

## London Borough of Hammersmith & Fulham

**Report to:** The Cabinet Member for Children and Education

**Date:** June 2020

**Subject:** Approval to Direct Award SEND and CAMHS Contracts for 2020/21 and the 2019/20 and 2020/21 financial contributions to CCG-held contracts

**Report of:** Paul Triantis – Strategic Lead, CHS Commissioning  
Craig Holden – Commissioning Development Lead, CHS Commissioning

**Responsible Director:** Director of Children's Services

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### Summary

This report urgently seeks approval to secure and continue the provision Speech and Language Therapy Services (SALT); Child and Adolescent Mental Health (CAMHS); and a range of SEND services which support the provision of the Local Offer required during this unprecedented time. These services provide critical, specialist and statutory services to vulnerable children, families and young people in Hammersmith and Fulham.

Specifically this report is seeking:

Approval for a decision to issue a direct award for 12 months 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021 for the following services:

1. **CAMHS** – total of £534,200
2. **SEND Local Offer provision** – total of £176,811

Approval for a decision to release financial contributions to H&F CCG for 24 months 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2021 for the CCG-held contract for

3. **Speech and Language Therapy** – total of £2,039,144

The values for each individual contract are listed at appendix 1 and at tables 1-3 below in the Recommendations.

Waivers (see Appendix 2 & Appendix 3) of the usual tendering requirements of the council's Contract Standing Orders (CSO) on the grounds that competition is absent for technical reasons for the Speech and Language Therapy provision in respect of Central London Community Healthcare NHS Trust (CLCH) contract was noted on 29 April 2020.

The waiver for the remainder of the SEND Local Offer contracts was sought on the ground of circumstances which are genuinely exceptional. This was noted on 29 April 2020.

A waiver for the direct award of the CAMHS Services is not required as approval for a further direct award until 31<sup>st</sup> March 2021 was provided by Cabinet in Decision dated 4th November 2019.

## Recommendations

- Appendix 4 is not published on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).
- To approve a direct award for the Special Educational Needs and Disability Services SEND Local Offer Contracts from the 1<sup>st</sup> April 2020 until 31<sup>st</sup> March 2021, the details of which and the value of each contract are set out in table 1 below:

**Table 1**

Contract	Provider	Contract Value	Previous Contracting Period	Total direct award value for one year	TOTAL VALUE
SEND Mediation	Kids	£29,790	01/04/18-31/3/20	£18,995	£48,785
SEND Short Breaks	H&F Mencap	£132,000	01/04/18 - 31/3/20	£33,000	£165,000
SEND Short Breaks	Action on Disability	£144,000	01/04/18 - 31/3/20	£36,000	£180,000
Software FIS	Open Object	£12,586	01/04/18-31/03/20	£6,293	£12,586
Software Local Offer	Open Object	£12,586	01/04/18-31/03/20	£6,293	£18,879
IASS Service	Insight	£126,520	01/04/18-31/03/20	£63,250	£189,750

- To approve a direct award for the following Child and Adolescent Mental Health Services (CAMHS) for a period of 12 months from 1<sup>st</sup> April 2020 until 31<sup>st</sup> March 2021:

**Table 2**

Contract	Provider	Contract Value	Previous Contracting Period	Total direct award value for one year	TOTAL VALUE
Early Intervention Community CAMHS	West London NHS Trust	£406,718	01/04/18 - 31/3/20	£205,387	£612,105
Looked After Children CAMHS	West London NHS Trust	£488,792	01/04/18 - 31/3/20	£237,322	£726,114
Parenting and	Central NW	£137,784	01/04/18 -	£68,892	£206,676

Family Psychotherapy Service	London NHS Foundation		31/3/20		
Masbro Centre property costs	UPG	26,000	01/04/18 - 31/3/20	13,000	£39,000
Kooth	Xenzone	12,599	01/04/18 - 31/3/20	9,599	£22,198

4. To approve 2019/20 and 2020/21 financial contributions to CCG-held to Central London Community Healthcare NHS Trust (CLCH) contracts as follows:

**Table 3**

Contract	Provider	Proposed duration of funding contribution to CCG	Value of new funding contribution (£)	New Total Value of Contract
SALT	Central London Community Healthcare NHS Trust (CLCH)	01/04/2019 - 31/03/2020	927,070	N/A - Funding Contribution Only
SALT	Central London Community Healthcare NHS Trust (CLCH) –	01/04/2020 - 31/03/2021	1,112,074	N/A Funding Contribution Only
Kaleidoscope - Palliative Bereavement	Central NW London NHS Foundation	01/04/2020 - 31/03/2021	12,800	N/A Funding Contribution Only

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**Wards Affected:** All

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**H&F Priorities**

Please state how the outcome will contribute to our priorities

Our Priorities	Summary of how this report aligns to the H&F Priorities
Creating a compassionate council	Supporting critical services which will support local young people and their families.
Being ruthlessly financially efficient	Spending money on vital services to prevent spend on higher-level and cost statutory services.

**Financial Impact**

1. The total value for the extended periods of these contracts is £2,745,875. The contracts are funded from within Children's Services commissioning (CAMHS contracts) and SEND budgets.
2. The value of the CAMHS contract extension is £534,200. This expenditure is fully covered by CHS commissioning budgets for 2020/21 of £534,200. The budget is made up of £24,500 of Public Health Grant funding and £509,700 from the general fund.
3. Under the approved Cabinet report dated 4th November 2019, each CAMHS contract obtained approval for the option for the Council and providers to enter into a further direct award for a duration of 12 months from 1st April 2020 to 31st March 2021. Therefore, a waiver for the direct award of those contracts is not required.
4. The SEND contracts include the contract for Speech and Language Therapy (SALT) of £1,112,074. High needs block dedicated schools grant is allocated to SALT provision at £800,000 for Hammersmith and Fulham resident pupils. The high needs block budget allocation was increased significantly from £294,000 in 2018/19 to reflect the increase in LBHF contribution from September 2019. The high needs block overspend in 2020/21 is forecast to be circa £2.5m, for which the increase in the SALT contract constitutes an additional pressure within this position.
5. Circa £325,000 of the proposed SALT contract value of £1,112,074 is with respect to non LBHF resident pupils with an EHCP and SALT service needs. Therefore, the LBHF high needs block budget of £800,000 would cover the estimated commitment for LBHF residents.
6. The SALT contract value covers expenditure for the provision of SALT services to both resident and out of borough pupils with the assumption that the council will recover the costs of this provision directly from the placing local authorities. Therefore, the council carries a further DSG high needs block risk of circa £325,000 in 2020/21 if these non-resident costs are not recovered from other local authorities. This is in addition to an additional outstanding recovery expected with respect in 2019/20 of £267,000.
7. There is a project of work reporting into the High Needs Block Programme Board to recover non-resident costs for the SALT contract. Approximate recoverable costs indicated above have been calculated using backing data handed to the local authority by the provider, CLCH. There is a plan in place to invoice for non-resident costs appropriately for both 2019/20 and 2020/21. Should payment for non-resident costs be non-forthcoming, the risk will be mitigated through the non-compliant local authorities being excluded from the contract. However, the exclusion of non-residents would cause significant disruption to the organisation of provision in LBHF's special schools.
8. The value of the other SEND Local Offer contract extensions is £176,811. A proportion of the cost of these contracts, £84,438 is met from the High needs block dedicated schools grant which is forecast to overspend by c£2.5m in

2020/21. The remaining contracts are covered by a general fund expenditure budget of £84,500 and a £6,000 budget within the Early Years Dedicated Schools Grant.

9. Credit checks of all the providers in this report have been undertaken and are all satisfactory.

*Implications with comments completed by: (Tony Burton, Head of Finance for Children's Services and Education, Tel. 07909 004 710)*

*Verified by Emily Hill –Director of Finance, Tel. 020 873 3145*

## **Legal Implications**

1. The recommendations propose direct awards in respect of contracts relating to Special Educational Needs and Disability Services (SEND) and Child and Adolescent Mental Health Services (CAMHS) from 1<sup>st</sup> April 2020 until 31<sup>st</sup> March 2021, on the grounds that there are circumstances which are genuinely exceptional in respect of the low value (below £189,330) SEND contracts and on the grounds that competition is absent for technical reasons in respect of the high value Central London Community Healthcare NHS Trust (CLCH) contracts.
2. The contracts under table 1 and 2 all fall under the category of social and other specific services, Schedule 3 of the Public Contracts Regulations 2015 (PCR). The threshold for such services is currently £663,540 (EU Threshold) and all the contracts under tables 1 and 2, save for CLCH contracts, fall below the current EU Threshold therefore the PCR does not apply in full. Nonetheless, the Council is required to comply with the PCR and with the general principles of transparency, equal treatment, non-discrimination and proportionality. Although undertaking a competitive exercise would be encouraged in order to adhere to these principles, the Covid-19 pandemic has brought about unprecedented challenges. In this instance, undertaking a competitive exercise would be difficult and continued service provision is required.
3. The value of the contracts CLCH are in excess of the EU Threshold. As such the PCR will apply to any award of the contracts. Further the current contracts were directly awarded to CLCH on a number of occasions.
5. This report also seeks the approval of a further direct award for the following CAMHS contracts for a duration of 12 months, commencing 1<sup>st</sup> April 2020:
  - i) Looked After Children to West London NHS Trust for a total value of £237,322;
  - ii) Early Intervention Community Mental Health Services to West London NHS at a total value of £205,387; and
  - iii) Meanwhile Parental Health Project to Central North West London NHS Trust for a total value of £68,892.
6. Under the Cabinet report dated 4<sup>th</sup> November 2019, each of the CAMHS contracts at 1.4 above obtained approval for the option of a further direct award

for a duration of 12 months from 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021. Therefore, a waiver for the direct award of these contracts was not required.

7. It is noted that competition is deemed absent in respect of the CLCH and the CAMHS contracts at paragraph 1.4 in the third and private sector due to the extensive resources required to fulfil the volume of work the Council requires in respect of these services. On this basis, the Council is advised to consider entering into a section 75 agreement with CLCH and the existing NHS providers of the CAMHS services. This will allow for the pooling of resources and/or delegation of health-related functions between the Council and the NHS trusts. A consultation must be carried out with service users prior to entering into this arrangement. It is recommended that officers agree a section 75 arrangement with CLCH and the NHS Trust providers of the CAMHS contracts and commence a consultation process as soon as possible. No further direct award should be permitted with CLCH and with the CAMHS contract providers at paragraph 1.4 outside a section 75 agreement. Further advice should be sought from the legal team on this agreement.
8. As the value of the direct awards exceed £25,000, Regulation 112 of the PCR require the Council to Publish on Contracts Finder within a reasonable time providing the name of the providers, the date on which the contract was entered into, the value of each contract and whether the provider for each is an SME (small or medium-sized enterprise) or VCSE (voluntary, community, and social enterprise).
9. The report seeks approval for the contracts to commence on 1<sup>st</sup> April 2020. As a matter of local government law, a decision cannot be taken retrospectively. Approval for these contracts should have been obtained prior to the contracts starting, but the services were a matter of extreme urgency. Therefore, the recommendation is to note and ratify the direct awards that have already been made.
10. The Council should seek legal advice on the terms and conditions for each of the proposed direct awards.

*Legal implications provided by: Hannah Ismail, Solicitor for Sharpe Pritchard LLP, tel: 020 7405 4600*

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Contact Officer(s):

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Finance:

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 Verified by Emily Hill –Director of Finance, Tel. 020 873 3145

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## Proposals and Analysis of Options

### Speech and Language Therapy Overview

Contract Title	Annual Value of LA contribution	Description
Speech and Language Therapy Services (Central London Community Health Trust)	£1,112,074	Delivery of statutory school-age offer for children with speech, language and communication needs. Includes intervention around following need types: developmental & acquired SLCN, speech sound disorders, specific language impairment, social communication disorders, dysfluency, hearing impairment difficulties

1. Speech and Language Services are provided by Central London Community Health Trusts and contracted by the CCG. Approval is sought in this paper to release financial contributions towards this contract as detailed in Appendix 1 of this report.
2. Following a review of statutory responsibilities for this contract, the Local Authority will now be picking up a significantly larger portion of contract costs compared to 2018/19, as indicated under the ‘Financial Impact’ section. The new proposed contractual costs are based on the following split of contractual cost elements, which have been brokered and agreed at an officer level, in consultation with the current and previous Director for Children’s Services, and cabinet member.

CLCH Costing Elements – Proposal between LA and CCG officers		
CCG 43.4% (based on FTE costs)	H&F 56.6% (based on FTE costs)	
<b>Early Years Provision</b> - EY settings; drop in clinics, advice & training - Assessment & identification - Specialist 1-1 <i>Specific contributions to school-age service:</i> <ul style="list-style-type: none"> <li>• Dysphagia Treatment</li> <li>• Input into ASD assessments</li> <li>• 50% contribution to reception year</li> </ul>	<b>Mainstream Education (EHCPs)</b> <ul style="list-style-type: none"> <li>• Servicing of Section F EHCP needs (includes 1-1 and group based work)</li> <li>• Schools training offer</li> </ul>	<b>Specialist Education (EHCPs)</b> <ul style="list-style-type: none"> <li>• Servicing of Section F EHCP needs (includes 1-1 and group based work)</li> <li>• Schools training offer</li> </ul>

3. The Speech and Language Therapy (SALT) contract value covers expenditure for the provision of SALT services to both resident and out of borough pupils with the assumption that the council will recover the costs of this provision directly from the placing local authorities. There is a project of work reporting into the High Needs Block Programme Board to recover non-resident costs for the SALT contract. Approximate recoverable costs have been calculated using backing data handed to the local authority by the provider, CLCH. There is a plan in place to invoice for non-resident costs appropriately for both 2019/20 and 2020/21. Should payment for non-resident costs be non-forthcoming, the risk will be mitigated through the non-compliant local authorities being excluded from the contract. However, the exclusion of non-residents would cause significant disruption to the organisation of provision in LBHF's special schools and will not be pursued until other avenues are exhausted.
4. In addition to implementing recharge mechanisms an ongoing piece of work is underway to review Speech and Language Therapy services with a view to ensuring the best possible outcomes for children and young people with speech, language and communication needs, reviewing potential 'gaps' in the statutory offer, and ensuring services are delivered in a cost-effective manner.

### **SEND Local Offer Contracts Overview**

5. This area relates to a series of lower-value SEND Local Offer contracts for which direct awards are sought to continue service delivery arrangements on an 'as-is' basis for financial year 2020/21.

More information on these contracts is given in the table below.

<b>Contract Title</b>	<b>Annual Value 2020/21</b>	<b>Description</b>	<b>Plans for 20/21</b>
H&F Mencap: Short Breaks	£33,000	Group short breaks for 8-13 years and siblings through delivery of 12 Saturday clubs (6hrs) and 10 days of holiday clubs (6hrs) per year. The number of children per session is subject to levels of need.	Potential to review as part of overall short breaks offer
Action on Disability: Short Breaks	£36,000	Group short breaks. After school for age 11-16 years for 30 sessions at 3hrs per session; minimum total 840 places per year. Inclusive activities, 70 sessions at 1.5-2 hours. Minimum total 3360 places. 5 hours per week of professional collaboration to promote inclusion.	Potential to review as part of overall short breaks offer, and align to youth offer review



CLCH: Palliative Support (Kaleidoscope)	£12,800	Providing home social and emotional support to children receiving palliative care, and their families. The service use play therapy with affected families to deal with emotional issues. The small team also act as lead professionals, enabling families to focus on care rather than case management reducing stress and improving information sharing across the many professionals involved with each family	Greater emphasis on monitoring of arrangements to ensure value for money
Insights: Independent Advice Service (IASS)	£63,250	<b>Statutory Service.</b> As part of the Children and Families Act 2014 it is a legal requirement that all local authorities ensure children and young people with Special Educational Needs and/or Disabilities (SEND) and their parents/carers have access to an impartial. This service meets the Council's statutory duty to by providing impartial information, advice and support on SEND, SEN support, statutory assessment (education, health ad care needs assessment), and EHCPs. This provider has a well-established and well-known team who provide a range of drop-in support sessions, 1:1 support and workshops to ensure parents/carers and young people get the support they want and need.	Retender in time for April 2021 go-live
KIDS: SEND Mediation Service	£18,995	<b>Statutory Service.</b> Meeting the Council's duties to deliver mediation for families around SEND. This includes rapid response telephone support line from Mon-Fri, 9am-5pm, Provision of a confidential telephone/email/online referral service, up to 40 Pre Tribunal Mediation Information and Advice Sessions (MIAS) and Certificates, up to 15 face-to-face EHC Mediations or DR Sessions, Comprehensive Casework and DR/Mediation co-ordination.	Quick review of provider market
Open Objects: Family Information Service (FIS) & Local Offer	£6293 (FIS) + £6293 (LO)	<b>Statutory Service.</b> Meeting the Council's duty to provide a published Local Offer for CYP (aged 0-25) with SEND and their families as per the CFA 2014. The fee is for maintenance and support of the website from the Open Objects Support Team. Recently supported LBHF in separating database from Bi-borough.	Negotiate with provider around EU data protection requirements within cost envelope; Head of Local Offer liaising with corporate IT.

## CAMHS Overview

6. Hammersmith & Fulham's Child and Adolescent Mental Health Services provide multi-disciplinary assessment, and therapeutic and psychopharmacological interventions for children and young people up to the age of 18 years. The offer comprises:

- an early intervention community CAMHS service;

- a multi-disciplinary Looked After Children CAMHS service, both provided by West London Trust;
- a parenting and family psychotherapy service, provided by Central & North West London NHS Foundation;
- the online counselling service Kooth;
- Trailblazer mental health support teams;
- and a specialist behaviour service for young people with learning disabilities or autism, currently under development.

The objective of this offer is to ensure joined up emotional wellbeing and mental health services that provide equitable access and the best possible outcomes for H&F's children and young people.

7. The following are strategic priorities for H&F CAMHS services in 20/21:

- A renewed emphasis on early Intervention & preventing escalation of need and severity of mental health issues
- Providing specialist input to our most vulnerable groups
- Rapidly expanding access to emotional wellbeing & mental health services for Children and Young People, and improving visibility of services.
- Joined up services: requiring services to maximise their connection to other providers.
- Making sure children and young people feel involved in service development, strengthening the offer and building on individual and community assets.
- Ensuring value for money per £ spent

More information on these contracts is provided in the table below:

<b>Contract Title</b>	<b>Annual Value 2020/21</b>	<b>Description</b>
LAC CAMHS	£210k	Serves looked after children and those with disabilities on the edge of care identified as vulnerable, experiencing emotional distress and/or mental ill health, up to the age of 21. This includes 'step up' and 'step down' support for children from other CAMHS services.
Specialist Behaviour Service	£27k from LAC funding	Jointly commissioned behavioural support service for CYP with Learning Disabilities and/or Autism who are at risk of Tier 4 hospital admission or residential placement. For age 0-18 yrs, plus those CYP at The Haven who would have entered at <18 but are older at time of service (early 20s).
COMMUNITY CAMHS	£205k	An early intervention Community CAMHS service offering assessment, short-term therapeutic work, early help and targeted services to children and young people (0-18). (Jointly funded with H&F CCG)
Parenting & Family Psychotherapy Service	£68k	Provides brief or time limited systemic psychotherapy to parents, carers and their families to address safeguarding concerns and reduce the impact of parental MH on CYP.
Kooth	£9k	Online text-based counselling service for adolescents delivered via an app provided by

	Xenzone.
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8. Over the next 12 months the intention is to further develop CAMHS services in conjunction with £1.75m in awarded Trailblazer funding. This includes expanding partnerships to promote emotional wellbeing and mental health in schools, enabling access to the right support in the right place at the right time, and supporting children and young people with emerging needs.
9. To support this in terms of each individual contract, during 2020/21 the following service development activities will take place:
  - **LAC CAMHS: Improved service integration** across CAMHS and CHS, including LAC Team, Clinical Team, LAC Assist and LAC CAMHS. Recent work includes implementation of shared, uniform tools and protocol re. risk classification, referrals and tracking across these services. Also streamlining of spend: £27,743 from the 2020/21 budget apportioned for behavioural support work (via the DCT) and recruitment frozen to 0.7 WTE Family Therapist for 19/20 and 20/21 (an adjustment of £48,550).
  - **Community CAMHS:** Stronger community presence using out-of-clinic settings with a premium on visibility and accessibility of services (including S Wiltshire Centre and Community Wellbeing Practitioners). Also integration with Trailblazer Mental Health Support Teams to expand early intervention offer and connect earlier with identified at-risk young people
  - **H&F Parenting and Family Psychotherapy Service:** a shift towards time-limited behavioural and counselling interventions and skills building that responds to emerging needs as a result of COVID19 and intermittent lock-down measures. Post-lockdown a partly virtual offer will remain in place to maintain accessibility where remote therapy allows certain clients to keep appointments.
  - **Kooth:** Increase in service capacity to complement expanding virtual offer. Also a broadening of access and uptake via schools and 3SIF including YHFF, Hammersmith Academy, William Morris, H&F's Youth Council.
  - **Trailblazer:** A Wave 3 funding application was submitted in March which if successful will expand support to all schools across H&F.
10. Emerging mental health needs and recently changed circumstances for children and young people, parents and families highlight the need to work closely with services, encouraging development of digital platforms where possible and appropriate, and an offer that is supportive, cost effective, and can endure across the life of the COVID19 outbreak and beyond.
11. Going forward will we act on learning from recent experiences by realigning how H&F works with schools, the CCG, NHS providers and community organizations on delivering emotional health and wellbeing outcomes. To facilitate this process of sharing resources more effectively across sectors we will also work to ensure that the totality of our Early Help emotional wellbeing & mental health services are known, and that these services are delivering value for money for every pound spent. This

process will continue throughout 20/21 with the intention to create a fully integrated, multi-sector health and wellbeing offer by the beginning of FY21/22.

**Option 1: Agree to the direct award of the contracts as listed in Tables 1, 2 and 3 (Recommended)**

- This will secure existing provision at this unprecedented time when the council is going to rely significantly on the extended workforce of the providers, and ensure continuity of supply
- It will also enable providers to continue to provide critical and vital support to vulnerable children, young people and families.

**Option 2: Do not agree the direct award of the contracts listed in Tables 1, 2 and 3, ceasing provision (Not recommended)**

- This is likely to introduce significant risk to the health and wellbeing of vulnerable children, young people and families who would not be able to access these vital services.

**Reasons for Decision**

12. The decision to direct award the contracts will secure existing provision over the next few months when the council is going to rely significantly on the providers and their workforce to both continue their services and support the Local Authority deliver our services.
13. It will also enable the providers to continue to provide vital support to vulnerable children, young people and families.
14. Prior to the COVID-19 epidemic, plans had been put in place to directly award or extend contracts for a short period of time, during which appropriate commissioning reviews and/or retenders could take place. However, on advent of the epidemic, available resource has been deployed towards pandemic response. Desktop analysis indicates that contracts are performing adequately and are meeting local need appropriately, and will continue to do so for the critical 2020-2021 period. There has not been any overall increase in contract costs since 2018/19, with the exception of the Kids Mediation Contract for 2020/21, which has an increased value of £4,195 this year due to the higher volumes of mediations being commissioned.
15. For the Special Educational Needs and Disability Services (SEND) service provision in respect of Central London Community Healthcare NHS Trust (CLCH) contract and CAMHS contracts via West London NHS Trust and Central and NW London NHS Foundation competition via 3rd sector or private organisations is deemed absent for technical reasons. This is due to the need for a large number of specialist health staff required to fulfil the obligations of these contracts, which is unlikely to be fulfilled by non-NHS providers due to the extensive resources required to fulfil the council's requirements for this service provision. Furthermore, potential limited geographical competition between NHS health trusts is not currently possible due to the Covid-19 epidemic, as trust staff have been redeployed nationally for the foreseeable future to

frontline health roles to combat the effects of the virus, making any switching of NHS providers impossible at the current time.

16. The providers will continue to be managed in line with the key performance indicators and expected outcomes as stated in the service specification. Appropriate measures will be taken to ensure that the providers deliver all the activities and services that are agreed upon and that appropriate levels of quality will be maintained via regular activity reporting, contract monitoring and service evaluation processes.

## **Equality Implications**

17. There are no negative equality implications for groups with protected characteristics, under the Equality Act 2010, arising from the approval of these proposals.
18. The direct award of contracts outlined in this report help to secure continuity of provision supporting vulnerable children, young people and their families.

*Implications completed by: Fawad Bhatti, Policy & Strategy Officer, Public Services Reform, tel. 07500 103617.*

## **Risk Management Implications**

18. The Speech and Language Therapy (SALT) service is provided by Central London Community Healthcare (CLCH). This service provides assessment and diagnosis for children and young people with speech, language and communication needs and/or with eating, drinking, and swallowing needs. Following diagnosis, the service may provide therapy for children and young people whose difficulties have a significant impact on their functional, everyday communication skills. These services are positive measures that are vitally important for the development of children and young people's communication skills, best developed through interaction with the people who are most familiar with the children and young people, and in their everyday situations and environments.
19. COVID-19 has also impacted on many areas of the community. The Council, through its SEND programme, is aware that short breaks give children and young people the chance to develop new friendships, take part in new experiences, learn new skills and have fun whilst achieving positive outcomes. The purpose of shorts breaks is to give children and young people with disabilities the same opportunity as others to take part in various activities. The value and importance of these breaks is significant and will be planned and undertaken in accordance with both the Council's compassionate role and also its responsibilities including the COVID-19 measures that are required to maintain safety.
20. Child and Adolescent Mental Health Services (CAMHS) was established with the aim of improving the mental health of young people accessing the service and providing support to their families. While the financial landscape is challenging, there is no shortage of innovation and effective practice to meet local needs and priorities.

21. CAMHS services have an important role in the early intervention and prevention of mental ill-health. Through effective early intervention at a young age, a good CAMHS service has the ability to radically improve the mental, as well as the physical health of children and young people, rendering them happier, healthier and more productive later in life. What is more, CAMHS is key in alleviating other issues, such as young offending and substance abuse. Proposals contribute significantly to the wellbeing of people. As costs pressures exist, and are identified in 1.4 of the report, it will be crucial to ensure that the Council recovers a fair cost of delivering the service to other Local Authorities. Doing so will ensure that the cost of risk is more fairly allocated.

*Implications verified by: Michael Sloniowski, Risk Manager, telephone 020 8753 2587*

### **Procurement Implications**

22. The contracts proposed for retrospective direct award are both below and above threshold (£189,330). The Council's Contracts Standing Orders normally require competition to be run for the service described in this report due to the financial value of this contract.

23. Any new contracts should have been put in place before the contract expired. It is advised that the service area work closely with legal to ensure that the Council has the appropriate arrangement in place.

- a. In accordance with Contract Standing Orders the following requirements would normally need to be met.
- b. For low value revenue contract the CSO states that in such cases the contract award is by the relevant SLT Member:

Contract	Provider	Contract Value	Previous Contracting Period	Total direct award value for one year
Masbro Centre Property Costs	UPG	£26,000	01/04/18-31/3/20	£13,000
SEND Mediation	Kids	£29,790	01/04/18-31/3/20	£18,995
SEND Short Breaks	H&F Mencap	£132,000	01/04/18 - 31/3/20	£33,000
SEND Short Breaks	Action on Disability	£144,000	01/04/18 - 31/3/20	£36,000
Software FIS	Open Object	£12,586	01/04/18-31/03/20	£6,293
Software Local Offer	Open Object	£12,586	01/04/18-31/03/20	£6,293
Kaleidoscope	CLCH	£25,600	01/04/18-31/03/20	£12,800
Kooth	Xenzone	£12,599	01/04/18-31/03/20	£9,599

24. For medium value revenue contract the CSO states that in such cases the contract award is by the relevant Chief Executive/SLT Member:

Contract	Company	Contract Value	Previous Contracting Period	Total direct award value for one year
Parenting and Family Psychotherapy Service	Central NW London NHS Trust	£137,784	01/04/18-31/03/20	£68,892
IASS Service	Insight	£126,520	01/04/18-31/03/20	£63,250

25. For high value Revenue contracts between the threshold (currently £189,330) to £0.5m, CSO's states that in such cases the contract award approval is by the relevant Chief Executive/SLT Member in Consultation with the relevant Cabinet Member:

Contract	Company	Contract Value	Previous Contracting Period	Total direct award vale for one year
Looked After Children	West London NHS Trust	£406,718	01/04/18-31/03/20	£205,387
Community CAMHS Services	West London NHS Trust	£488,792	01/04/18-31/03/20	£237,322

26. For high value Revenue contracts £0.5m and above, CSO's states that in such cases the contract award approval is by the relevant Cabinet member:

Contract	Company	Contract Value	Previous Contracting Period	Total direct award vale for one year
SALT	Central London Community Healthcare NHS Trust (CLCH)	£927,070	01/04/19-31/03/20	£927,070
SALT	Central London Community Healthcare NHS Trust (CLCH)	1,112,074	01/04/20-31/03/20	1,112,074

27. Contract Standing Orders 25.1 states that evidence of contractor performance, Value for Money and benchmarking must accompany a request for an extension. It is considered that the author of the report has addressed these requirements in the body of the report.

28. In the event the direct awards are approved the contracts must be robustly contract managed to ensure it continues to deliver value for money against its KPI's and that the provider meets their agreed social value contractual obligations.
29. If the proposed contract awards are approved they must be awarded by way of a notification on the e-tendering system after any standstill period has expired. The service area must arrange for the borough solicitor to seal any contracts above £100,000 on behalf of the council and must comply with the requirements under Contract Standing Orders 21.8 and 21.9.

*Implications completed by: Joanna Angelides, Procurement consultant, telephone 020 8753 2586*



**List of Appendices:**

*Appendix 1: Contract details*

*Appendix 2: Waiver*

*Appendix 3: Waiver*

*Appendix 4: Exempt Appendix (Legal)*