



**Executive  
26 May 2009**

**Report from the Director of  
Housing and Community Care**

Wards Affected:  
None

**Authority to tender for housing support services for people with mental health issues, and associated supporting people contract issues**

Forward Plan Ref: H&CC-08/09-21

## 1.0 Summary

- 1.1 This report seeks authority to invite suitable providers to tender for four framework Agreements as required by Contract Standing Orders 88 and 89. Three Framework agreements will be for the provision of Supporting People funded accommodation services (two frameworks for accommodation based services and one for floating support services) and one additional framework agreement for the provision of accommodation based Health and Adult Social Care services for individuals with mental health issues who are returning to the Borough from out-of-borough placements. This latter service will be procured as a Collaborative Procurement between Brent NHS and Brent Adult Social Care Services and will be led by Brent Adult Social Care. The report additionally seeks authority to extend current Supporting People Mental Health contracts until September 2010.

## 2.0 Recommendations

- 2.1 The Executive to approve the pre - tender considerations and the criteria to be used to evaluate tenders for three Frameworks for housing support services (some incorporating care services) as set out in section 6.12 of the report.
- 2.2 The Executive to approve officers to invite tenders for three Frameworks for housing support services and evaluate them in accordance with the approved evaluation criteria referred to in paragraph 6.12 of the report.

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- 2.3 The Executive to approve a further extension of Supporting People contracts for Mental Health as specified in paragraph 5.2 and section 7 of the report until 30<sup>th</sup> September 2010.
- 2.4 The Executive to approve a collaborative procurement of a fourth framework agreement with Brent Primary Care Trust (Brent NHS) for Adult Social Care accommodation based services for people with mental health issues who have been placed outside the borough and who are returning to Brent.
- 2.5 The Executive to approve the pre-tender considerations and evaluation criteria specified in paragraph 6.12 of the report and agree to tenders being invited for the collaborative procurement described in paragraph 2.4 above.

**3.0 Background – Supporting People**

- 3.1 The Supporting People (SP) Programme is a national programme to commission the provision of housing related support services for vulnerable people to help gain, increase or maintain their independence. Supporting People funds the provision of “floating support services” (support to service users in their own home where the support worker moves to support someone else when support is no longer needed) and “accommodation based services” (support tied to accommodation where the client living in a hostel or supported housing scheme receives support as a condition of occupation).
- 3.2 The SP Programme commenced in April 2003. The Programme in Brent is £12.8 million for 2009/10
- 3.3 Members will recall that at their meeting in May 2007, they approved the Supporting People Commissioning Framework setting out a procurement programme for Supporting People Services over a five-year period. This tendering project is part of the plan set out in the programme. Mental health services are all included in the programme and due to be tendered in 2009-10.
- 3.4 At the end of 2007 the decision was taken to complete a strategic review of mental health services funded by Supporting People which was completed in September 2008. The Commissioning Body recommended that Supporting People funded services for people with mental health needs be re-tendered to appoint providers to one or more Framework agreements. On this basis a report was presented in September 2008 recommending the tendering of these services, and setting out how they should be packaged into a number of framework agreements. Subsequently it was considered that a different packaging approach should be adopted. A re-review of the services was carried out in January 2009 to re-visit gaps and needs and confirm the procurement approach.

**3.5 Background - Health and Adult Social Care Services**

Health and Adult Social Care for people with mental health needs provide a range of clinical assistance for service users including administering medication, escorting and care co-ordination. There is some overlap with the

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services provided through Supporting People (SP) funded services, however while SP services are housing-related (in a wide sense ensuring service users maximise their independence and maintain their living standards) adult social care services are more personal and clinical. So for example, if a service user can do shopping with support then SP services will provide the support. If however the service user is unable to do their shopping then Adult Social Care services will ensure that someone does that person's shopping for them.

3.6 The health and social care element of the Mental Health services funded through Adult Social Care offers the opportunity to tender for these services at the same time, with the possibility of securing efficiencies of scale and improvement in service delivery, the pathway of care and support and the range of services available to individuals. This sits within the overall policy of the council's Supporting People and Transforming Social Care agendas to provide more flexible services that promote independence and choice.

#### 4. **Strategic Review of SP services for people with mental health needs**

4.1 The strategic review of 2008 and the subsequent refresh in January 2009 concluded that there is a need for:

- Services to provide medium to higher levels of housing support services, with all services funded as specialist mental health services having staff/client ratio of no more than 1:12.
- Many services are silted up due to the lack of appropriate move on accommodation and this leads to a heavy reliance by Brent Mental Health Service and Brent NHS on out of borough placements and residential care home services, both of which are costly to the council and Brent NHS.
- Services should be re-specified to focus on maximising independence, including helping people to move on into social housing or into the private rented sector, and live successfully in independent accommodation, and to gain and sustain employment.
- Services that are ethnically and culturally diverse and able to meet the needs of the whole community including BME communities.
- Services that are able to meet the specific needs of women with mental health issues. The evidence for women only services has been demonstrated by various research reports referred to in the Strategic Review.

4.2 The intention is to include the re-provision and expansion of these services within the contract tendering proposed in this report.

#### 5. **Current Pattern of SP Funded Provision of Mental Health Housing Support**

5.1 The current pattern of SP funded services is set out below:

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- The SP grant spent on specialist mental health housing support services is £2.36 million per year (2008-9), or about 18.6% of the annual SP budget.
- The number of users of Mental Health services receiving specialist SP services has increased by 60% since 2003, (within a reducing budget) with 449 users now receiving services specifically for those with a mental health need at any one time.
- The proportion living in independent accommodation benefiting from floating support specifically for people with mental health needs has increased by over 100% since 2003, from 84 to 220 people.
- In addition to this SP funded provision, many people with Mental health needs are receiving other SP funded support; approximately 35% of floating support for Single Homeless people is provided to people with a mental health need, this represents at least 90 people, probably many more. There are also accommodation based Single Homeless services who provide services for users with secondary needs such as mental health which will increase the total reflected figures in the borough.
- Adult Social Care and Brent NHS provide additional funding of approximately £2.87m.

5.2 The range of SP funded Mental Health housing support services provided in the borough includes:

Accommodation based services:	Floating Support/Outreach Services:
An Accommodation based service for users with Dual Diagnosis (severe and enduring Mental Health issues with or without substance misuse). (11 Units)	Outreach service focusing on support to Move-On within the Borough - (75 users)
Accommodation based services consisting of shared schemes/group Homes (161 Units),	A Floating support service to focus specifically on users who have resided in Group homes for a lengthy period of time as well as providing support to the community (183 + users)
Purpose built self contained accommodation (10 units), Accommodation used by Brent HRC (Housing Resource Centre) to house users with Mental Health needs who have made a Homeless Application (20 units).	
Total (192 users)	Total (258 users)
<b>Grand total of 450 Users</b>	

5.3 Supporting People contracts with mental health providers are currently in place for the financial year 2009/10 for the provision of housing support as listed below (the table has been updated since the September 2008 report to reflect changes to the number of contracts in place at April 2009):

<b>Contract Name</b>	<b>Type of Service</b>	<b>Capacity (service users or units of accommodation)</b>	<b>Contract Price 2008-9 £000</b>
Brent Mental Health Service	Accommodation	24	199
Brent Mind	Accommodation	61	369
English Churches Housing Group	Accommodation	20	358
St Mungos	Accommodation	11	183
Ujima HA (now English Churches Housing Group)	Accommodation	10	36
Adepta	Accommodation	8	121
Brent Mental Health Service	Accommodation	37	293
Carr Gomm	Accommodation	21	111
<b>SUB</b>			
<b>TOTAL</b>	<b>ACCOMMODATION BASED SERVICES</b>	<b>192</b>	<b>1670</b>
Brent Mental Health Service	Floating Support	75	187
BHP-Hsg Management service	Floating Support	45	67
Broadway Resttlement Services	Floating Support	58	190
Metropolitan Support Trust	Floating Support	20	56
Thamesreach	Floating Support	50	184
Bondway	Floating Support	50	184
Adepta	Floating Support	10	33
	<b>SUB</b>		
<b>TOTAL</b>	<b>FLOATING SUPPORT</b>	<b>258</b>	<b>717</b>
<b>TOTAL</b>		<b>450</b>	<b>2387</b>

The Brent Mental Health Service is a partnership between the Council and the local Brent Mental Health NHS Trust.

#### 5.4 Consultation- Mental Health Services

All current providers of services for Mental Health, are aware of the revised procurement timetable (see section 6 below) and current providers have expressed an interest to continue to provide support services to their users

until the tender process has been completed and new providers are appointed.

## 5.5 Service users

During the Strategic Review of mental health housing support services, significant consultation took place with existing service users of SP funded housing support services. This was to ascertain their views on the current service and where they saw themselves in the future. Key points that emerged from the consultations were:

- Move on from supported housing is a challenging process for clients in relation to expectations, finances, securing a home and living without support.
- Often the length of time spent in shared accommodation leads the client to feel they are quite comfortable in their existing accommodation and do not wish to move. However, the view that finding a home of their own would alleviate some of the stigma and prejudice appeared to be shared by a number of clients in their current shared settings.
- Service users would like support to be provided in a variety of formats, both formal and informal.
- Clients feel their options of achieving independence are disadvantaged by the limited availability of housing in Brent. Housing problems often contribute to admissions to hospital or to delayed discharge
- Clients generally mentioned employment, housing and maintenance as the most frequently encountered problems. Significant emphasis was placed on gaining opportunities to work, and support with this.
- High rents in the private rented sector discourage people from trying to find work
- Clients are focused on living without support although they acknowledge they may need the initial support to settle into a new home.
- Female Clients expressed a need for women only services that would enable them to feel safe and could assist them to meet their specific needs in relation to past experience of domestic violence, or abuse issues.

User representative(s) have been identified in the selection process for providers of mental health services. Service users will take part in the site visits and interviews of providers.

## 5.6 Stakeholders / Partners

Stakeholder and provider consultation at a recent event identified the following gaps in existing services:

- A need for services that are ethnically and culturally diverse and able to meet the needs of Brent's diverse communities.

- A need for women only services – dealing with abuse issues, anxiety and other complex needs
- A need for services for men and women with complex needs, challenging behaviour, personality disorders, people whose hoarding or anxiety disorders are putting their accommodation at risk
- A need for intensive floating support services, particularly floating support at high staff/client ratios.
- A need for provision for complex needs, and medium support which extends beyond 2 years
- A need for dual diagnosis and forensic services which has been raised by Probation and other partners.
- A need for less costly in borough alternatives to out of the borough placements in residential care.

5.7 All current Mental Health SP providers are aware of the procurement timetable (see section 6 below). It is envisaged that Brent User Group will be involved in the evaluation of all the framework agreements. This will include participation in site visits and interviews.

## 6. Proposals for Tendering

6.1 The intention is to implement a pathway model for mental health services. A pathway model is one that involved a number of services providing differing levels of support so that as service users acquire increased capacity to live independently the support is tapered to their reducing needs by the service user being transferred to another provider. It also enables the Council to support individuals who have different levels of mental health impairment. The pathway will result in contractual configurations for services that are procured for a range of needs from 24 hour right through to floating support to enable independence with a pathway through from high to low support as originally set out in the strategic review of 2008.

6.2 To achieve this pathway of support the proposal is to procure four Frameworks agreements in total. These will be two accommodation based Frameworks and 1 floating support Frameworks for SP funded services (including those with an element of SP funding that are jointly commissioned) and to additionally procure one framework with Brent NHS and the Council's Adult Social Care team for accommodation based services to provide social care support for individuals living in out of borough placements who are returning to the borough. The essence of a framework agreement is that it provides a flexible framework for services where the size and nature of the contract requirement is not known in advance. A series of call-off contracts can be placed over the lifetime of the framework agreement.

6.3 The objective of this tender exercise is to improve the quality of housing support services. For the accommodation based frameworks the intention is to appoint three providers, for floating support services the intention is to appoint two providers. For the Adult social care funded service the intention is to appoint up to a maximum of six providers who can also provide accommodation. At the start of each framework agreement, there will be one or more major call-off contract awarded to the tenderer(s) which submitted the

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most economically advantageous tender, for service users receipt in services at that point, however call-offs can then be made as required.

The Executive is asked to approve the packaging of the mental health housing support services tender as follows:

### 6.3.1 **Accommodation Based services (Mental Health)**

These are services which are tied to supported housing or hostels, where receipt of housing support is a condition of occupation of the housing.

This will be divided into two separate Supporting People funded Frameworks of:

- (a) People with a Mental Health difficulty who additionally may have other complex needs, criminal/forensic histories, a dual diagnosis, personality disorder and/or challenging behaviour. In providing Housing Support Services to people with Mental Health issues, providers will need to demonstrate sensitivity to and an ability to provide ethnically and culturally sensitive services and respond to the needs of Brent's diverse communities.
- (b) Women with a mental health difficulty who additionally may have other complex needs, personality disorder, criminal/forensic histories a dual diagnosis and/or challenging behaviour. In providing housing support services to women with mental health issues, providers will need to demonstrate sensitivity to and an ability to respond to the needs of Brent's diverse communities.

All accommodation based services are to include Short term resettlement support to help people move into independent accommodation.

### 6.3.2 **Floating Support services (Mental Health)**

This will be a Framework for People with a Mental Health difficulty who additionally may have other complex needs, criminal/forensic histories, a dual diagnosis, personality disorder and/or challenging behaviour. In providing Housing Support Services to people with Mental Health issues, providers will need to demonstrate sensitivity to and an ability to provide ethnically and culturally sensitive services and respond to the needs of Brent's diverse communities.

- 6.3.3 As the exact requirements and quantities of housing support needed for people with mental health needs will be outlined in a detailed service specification. With the three SP Frameworks proposed, it is envisaged that each contract called off from the framework will provide support for up to a **maximum** of 300 service users at a cost of £20-25/hr. The overall resources needed to provide these services will be a maximum of £2.2m. This will be within the current Supporting People budget.



### 6.3.4 Adult Social Care and Brent NHS Collaboratively procured accommodation based services

This Framework will be led by the Council's Adult Social Care service and will be procured jointly with Brent NHS (the PCT) and in line with the Council's standing orders. The procurement of this Framework will require collaboration between Brent NHS and the Council to jointly specify, evaluate tenders, select suitable providers and 'call off' services. It will consist of accommodation based Health and Adult Social Care services for individuals with mental health issues who have complex needs and are under the Care Programme Approach (CPA) and currently in out of Borough placements who can return to the borough.

6.3.5 There may be potential providers who may have their own pool of accommodation for the Adult Social Care and Brent NHS collaboratively procured services for individuals with Mental Health needs. The ability to provide this accommodation would be one of the key criteria for selection of providers for accommodation based services. So that providers selected for this framework will be **required** to provide accommodation, but some will have their own and some will have to procure accommodation from elsewhere.

6.4 Officers recommend that accommodation based services for out of borough placements returning to the borough are secured as set out above. The borough currently spends £345 per person per week for residential care placements for people with mental health issues and alternative in borough provision will produce significant savings.

6.5 For all the Frameworks, Officers are recommending that the period for the contracts is 2 years with an option for a 2 year extension, where performance is satisfactory. Initial investigations with social and private landlords indicates that there is scope to for providers to provide accommodation through use of their existing properties that can be re-designated, or through additional properties that can be leased to enable the required services to be provided in borough.

### 6.6 Monitoring

SP funded services will be monitored by the Supporting People Unit. The current providers are required to submit quarterly monitoring data on their performance to the Supporting People Team and attend regular meetings for this. In addition to these meetings the Supporting People Team will also conduct an annual Quality Assessment Framework review of the service.

6.7 It is proposed that monitoring of the new contracts will be more service user centred, outcome focussed, and providing good quality services within the resources available. Annual service user satisfaction surveys will also be carried out. The future provider will also be asked to submit regular monitoring data that is required by the various statutory funding agencies, which informs the National Performance Indicators. All monitoring will be carried out by the Supporting People Team and will also draw on stakeholder

feedback. This will include appointment of a lead contract manager and annual performance review meetings.

6.8 The joint Adult Social Care and Brent NHS contracts will also be monitored through the Quality Assessment Framework and will have specific performance indicators and outcomes set. These will include successfully helping service users to move to supported or independent living, use of the recovery model, maintenance of stable mental health.

### 6.9 Access to Services

6.10 Access to all the newly commissioned floating support and supported housing services will be through the central referral route (START Plus) which is managed within Housing and Community Care.

6.11 Access for some high support Mental Health services will continue to be through the Complex Care Panel for higher support needs, as these users may require Health and Social care services which require separate funding approval.

### 6.12 Pre-Tender Considerations

In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive.

(v)	Procurement timetable	<b>Indicative dates are:</b>	
		Adverts placed	June/July 2009
		Seminar for Interested Parties	July 2009
		Expressions of interest in the form of the Council's Pre-Qualification Questionnaire returned	September 09
		Shortlist drawn up in accordance with the Council's approved criteria	September 09
		Invite to tender /Framework agreement	Oct 09
		Deadline for tender submissions	Dec 09
		Panel evaluation and shortlist for site visit	Jan /Feb 2010
		Site Visits	Feb 2010
		Interviews/presentations	March 2010
		Tender Evaluation	March 2010
		Report recommending Contract award	April/May 2010

		circulated internally for comment Executive approval Contract award Contract start date	June 2010 June 2010 1 <sup>st</sup> October 2010

(vi)	The evaluation criteria and process. Weighting of 50% for cost and affordability and 50% for quality will be applied.	<p>Shortlists of those to be invited to tender are to be drawn up in accordance with the Council's Contract Management Guidelines namely the pre qualification questionnaire (PQQ) and thereby meeting the Council's financial standing requirements, technical capacity and professional and technical expertise to work with people with mental health issues.</p> <p>For the purpose of detailed tender evaluation, the panel will evaluate the tenders against the following criteria:</p> <p><b>Method of service delivery in Brent</b>  <b>Service User involvement and choice</b>  <b>Methods for ensuring Quality performance and good outcomes</b>  <b>Approach to working with people with mental health issues</b>  <b>(For the women specific Framework this will include approach to working with women with mental health issues)</b>  <b>Added Value</b>  <b>Partnership working</b></p> <p>For the Adult Social Care/Brent NHS framework there will be additional criteria:</p> <ul style="list-style-type: none"> <li>• Ability to provide suitable accommodation in Brent from which the support can be delivered to people returning to the borough from out of borough placements.</li> </ul> <p><b>Cost and Affordability 50%- assessment of tendered hourly rate and affordability</b></p>
vii)	Any business risks associated with entering the contract.	<p>All existing providers are locally based organisation working with people with mental health needs in the borough. The contract(s) to be tendered will represent a significant portion of their business.</p> <p>In relation to the potential for Brent NHS to participate, the main risk for the Council is delay. Brent NHS will need to have made a decision to participate and agreed to the contents of the tender pack prior to Invitation to Tender stage. Brent NHS representatives will then participate in this tender process.</p>

viii)	Any staffing implications, including TUPE and pensions.	See sections 8, 9 and 10 below
(ix)	The relevant financial, legal and other considerations.	See sections 8, 9 and 10 below

6.18 The Executive is asked to give its approval to the proposals as set out in the recommendations and in accordance with Standing Order 89.

## 7. Extension of contracts

7.1 The SP funded mental health contracts listed in paragraph 5.3 above are due to expire in September 2009. They have already been extended by the Executive (at the September 2008 Executive meeting) from their original termination date of December 2007. It is proposed that all existing contracts listed in paragraph 5.3, which have been identified as strategically relevant and eligible for Supporting People funding, should be extended for good operational and financial reasons until 30<sup>th</sup> September 2010. This will ensure stability of the service during the period of tendering, and allow for the tendering timetable to be followed. This will allow for individual contracts to commence once providers have been appointed.

## 8. Financial Implications

8.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval to invite tenders and in respect of other matters identified in Standing Order 89.

8.2 The current combined annual value of all Mental Health Supporting People contracts to be re-tendered is approximately £2.39m. There will be no increased funding provision, it is likely that the total amount of contract expenditure will reduce to no more than £2.2million per annum or no more than £8.8m over 4 years, as stated in 6.12 (ii), and it is envisaged that the number of support hours/capacity purchased may be increased. The expectation is that re-tendering the services will lead to an increased value for money and greater efficiency savings. The participation of Brent NHS in the tender exercise for the Mental Health framework for out of borough placements returning to the borough means there are additional savings to be made to the costs of providing residential care places out of the borough.

8.3 There will be costs incurred in the contract process for professional advice, particularly legal. The cost of these contracts, including those for professional advice, will be funded from existing resources within the

Supporting People budget.

#### 8.4 Funding by other agencies

The Strategic Review of SP Mental health services revealed a very complex pattern of joint funding of services, with NHS Brent and Brent Adult Social Care also providing funding for health and social care provision, that is ineligible for Supporting People funding.

### 9 Legal Implications

- 9.1 The Council has the necessary powers to enter into the proposed contracts under (amongst other provisions) s21, s26 and s29 of the National Assistance Act 1948, s45 of the Health Services and Public Health Act 1968, s2 of the Chronically Sick and Disabled Persons Act 1970, the Supporting People Grant Conditions, section 1 of the Local Government (Contracts) Act 1997 and s2 of the Local Government Act 2000, all in conjunction with s111 of the Local Government Act 1972.
- 9.2 The estimated values of the framework agreements over their lifetime are in excess of £500,000 therefore the procurement and award of the framework agreements are subject to the Council's Contract Standing Orders in respect of High Value contracts and Financial Regulations.
- 9.3 The services, including the provision of accommodation, are part B Services under the Public Contracts Regulations 2006 ("EU procurement Regulations") and are not therefore subject to the full application of the EU Procurement Regulations. They are however, subject to the overriding EU principles of equality of treatment, fairness and transparency in the award of the contracts. Non-discriminatory language must be used in the Specification, and a contract award notice will need to be sent to the Official Journal of the European Union.
- 9.4 Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the framework agreements and recommending awards of contracts.
- 9.5 Three of the current mental health contracts are delivered by the Brent Mental Health Service (BMHS). However this is actually a partnership between the Central and North West London Mental Health NHS Trust and the Council. Some of the staff delivering this contract are Council staff, and their status will need to be investigated and appropriate steps taken before Invitation to Tender stage and is being reviewed at present. It may be that such staff will revert to working for the Council should the BMHS not retain a contract, or they may be assigned to the service as required for the application of the Transfer of Undertaking legislation (TUPE) and so transfer.
- 9.6 There are also ex-Council staff working on a contract currently being delivered by Brent Housing Partnership. Therefore a small number of Council staff (BMHS) and former council staff (BHP) may transfer to a new employer under

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TUPE as a result of the proposed tendering process. Under TUPE the Council will have obligations to inform and consult the relevant trade unions representing any employees affected by the transfer and to give prior to the transfer certain information about transferring employees to the new employer.

9.7 These officers will also need to ensure that the requirements of the Best Value Authorities Staff Transfers (Pensions) Direction 2007 are met. This Direction requires the Council to ensure the protection of the pension rights of Council staff or ex-Council staff transferring to a contractor under TUPE as a result of an outsourcing process.

9.8 Under Part III of the Sex Discrimination Act 1975, it is unlawful for a public authority in exercising a function to do any act which constitutes discrimination against either gender. As discrimination means less favourable treatment on grounds of gender, this will include the establishment of a women-only service. However the provision of a service for one gender is permitted where the service is also being provided jointly (as is the case here) provided that if the service were provided only jointly it might be insufficiently effective. Section 10 of the report sets out why it is considered that not having the women-only service in addition to the joint service might not be as effective.

9.9 Under the Council's Constitution, where a contract does not have provision for extension, a Chief Officer can extend the contract (with an original term of at least a year) by a maximum of a year. This power has already been exercised in relation to the contracts referred to in paragraph 5.3, and so Executive approval for the further extensions is required. Because these services are Part B services under the EU procurement Regulations then there is no breach of those Regulations in extending the contracts.

9.10 In relation to Brent Primary Care Trust joining the tender exercise, this would be a Collaborative Procurement exercise under the Council's Contract Standing Orders. However there is no requirement for the Executive to specifically approve the Collaborative Procurement because the tender process would continue to be run by the Council according to its own procedures. The main risks of the Collaborative Procurement are as set out in section (vii) of the table above.

## 10 Diversity Implications

10.1 Contracts currently require providers of social care and housing support services to deliver services which are

- culturally sensitive by providing cultural awareness training for all workers, matching specific language requirements where possible and recruiting a workforce which reflects the communities of Brent;
- able to offer service users a male or female support worker if specifically requested

10.2 The new contracts will continue to require providers to deliver services in this way. In addition partnering (sub-contracting) arrangements with local

community groups and specialist providers will be encouraged to ensure that a diverse range of services can be provider to meet the specific ethnic and cultural needs of service users. The contracts will focus on providing specialist services, for people with complex needs, and specific services for women with medium to high mental health needs.

10.3 The specific need for women’s services has been evidenced through research such as:

- National Institute for Mental Health in England - Informed gender practice
- Women’s Mental Health: Into the Mainstream and Mainstreaming Gender and Mental Health Implementation Guidance (DH, 2003 and 2004)
- The NHS Information Centre (NHS IC) (2009) - Adult Psychiatric Morbidity in England, 2007: results of a household survey

These research reports highlight the need for the development of Womens' mental health services and identify that these are triggered by gender differences in:

Life Experience - Sexual/physical abuse/DV, caring responsibilities  
 Socio-Economic realities - Poverty, pay differences, being the backbone of caring services and being a minority in leadership positions  
 The expression of Mental distress - Anxiety, depression, eating disorders, being involved in Prostitution, terminations/abortions pre/post natal depression/self-harm,  
 Preferred pathways into services – Primarily requiring, community mental health services  
 Treatment needs and responses – Preferring Community based, and informal services.

In addition the consultation with service users carried out as part of the Strategic review endorsed these findings with a majority of women service users specifying a preference for women only services in order to ensure their safety and security as well as to meet their different needs.

## 11. Staffing Implications

11.1 The majority of these services are currently provided by external contractors, whose staff are likely to transfer to new service providers. Appropriate consultation will commence as soon as possible. In the case of one current contractor, ex-Council staff are currently performing the services, while another contractor, Brent Mental Health Services, includes current Council staff on its workforce.

11.2 The assumption is that TUPE may apply to those Council staff and ex-Council staff providing a service that will be included in the tender process. This will be assessed during the tendering process.



- 11.3 Council policy concerning the protection of accrued and future pension rights of Council employees transferring to a private or voluntary sector employer, will need to be followed in the tendering process (see also legal comments).

**Background Papers**

Supporting People Grant Conditions (CLG)

Brent Five Year Supporting People Strategy 2005/10

Mental Health Strategic Review April 2008 and Re-Review February 2009

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