

	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 12th January 2016</p>
<p style="text-align: right;">Title</p>	<p>Emergency Waiver to continue Mental Health Day Opportunities Service</p>
<p style="text-align: right;">Report of</p>	<p>Adults and Health Commissioning Director</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Ian Hutchison, Commissioning Lead, Barnet Commissioning Group ian.hutchison@barnet.gov.uk 020 8359 4281</p>

Summary

This report approves an emergency waiver of the Contract Procedure Rules to continue the Mental Health Day Opportunities Service between the end of the contract on 13th January 2016 and the Adults and Safeguarding Committee on 7th March 2016.

A report will go to Adult and Safeguarding Committee on 7th March 2016 to request acceptance to extend the contract for the further two years until 12th January 2018 as provided for in the contract.

The recommendation to extend for a further two years is being made after the original end date of the contract. The reason being that commissioning intentions have required further work. This is to ensure there are sustainable commissioning plans that take account of key development areas, specifically the Government's mandate to NHS England for 2016-17 and the Employment Support offer to Barnet residents with a mental health condition.

The Government's mandate to NHS England for 2016-17 was announced in December 2015. It is important that future recommissioning addresses the following aims:

- greater integration between health and social care, so that care is more joined up to meet people's physical health, mental health and social care needs
- reduce the health gap between people with mental health problems and the population as a whole, with support to live full, healthy and independent lives

- ensure there is measurable progress towards the parity of esteem for mental health enshrined in the NHS Constitution
- improve care and outcomes through prevention, early intervention and improved access to integrated services

Two employment support initiatives are currently being piloted in the borough. Commissioners are now considering how to sustain and expand these promising interventions to support more people with long-term health conditions and disabilities back into employment.

This context will inform future commissioning of day opportunities in mental health. However, the extension is required to ensure service continuity whilst new national policy and guidance is incorporated into local commissioning intentions.

Decisions

- 1. To approve an emergency waiver of the Contract Procedure Rules to continue the Mental Health Day Opportunities Service provided by Richmond Fellowship between the end of the contract on 13th January 2016 and the Adults and Safeguarding Committee on 7th March 2016.**

1. WHY THIS REPORT IS NEEDED

- 1.1 A contract was awarded on the 19th December 2012 to Richmond Fellowship for provision of Mental Health Day Opportunities following a competitive procurement.
- 1.2 The contract started on 14th January 2013 for a period of three years with the option to extend for a further two years subject to review.
- 1.3 The contract will end on 13th January 2016.
- 1.4 A report will go to Adult and Safeguarding Committee on 7th March 2016 to request acceptance to extend the contract for the further two years until 12th January 2018 as provided for in the contract.
- 1.5 This report requests an emergency waiver of the Contract Procedure Rules to continue the Mental Health Day Opportunities Service between the end of the contract on 13th January 2016 and the Adults and Safeguarding Committee on 7th March 2016 2016.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Government's mandate to NHS England for 2016-17 was announced in December 2015. It is important that future recommissioning addresses the following aims:

- greater integration between health and social care, so that care is more joined up to meet people's physical health, mental health and social care needs
- reduce the health gap between people with mental health problems and the population as a whole, with support to live full, healthy and independent lives
- ensure there is measurable progress towards the parity of esteem for mental health enshrined in the NHS Constitution
- improve care and outcomes through prevention, early intervention and improved access to integrated services

2.2 Two employment support initiatives are currently being piloted in the borough. Commissioners are now considering how to sustain and expand these promising interventions to support more people with long-term health conditions and disabilities back into employment.

2.3 This context will inform future commissioning of day opportunities in mental health. However, the extension is required to ensure service continuity whilst new national policy and guidance is incorporated into local commissioning intentions.

2.4 The Service was reviewed in August 2015 and the provider is meeting the key performance indicators for the service. The service is currently delivering outcomes related to mental health and wellbeing promotion, peer support and recovery and inclusion. The service is a key demand management initiative which reduces demand on other services by enabling individuals to keep well and live more independently. It is therefore recommended that the service continues.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Ending the contract without an alternative offer is not recommended in order to ensure there is continuity of service.

3.2 Recommissioning the service at the end of the third year of the contract is not recommended. This will ensure future recommissioning is aligned to the timescales of both Barnet Council's and Barnet Clinical Commissioning Group's Transformation Programmes.

4. POST DECISION IMPLEMENTATION

4.1 If the emergency waiver is approved a report will go to Adults and Safeguarding Committee on 7th March 2016 to request acceptance to extend the contract for the further two years until 12th January 2018 as provided for in the contract.

4.2 A report will also go to the next available Policy and Resources Committee, setting out the reasons for the emergency waiver.

- 4.3 A copy of the Policy and Resources Committee report will be provided to CSG Procurement and stored in the Council's Contract Repository.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate Plan 2015-20 states that the council, working with local, regional and national partners, will strive to ensure that Barnet is a place:
- of opportunity, where people can further their quality of life
 - where people are helped to help themselves, recognising that prevention is better than cure
 - where responsibility is shared, fairly
 - where services are delivered efficiently to get value for money for the taxpayer
- 5.1.2 The Joint Health and Wellbeing Strategy 2015 – 2020 includes the objective of creating circumstances that enable people to have greater life opportunities through a focus on improving mental health and wellbeing for all.
- 5.1.3 The Joint Strategic Needs Assessment tells us that in 2015, it is predicted that 56,333 people aged 18 – 64 have a mental health problem.
- 5.1.4 The number of people with mental health conditions is predicted to increase as the population grows. In November 2014, the Health and Wellbeing Board identified prevention of and early intervention in mental health problems as a priority. Mental health is the key priority in year one of the Joint Health and Wellbeing Strategy with partners coming together to make a positive impact for all of our residents.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The service is funded through a Section 75 Agreement for Voluntary Services Prevention Commissioning between the London Borough of Barnet (LBB) and Barnet Clinical Commissioning Group (BCCG).
- 5.2.2 The table below (5.3) includes the annual value of the contract, including the annual contributions from both funding organisations. The table also includes the value of the two year extension.

5.3 Contract Value

Annual Contract Value	LBB Annual Contribution	BCCG Annual Contribution	Value of Two Year Extension
£530,000	£183,461	£346,539	£1,060,000

5.4 Social Value

- 5.4.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.
- 5.4.2 Any future recommissioning will consider how additional social value can be secured for Barnet.

5.5 Legal and Constitutional References

- 5.5.1 The Council's Constitution (Contract Procedure Rules, Section 15, states that Directors, Assistant Directors, Commissioning Directors and Heads of Service may take decisions on emergency matters (i.e. an unexpected occurrence requiring immediate action) in consultation with the Chairman of Policy and Resources Committee providing they report to the next available Policy and Resources Committee, setting out the reasons for the emergency waiver. A copy of the relevant Policy and Resources Committee report must be provided to CSG Procurement and stored on the Council's contract repository.

5.6 Risk Management

- 5.6.1 Continuing the service mitigates any impact of service disruption.

5.7 Equalities and Diversity

- 5.7.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 - advance equality of opportunity between people from different groups
 - foster good relations between people from different groups
- 5.7.2 The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- 5.7.3 An Equalities Impact Assessment was completed as part of the procurement of the service. This showed a positive impact for residents and service users.
- 5.7.4 The contract for the service includes explicit requirements fully covering the Council's duties under equalities legislation.

5.8 Consultation and Engagement

- 5.8.1 Not applicable.

6 BACKGROUND PAPERS

- 6.1 Delegated Powers Report, 19th December 2012 - Contract Award – Mental Health Day Opportunities Service.

<http://barnet.moderngov.co.uk/documents/s6537/1856%20-%20Contract%20Award%20Mental%20Health%20Day%20Opportunities%20Service%20Public.pdf>

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action

- 8.1 **To approve an emergency waiver of the Contract Procedure Rules to continue the Mental Health Day Opportunities Service provided by Richmond Fellowship between the end of the contract on 13th January 2016 and the Adults and Safeguarding Committee on 7th March 2016.**

Signed **Dawn Wakeling, Adults and Health Commissioning Director**

Date **12.01.2016**
