

# Request for authority to procure a counselling and therapy service for women in line with Contract Procedure Rule 3.1.6

Date: July 2021

Report of: Deputy Director, Integrated Commissioning

Report to: Director of Adults and Health

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## **What is this report about?**

### **Including how it contributes to the city's and council's ambitions**

- This report requests authority to procure a counselling and therapy service for women in Leeds, and following the tender to award the successful provider(s) a contract for five years with the option to extend for up to a further five years, at a total maximum cost of £1,290,060 (£129,060 per annum).
- Leeds City Council currently commissions a counselling and therapy service for women which is delivered at present by Women's Counselling and Therapy Service Limited (WCTS). In early 2021 a market sounding exercise (MSE) was undertaken to test the market for this type of provision. Five MSE responses were received, indicating that there is a potential market. Procurement and Commercial Services (PACS) colleagues have advised that this therefore warrants a full and rigorous test of the market through open procurement.
- The service already makes significant contributions to a range of the City Priority Plans, but particularly the Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030, as well as the Best Council Plan's overarching vision of tackling poverty and reducing inequalities. This is achieved through supporting women experiencing multiple deprivation to make healthy lifestyle choices and to live safely. This will be maintained and strengthened through the procurement exercise.

## Recommendations

- a) The Director of Adults and Health is recommended to approve the request in line with CPR 3.1.6 for authority to procure a counselling and therapy service for women in Leeds.
- b) The Director of Adults and Health is recommended to approve the award of a contract for five years with the option to extend for up to a further five years to the successful provider(s) following the procurement exercise, at a maximum cost of £1,290,060 for this period (£129,060 per annum).

## Why is the proposal being put forward?

- 1 A request for authority to procure a counselling and therapy service for women is being put forward in this report. The Council already commissions this provision, and has done since 1983. In recent years, the existing provider WCTS has been commissioned to deliver the service via a number of short term interim contracts. A delegated decision was taken in 2019 to test the market in order to ensure the Council is achieving value for money. The commencement of the MSE was delayed due to the Covid-19 pandemic, but was eventually undertaken in early 2021. Five MSE responses were received which indicates that there is a potential market locally for this type of provision. PACS colleagues have therefore advised that a full market test through open procurement is now required.
- 2 The proposal being put forward includes a request to award a contract to the successful provider for a period of up to 10 years (five years with the option to extend for up to a further five years). There are several reasons for requesting a contract of this length. The proposed long term funding arrangement will give both the Council and the successful provider stability and will allow sufficient time for the provider to develop and innovate, as well as secure additional funding sources. The proposal is also in line with our social value approach, and links to the Government's commitment to support domestic violence services.

## What impact will this proposal have?

### Wards Affected:

Have ward members been consulted?       Yes       No

- 3 The service will deliver on a city-wide basis so will impact all wards.
- 4 It is clear from information gathered through the Working Age Adult Commissioning Team contract management process that this service is essential and supports marginalised women who would otherwise struggle to access counselling and therapy.
- 5 This provision delivers a very unique and specialist service to women, the majority of whom experience multiple disadvantage and trauma. The counselling and therapy offered is not available for this length of time through the NHS, and the service provides an essential complementary service that supports the wider mental health system in terms of avoiding A&E presentations and acute admissions. The positive impact of the service is demonstrated through an outcomes tool which measures a client's progress in relation to a range of key indicators and which forms part of contract management discussions.

6 Based on the outcomes set out in the new All-age Mental Health Strategy for Leeds, research into good practice, contract management data and the findings from the service review and consultation undertaken in 2019, it is the Council's intention to procure a new counselling and therapy service for women in Leeds which will focus on the following key elements:

- A counselling and therapy service for women who live in Leeds, delivered within a range of accessible locations, including the city centre and community based hubs, ensuring access from within the city's most isolated and deprived areas.
- A women-only service in a safe, women-only environment.
- Counselling and therapy provided by female staff who are psychological professionals, qualified and accredited, and who reflect the diversity of the service users they work with.
- The provision of individual and group therapy to women with moderate to severe mental health issues, many of whom may not have engaged with other services in the past.
- The provision of psycho-educational short courses to women.
- The provision of counselling and therapy to the most vulnerable women in Leeds, many of whom have experienced long term trauma.
- The provision of a service which works collaboratively and jointly with the wider Leeds mental health system and community partners.
- The provision of a truly accessible service which provides counselling and therapy to women regardless of their protected equality characteristics, and which meets women's cultural and communication needs and preferences.
- The delivery of evidence-based practice which shows a deep understanding of issues through research, reflective of the voices the service represents, and through the application of theory.

#### **What consultation and engagement has taken place?**

- 7 As highlighted, a comprehensive review of the provision has been undertaken. The information collected during this process has highlighted the areas of the current service which work well and will need to be retained in the new service specification.
- 8 Detailed consultation with service users and stakeholders was undertaken as part of the review, and the views obtained will shape the new service specification.
- 9 The Executive Member for Health, Wellbeing and Adults was briefed on this proposal on 18<sup>th</sup> June 2021.

#### **What are the resource implications?**

- 10 The total value of this decision is £1,290,060 to cover a five year contract with the option to extend for up to a further five years (£129,060 per annum). This figure represents a 10% reduction on the current contract price. This sum is available from the Adults and Health budget.
- 11 Opportunities for additional funding from NHS Leeds CCG have been sought and a decision is currently outstanding.
- 12 Officer time will be necessary in order to undertake the procurement and future contract monitoring. This will be met through existing capacity from within the Working Age Adults Commissioning team.

- 13 It is acknowledged that in light of the Council's current financial situation further efficiencies may be required in the future and these would need to be the subject of a contract variation or reflected in the final contracting documentation. Any change to the budget will in turn impact the service specification and be discussed with the provider.

### **What are the legal implications?**

- 14 This is a Key Decision and therefore subject to call-in. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
- 15 The total contract value over the maximum of 10 years including the possible extensions will exceed the procurement threshold for Health and Social Care which stands at £663,540. There is a requirement to openly advertise this opportunity and therefore competition will be sought through the tender process and advertised via the Council's YORtender portal and the Find a Tender Service.
- 16 Advice has been sought from PACS throughout the duration of the review and MSE and will continue to be sought through the procurement process to contract award.
- 17 Subsequent decisions arising from this report, for example the decision to award the contract, will therefore be significant operational decisions which will not be subject to call in.

### **What are the key risks and how are they being managed?**

- 18 The work is being led by the Commissioning Programme Leader (Working Age Adults), with support from PACS, reporting up to the Head of Commissioning (Working Age Adults). A small project team has been set up to oversee the procurement process and ensure that the process adheres to the procurement regulations, as well as the council's Contract Procedure Rules.
- 19 A risk register has been established as part of the re-procurement process and this will continue to be managed and updated. Significant risks will be reported to the Directorate Leadership Team.
- 20 If this decision to procure a new counselling and therapy service for women is not approved, the current service will fall out of contract on 30<sup>th</sup> June 2022 causing significant risk to the Council and its providers. There is an evidenced need for this service and should it not continue to be delivered beyond the expiry of the current contract, this would result in a significant risk of many already disadvantaged women not receiving a mental health service, thereby exacerbating existing health inequalities.
- 21 A six month mobilisation period has been built into the procurement timetable to ensure that the service can be fully mobilised before the contract start date on 1<sup>st</sup> July 2022.

### **Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth                       Health and Wellbeing                       Climate Emergency

- 22 In order to support the Council stated ambition of working towards a carbon neutral city by 2030, the impact on the climate should be considered across all officer work. Through ongoing contract management, the successful provider(s) will be encouraged to actively engage with the climate change agenda. Examples could include adhering to and working

within the values of Council policy and guidance in relation to climate change, a reduction in carbon emissions through, for instance, decreasing private vehicle usage, using and/or investing in 'eco-friendly' resources.

- 23 During the COVID 19 pandemic, the current provider has wholly embraced technologies allowing for remote service provision such as Zoom. This remains an option for clients even now face to face support is resuming. Supporting individuals at home reduces carbon emissions through less travel time to face to face appointments, and requirement to retain this option for clients will be clearly set out in the new service specification.
- 24 The service directly contributes to the Council's Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030. This is achieved through supporting clients to make healthy lifestyle choices and to live safely.

**Options, timescales and measuring success**

**a) What other options were considered?**

- 25 Commissioning officers considered the option to proceed with a direct contract award to the existing provider WCTS following the market sounding exercise, without carrying out a full procurement. However, advice received from PACS colleagues suggests that the risk of challenge from other providers in relation to this course of action could be high. Therefore, the option being pursued now is to obtain authority to undertake a full and rigorous procurement exercise to fully test the market.
- 26 There are no internal service providers that are capable of delivering the service specification therefore an external procurement is required.

**b) How will success be measured?**

- 27 The procurement exercise will be project managed by a project team comprising officers from Working Age Adults Commissioning and PACS, reporting up to the Head of Commissioning on key risks and milestones.
- 28 Once procured, the service will be subject to the WAA Commissioning Team's contract management processes. This includes regular contract management meetings between the provider(s) and LCC officers to discuss operational issues, service quality, and to gauge the service's performance against the targets set out in the service specification.

**c) What is the timetable for implementation?**

29 The decision in this report requires implementation prior to expiry of the existing interim contract on 30<sup>th</sup> June 2022. The key project milestones are as follows:

<b>July 2021</b>	Approval of Authority to Procure
<b>September 2021</b>	Publication of Tender Documents
<b>January 2022</b>	Contract Award
<b>January 2022</b>	Commence contract mobilisation and TUPE Transfer if required
<b>1<sup>st</sup> July 2022</b>	New service commences

**Appendices**

- 30 Equality Impact Assessment screening tool

## Background papers

31 None