

# Cooperation Agreement for the Provision of Clinical Staff to the Therapeutic Social Work Team

Date: 9<sup>th</sup> May 2023

Report of: Commissioning Manager, Children & Families

Report to: Director of Children & Families

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 seeks agreement to renew the current Cooperation Agreement held with Leeds Community Healthcare NHS Trust (LCHT) to provide clinical psychology and speech and language therapy into the Therapeutic Social Work Team (TSWT).
- The Cooperation Agreement is in line with the 3 pillars at the centre of the Best City Ambition as well as working to the priorities in the Children and Young People's Plan 2018-2023 and to the draft Children and Young People's Plan 2023-2028 as approved by Executive Board on 15<sup>th</sup> March 2023.
- Having clinical staff embedded within the TSWT is in line with current research and legislation. It enables swifter access for children and young people to the services they need and as such allows children and young people within the therapeutic service to achieve enhanced outcomes.

## Recommendations

- a) The Director of Children & Families is requested to approve renewal of the Cooperation Agreement with Leeds Community Healthcare NHS Trust under Regulation 12(7) of the Public Contracts Regulations 2015 for the provision of clinical psychology and speech and language therapy into the Therapeutic Social Work Team.
- b) The Cooperation Agreement shall commence on 1<sup>st</sup> June 2023 and will be in place until 31<sup>st</sup> March 2026 following the expiry of the existing Cooperation Agreement on 31<sup>st</sup> May 2023.
- c) The clinical staff being provided to the TSWT shall be:
  - 1 x FTE Clinical Psychologist (Band 8a)
  - 1 x FTE Clinical Psychologist (Band 7) – 12-months initially with a view to extend subject to funding
  - 0.2 x FTE Speech and Language Therapist (Band 7)

- d) The new arrangement will see an increase in funding for the Band 7 Clinical Psychologist post from 0.8 x FTE to 1 x FTE. This is due to increased demand for neurodevelopmental assessments as well as difficulties experienced in the current arrangement recruiting to a part-time role at this grade (graduate level). This increased funding has been met by loss of a social worker post within the TSWT.
- e) The total maximum value of the new Cooperation Agreement with LCHT is £561,343.

**Why is the proposal being put forward?**

- 1 Children & Families have held contracts with LCHT since 2015 for the provision of clinical staff to the TSWT. In 2020 a decision was made to change this arrangement to a Cooperation Agreement under Regulation 12(7) of the Public Contract Regulations 2015. This Cooperation Agreement was agreed for 3 years and is due to expire on 31<sup>st</sup> May 2023.
- 2 The staffing provided under the current arrangement included a 0.8 x FTE Band 7 Clinical Psychologist. This has proved difficult to recruit to throughout the current arrangement due to it being part-time and at a graduate level. For this reason, the proposed Cooperation Agreement has been increased so that this post can be recruited to as 1 x FTE. This funding has been realised through loss of a social worker post from the TSWT.
- 3 The Band 7 Clinical Psychologist is being offered initially for a 12-month period due to a deficit in the available budget for 24/25 of £21,917 and for 25/26 of £26,432. It is hoped that funding can be confirmed and this post can be offered for the duration of the Agreement.
- 4 The staffing being proposed within the new Cooperation Agreement is:
  - 1 x FTE Band 8a Clinical Psychologist (*staff member in post*)
  - 1 x FTE Band 7 Clinical Psychologist – 12-months initially (*post currently vacant*)
  - 0.4 FTE Band 7 Speech and Language Therapist (*staff member in post*)
- 5 Having clinical staff within the TSWT works to current research and legislation (NICE 2015; NSPCC 2016; Department of Health and NHS England 2015). The TSWT and its offer is enriched due to the variety of professions present within it, and the shared knowledge, learning and expertise this brings. The presence of the clinical staff within the TSWT means that the children and young people referred to the therapeutic service who need specialised support are able to access this sooner.

**What impact will this proposal have?**

**Wards Affected:** n/a

Have ward members been consulted?       Yes       No

- 6 This arrangement relates to children and young people who have a therapeutic need identified as part of their Care Plan.

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

- 7 Therapeutic Social Work Team, Leeds Community Health NHS Trust, Procurement and Commercial Services (PACS), PACS Legal.

**What are the resource implications?**

- 8 The total maximum value of the Agreement is £561,343
- 9 The Commissioning & Market Management Team will contract manage the arrangement in collaboration with TSWT Managers.

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

- 10 Following discussions with PACS and PACS Legal at the outset of the current Cooperation Agreement, the most appropriate arrangement for this service was a Cooperation Agreement under Regulation 12(7) of the Public Contract Regulations 2015. The requirement required to establish or implement cooperation between contracting authorities continues to be met.
- 11 A contract concluded exclusively between two or more contracting authorities falls outside the scope of this Part where all the following conditions are fulfilled:
  - The contract establishes or implements a cooperation between the participating contracting authorities with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common;
  - The implementation of that cooperation is governed solely by considerations relating to the public interest (i.e. not for profit);
  - The participating contracting authorities perform on the open market less than 20% of the activities concerned by the cooperation.
- 12 The total maximum cost of this Agreement is £561,343. Therefore this decision is subject to call-in and was published on the List of Forthcoming Decisions.
- 13 It is considered that the conditions required to utilise Regulation 12(7) of the Public Contract Regulations 2015 are met due to the reasons set out at 10 above. Also, this Agreement is not a procurement for the purpose of the Council's Contract Procedure Rules 2022 (CPR 1.5.2).

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

- 14 A contract entered into between two contracting authorities in accordance with Regulation 12(7) means that the contract falls outside of the scope of the Public Contract Regulations. Legal advice is that a Voluntary Transparency Notice is not required.
- 15 There are risks to the TSWT, the LCHT clinical staff in posts within the TSWT, and the children and young people within its service should the arrangement not be continued or be delayed.

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

Inclusive Growth                       Health and Wellbeing                       Climate Emergency

- 16 This proposal supports all three of the council's Key Pillars.
- 17 Through working together mutual respect and understanding builds. This arrangement invests in better access to essential services and ensures that children and young people within the therapeutic service have the best chance to realise their potential and thrive.
- 18 Having the clinical input of LCHT staff within the TSWT allows the children and young people referred to the team to be supported to achieve enhanced outcomes as well as gain swifter access to LCHT services.

- 19 LCHT have a Green Plan in place and are working to be carbon neutral by 2045. Within the arrangements LCHT will continue to be required to consider the environmental impact of their approach to service delivery.

### **Options, timescales and measuring success**

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

- 20 Only LCHT can sufficiently meet the Council's requirement for the provision of clinical staff to the TSWT. Children & Families have held a contract with LCHT since 2015 for provision of clinical staff to the TSWT. A short-term contract was held with LCHT in 2018/19, followed by the current Cooperation Agreement of 3 years to 31<sup>st</sup> May 2023.

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

- 21 Success will be monitored and measured through contract management activities using Outcomes Based Accountability measures. This will include but not be limited to the following: increased capacity for neurodevelopmental assessments for Children Looked After already held by the TSWT, reduction in waiting times for therapeutic intervention for children and young people with complex presentations who have self-harmed and/or experienced suicidal ideation as they will be able access support through the TSWT rather than CAMHS, increased number of psychology consultations offered, increased number of bespoke training packages able to be delivered, increased capacity to lead on research and evaluation, continued presence of clinical staff within the TSWT, continued benefits to the TSWT and the children and young people who are referred of having multiple professions sharing practice, training and supervisions.

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

- 22 The current arrangement ends on 31<sup>st</sup> May 2023. It is hoped that by taking this decision at an earlier point LCHT can start the recruitment process so that the current vacant post is filled as near to 1<sup>st</sup> June 2023 as possible.

### **Appendices**

- 23 EDCI Screening

### **Background papers**

- 24 None