

Report of: Commissioning and Market Management Team

Report to: Chief Officer Resources and Strategy

Date: 22/04/2021

Subject: S76 funding transfer 2021/22 for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open 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

1. Main issues

- This report seeks approval to transfer funding by way of a section 76 to NHS Leeds Clinical Commissioning Groups Partnership for delivery of the Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service - 01/09/2020 to 31/03/2021.
- NHS Leeds CCG led the procurement of a new five year framework agreement in 2019/21, from which Clusters are able to call off annually.
- Leeds City Council is committed to joint funding the service throughout the life of the framework. However, funding will be made available on an annual basis and as such this report seeks approval to transfer funding for 2021/22.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- This proposal provides strong support for the refreshed Children and Young Peoples Plan and the Council's ambition to be a Child Friendly City. The outcomes delivered through this contract will contribute to a number of the outcomes and priorities within the plan, including the outcome to ensure all young people are safe from harm and the priority to improve social, emotional, and mental health and wellbeing.

- This proposal also supports the 2020-25 Best Council Plan priority make Leeds the best city for children and young people to grow up in and priority 3 within the Future in Mind Strategy – Continue to work across health, education and social care to deliver local early help services for children and young people with emotional and mental health needs who require additional support.
- The Contractors are required to consider the environmental impact of their approach to service delivery.

3. Resource Implications

- The value of this funding transfer for 2021/22 is £250,000.
- For budget purposes this spend has been accounted for against the Innovations Fund (50116).

Recommendations

The Chief Officer Resources and Strategy is recommended to approve the transfer of funding by way of a section 76 agreement to NHS Leeds Clinical Commissioning Groups Partnership for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service for the period 2021/22 at a value of £250,000.

1. Purpose of this report

- 1.1 The purpose of this report is to seek approval to transfer funding by way of a section 76 agreement to NHS Leeds Clinical Commissioning Groups Partnership for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service - 01/09/2020 to 31/03/2021.

2. Background information

- 2.1 The purpose of the Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service is to provide an early intervention therapeutic service for children and young people in the city with social, emotional and mental health needs.
- 2.2 A new framework was procured in 2019/20. A number of bids were received and following the tender evaluation process, four providers were found to have met the required standard to be added to the framework.
- 2.3 In previous years, NHS Leeds CCG transferred monies to the council and the funding from both NHS Leeds CCG and the Council was passed to clusters to commission their own SEMH provision. Under the new framework, the funding sits with NHS Leeds CCG and clusters are given a notional budget to call off provision from the framework.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The decision to jointly procure and fund the framework was agreed by the Leeds Joint Commissioning Board.
- 4.1.2 The Executive Member for Children and Families was consulted about the decision to procure.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An Equality Impact Assessment screening document has been completed and is attached at Appendix 1. This demonstrates there is no detrimental impact on equality and diversity, cohesion and integration.

4.3 Council policies and the Best Council Plan

- 4.3.1 This proposal provides strong support for the refreshed Children and Young Peoples Plan and the Council's ambition to be a Child Friendly City. The outcomes delivered through this contract will contribute to a number of the outcomes and priorities within the plan, including the outcome to ensure all young people are safe from harm and the priority to improve social, emotional, and mental health and wellbeing.
- 4.3.2 This proposal also supports the 2020-25 Best Council Plan priority make Leeds the best city for children and young people to grow up in and priority 3 within the Future in Mind Strategy – Continue to work across health, education and social care to

deliver local early help services for children and young people with emotional and mental health needs who require additional support.

Climate Emergency

4.3.3 Providers are required to consider the environmental impact of their approach to service delivery.

4.4 Resources, procurement and value for money

4.4.1 The total value of the Council's contribution to the framework in 2021/22 is £250,000.

4.4.2 For budget purposes this spend has been accounted for against the Innovations Fund (50116).

4.4.3 A section 76 agreement will be signed for 2021/22.

4.4.4 A section 76 transfer will be a more effective use of public funds than the deployment of an equivalent sum on local authority services because it will have the following benefits:

- a single approach, agreed between Leeds City Council and NHS Leeds Clinical Commissioning Group, to identifying suitable outcomes (and associated performance measures) for services delivered,
- increased flexibility for the contracted providers in identifying how to best deliver outcomes required,
- a single contract management approach, which will reduce the resources required for contract management and
- a shared approach from commissioners to develop a co-ordinated service model.

4.4.5 Following a joint procurement exercise during 2019/20 this is a jointly commissioned service with NHS Leeds Clinical Commissioning Group acting as Lead Commissioner. A joint monitoring tool will be used during the life of the contract as part of a robust joint contract management process. Performance targets and outcomes will be monitored throughout the life of the contract. NHS Leeds CCG pay providers directly and ensure outputs and impact are collated and flowed to the central NHS Mental Health Services Dataset (MHSDS).

4.4.6 This agreement is part of a process of developing joint commissioning processes for this important contract, with regular reporting to the Leeds Joint Commissioning Board.

4.5 Legal implications, access to information, and call-in

4.5.1 The total value of the funding to be transferred for 2021/22 is £250,000 and so this is a significant operation decision. This decision is not subject to call in.

4.6 Risk management

4.6.1 The signing of a section 76 agreement provides clarity over the aims and objectives of the funding transfer and enables a more effective use of public funds. The council is committed to jointly funding the framework agreement over its lifetime but funding

will be made available on an annual basis to enable the council to manage budgets more effectively.

5. Conclusions

- 5.1 This report seeks approval to transfer of funding by way of a section 76 transfer to NHS Leeds Clinical Commissioning Groups Partnership for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service.
- 5.2 This provision helps to improve the social emotional and mental health for children and young people living in Leeds through a locally delivered and integrated approach.

6 Recommendations

The Chief Officer Resources and Strategy is recommended to approve the transfer of funding by way of a section 76 transfer to NHS Leeds Clinical Commissioning Groups Partnership for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service for the period 2021/22 at a value of £250,000.

7 Background documents¹

- 6.1 None.

8 Appendices

- 8.1 Appendix 1: Equality Impact Assessment screening document.

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.

APPENDIX 1

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Children and Families	Service area: Commissioning and Market Management
Lead person: Catherine Henderson	Contact number: 0113 3785430

1. Title: Tender for a Regional Adoption Peer Mentoring Scheme
Is this a: <input type="checkbox"/> Strategy / Policy <input checked="" type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify

2. Please provide a brief description of what you are screening
<p>This screening is of a decision for LCC transfer of funding by way of a section 76 agreement to NHS Leeds Clinical Commissioning Groups Partnership for delivery of a Social, Emotional and Mental Health (SEMH) Cluster Based Support: MindMate Wellbeing service - 01/09/2020 to 31/03/2021.</p> <p>This decision supports the jointly commissioned SEMH provision procured by Clusters. NHS Leeds CCG led the procurement of a framework from which Clusters call off annually. NHS Leeds CCG pay providers directly and ensure outputs and impact are collated and flowed to the central NHS Mental Health Services Dataset (MHSDS).</p>

This provision supports in the delivery of priority 3 within the Future in Mind Strategy – Continue to work across health, education and social care to deliver local early help services for children and young people with emotional and mental health needs who require additional support.

The purpose of the service is to provide an early intervention therapeutic service for children and young people in the city with social, emotional and mental health needs.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		x
Have there been or likely to be any public concerns about the policy or proposal?		x
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		x

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

- **Key findings** (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- **Actions** (think about how you will promote positive impact and remove/ reduce negative impact)

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval
Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Tim Pouncey	Chief Officer Resources and Strategy	
Date screening completed		26/03/2021

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: