Early Help and various, locally commissioned providers
School Nursing Service	KCC Public Health funding £4.7m	Kent Community Health Foundation Trust (KCHFT)
Health Visiting	KCC Public Health funding £23m	