

Report of Head of Service – Looked After Children

Report to the Director of Children & Families

Date: 22/05/17



Subject: Request to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Leeds Community Healthcare Trust for delivery of psychological input into the therapeutic social work team.

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The decision is seeking permission to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Leeds Community Healthcare Trust (LCHT) for delivery of psychological input into the Therapeutic Social work team.
2. Children & Family Services currently hold a contract with LCHT for delivery of psychological input into the Therapeutic Social work team. This contract is due to expire on 31st August 2017.
3. An evaluation of the existing service was undertaken which showed positive impact on children and young people. The report identified future developments to further improve the service. Issuing a new contract to LCHT will ensure that the recommendations within the evaluation are incorporated into the new service specification.
4. The new contract will commence on 1st September 2017 and will be for three years with the option to extend for two further periods of 12 months.
5. The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend. The maximum contract value will be £488k over the life of the contract.

Recommendations

- 1 The Director of Children & Families is recommended to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to LCHT for delivery of psychological input into the therapeutic social work team. The contract will commence on 1st September 2017 and will be for 3 years; therefore expiring on the 31st August 2020. The contract will have two options to extend of 12 months. The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend and therefore the maximum contract value will be £488k over the life of the contract.

1 Purpose of this report

- 1.1 The purpose of this report is to seek permission to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Leeds Community Healthcare Trust (LCHT) for delivery of psychological input into the therapeutic social work team.
- 1.2 The contract will commence on 1st September 2017 and will be for 3 years; therefore expiring on the 31st August 2020. The contract will have two options to extend of 12 months.
- 1.3 The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend. The maximum contract value will be £488k over the life of the contract.

2 Background information

- 2.1 In 2015 LCHT were awarded a contract for delivery of for delivery of psychological input into the therapeutic social work team.
- 2.2 LCHT currently employ 1.2 FTE members are staff that are fully integrated within the Children's Social Work Services Therapeutic Social Work Team (TSWT). Clinical supervision and continuing professional development is provided by LCHT.
- 2.3 An evaluation of the service was completed in November 2016. The evaluation showed that the service was having a positive impact on children and families.
- 2.4 The presence of Clinical Psychology within TSWT is supported by legislative and research papers (NICE 2015; NSPCC 2016; Department of Health and NHS England, 2015) and is supportive of the achieving the outcomes outlined within Leeds Children's and Young Peoples Plan.

3 Main issues

- 3.1 Children & Family Services currently hold a contract with LCHT for delivery of psychological input into the Therapeutic Social work team. This contract is due to expire on 31st August 2017.
- 3.2 Approval is being sought to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Leeds Community Healthcare Trust (LCHT) for delivery of psychological input into the Therapeutic Social work team.
- 3.3 The new contract will commence on 1st September 2017 and will be for 3 years with the option to extend for 2 further periods of 12 months. The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend. The maximum contract value will be £488k over the life of the contract.
- 3.4 The contract will be for 1.2 FTE Clinical Psychologists. One FTE post will be a NHS band 8a psychologist and one 0.2FTE will be a band 7 psychologist. Clinical

governance, supervision and mandatory training and development is incorporated within the contract.

Reason for contracts procedure rules waiver

- 3.5 One of the roles of clinical psychologists within the TSWT is holding links and pathways between TSWT and Children and Adolescent Mental Health Service (CAMHS). Many cases within the TSWT require referral to CAMHS; for example for neurodevelopment assessments or where psychiatric input is required. The psychologists within TSWT are able to undertake psychological consultation/oversights prior to referring. This enables a swifter referral into CAMHS and therefore cuts down on delays accessing these services.
- 3.6 Having the psychologists employed within LCH enables them to have a good awareness of the CAMHS services pathways and models. Referrals from the psychologists are classed as 'internal referrals' and so are not subject to the same wait time and consultation clinic protocol as other referrals coming in. They can instead be prioritised for the required piece of assessment or intervention work, which is a significant benefit to reduced waiting times for children and families.
- 3.7 Furthermore, having the TSWT clinical psychologists employed through LCHT ensures robust clinical governance in line with other CAMHS workers. As part of this governance the psychologist's access mandatory training provided by LCHT, therefore allowing them to support the TSWT with a working knowledge of developments in CAMHS and ensure their practice is continually improved. The arrangement also supports the psychologists to access supervision arrangements from other clinical psychologists within the organisations and enables them to access clinical psychology knowledge and child and adolescent mental health care from a many number of professionals that they would otherwise be quite isolated from.

Consequences if the proposed action is not approved

- 3.8 If approval is not granted to award this contract to LCHT the result would be a break in service of the psychological input into the TSWT; thus impacting on the support available to vulnerable children and families. A further result would be significant impact on delays to some children and young people accessing specialist support via CAMHS.

Advertising

- 3.9 This contract opportunity has not been advertised. The contract value is below current EU threshold, so there is no requirement for the contract to be tendered in accordance with the Public Contracts Regulations but there is a requirement to comply with the Council's Contract Procedure Rules.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The proposal has been through consultation process involving: Head of Looked After Children, Team Managers in Children's Social Work Services, Leeds Community Healthcare Trust.
- 4.1.2 Procurement have been consulted to ensure compliance with contract procedure rules and EU regulations.
- 4.1.3 Ongoing consultation to evaluate and inform service development takes place by the existing service provider. This is routinely shared with Team Managers in Children's Services Social Work Services. The findings from these evaluations will be used to inform the specification of this new contract.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equalities impact screening has been completed and is attached to this report.

4.3 Council policies and Best Council Plan

- 4.3.1 This service supports the ambitions of the Best Council Plan and the ambitions of a Child Friendly City.
- 4.3.2 The service directly supports the following priorities of the Children and Young People's plan:
 - Help children to live in safe and supportive families.
 - Ensure that the most vulnerable are protected.
 - Improve social, emotional and mental health and well-being.

4.4 Resources and value for money

- 4.4.1 The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend. The maximum contract value will be £488k over the life of the contract.
- 4.4.2 The current contract with LCHT was awarded via a waiver of contract procedure rules in 2015. The contract is due to expire on 31st August 2017.
- 4.4.3 An evaluation of the service has recently been completed and showed positive and significant impact on children and young people.
- 4.4.4 The quality and value for money of the service will be monitored by the Commissioning and Market Management Service, Children's Services. Intelligence gained through the contract monitoring of this contract will be used to inform the family support review.
- 4.4.5 Contracting with LCHT for delivery of this contract enables the therapists to access clinical psychology knowledge from a wide range of professionals within LCHT. This knowledge is shared within the wider TSWT and is used to continually improve service delivery.

4.5 Legal Implications, Access to Information and Call In

- 4.5.6** This report seeks permission to waive contract procedure rules 9.1 and 9.2 to award a contract to LCHT without competition.
- 4.5.7 The value of the contract is a maximum £450k and is therefore a significant operational decision and as such is not subject to call in.
- 4.5.8 The value of the contract will not exceed the OJEU threshold of £589,148; this means it is below the threshold where there is a legal requirement for the contract to be published in Europe. However giving the work to this provider without competition could leave the Council open to a potential claim from other providers, to whom this contract could be of interest, that it has not been wholly transparent.
- 4.5.9 In terms of transparency it should be noted that Contracts Procedure Rules suggests that contracts of this value should be subject to a degree of advertising. It is up to the Council to decide what degree of advertising is appropriate. In giving the work to this provider without competition there is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity.
- 4.5.10 Whilst there is no legal obstacle preventing the waiver of CPR 9.1 and 9.2, the above comments should be noted when making the final decision. The Director of Children & Families should be satisfied that the course of action chosen represents Best Value for the Council.

4.6 Risk Management

- 4.6.1 There is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity. The Director of Children & Families is asked to accept this request for the reasons stated in 4.5.6.

5 Conclusions

- 5.1 The Director of Children & Families is asked to note the contents of this report and approve the waiver of contract procedures rules 9.1 and 9.2 to award a contract, without competition, to LCHT for delivery of psychological input into the therapeutic social work team.

6 Recommendations

- 6.1 The Director of Children & Families is recommended to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to LCHT for delivery of psychological input into the therapeutic social work team. The contract will commence on 1st September 2017 and will be for 3 years; therefore expiring on the 31st August 2020. The contract will have two options to extend of 12 months. The contract value will be £93,652 in the first year. The value for the subsequent two years will be: year 1 £95,617 and year 2 £97,627. The contract will include two further periods to extend and therefore the maximum contract value will be £488k over the life of the contract.

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.