



**Executive**  
15 November 2010

**Report from the Director of  
Children and Families**

For Action

Wards Affected:  
ALL

**Commissioning of the specialist Child and Adolescent  
Mental Health Service (CAMHS) in Brent 2011-13**

**1.0 Summary**

- 1.1 The Child and Adolescent Mental Health Service is a jointly funded statutory service commissioned by NHS Brent and Brent Council. This specialist Mental Health service, which includes provision for social care, learning disabilities and adolescent care, is commissioned to supplement the core Child and Adolescent Mental Health Service service provided by NHS Brent.
- 1.2 The jointly-funded service is currently delivered by Central and North West London NHS Foundation Trust at a total cost of £864,494.72 per annum (total Council and NHS funding). The current contract is due to expire on 31 March 2011. For delivery to continue, this High Value (see 5.2) service is required to undergo a full tender in order to comply with the Council's Standing Orders, unless the Executive grant an exemption from tendering.
- 1.3 For the reasons detailed in section 3 of this report, Officers are seeking exemption from full tender requirements and seek approval from the Executive to commission Central and North West London NHS Foundation Trust to deliver this service on a one year contract from 1 April 2011 to 31 March 2012, with an option to extend the contract for a further one year until 31 March 2013. By recommissioning the existing provider for a further year, it is considered that there will be minimal disruption to delivery for vulnerable users while the review reaches its conclusions and recommendations are implemented.

**2.0 Recommendations**

The Executive are requested to:

- 2.1 Approve an exemption from the usual tendering requirements of Contract Standing Orders in relation to the joint Council and NHS Child and Adolescent Mental Health Service, on the basis that there are good operational reasons for doing so as set out in section 3 of the report.

- 2.2 Award a contract jointly with NHS Brent for the joint Council and NHS provision of Child and Adolescent Mental Health Services to the current provider, Central and North West London NHS Foundation Trust, for the period 1 April 2011 to 31 March 2012 with an option to extend the contract for a further one year until 31 March 2013, which would be utilised, should timescales indicate the need for a further extension to be implemented.

### **3.0 Detail**

- 3.1 The current contract with Central and North West London NHS Foundation Trust (hereafter referred to as CNWL) for the delivery of a specialist Child and Adolescent Mental Health Service (hereafter referred to as CAMHS) is due to expire on 31 March 2011. This existing contract was awarded following approval from the Executive in March 2010 to award the contract to the existing provider without proceeding through the full tendering arrangements. This was on the basis that a comprehensive review of all Mental Health services in Brent would be taking place and a new service configuration be explored for April 2011 onwards. The Executive approved a contract value of £1,006,504.31. However, Officers succeeded in negotiating further efficiencies resulting in a final contract value of £864,494.72 for 2010-11.
- 3.2 The current and proposed contract with CNWL relates to the delivery of appropriate, accessible and comprehensive specialist CAMHS for children and young people up to the age of 18, in particular those known to social care and those with disabilities. Services are provided on the basis of a personalised needs led assessment in order that interventions are appropriate to the individual. Clinical interventions are in the form of both specialist 1:1 support and group work. Assessment and treatment are provided by child and adolescent psychiatrists, clinical psychologists, nurses, child psychotherapists, family therapists, play therapists and occupational therapists. The service is delivered in multidisciplinary assessment clinics, schools, Children and Families Social Care offices, community settings and homes. Over the last year, the service has supported an average caseload of 400 children and young people per quarter.
- 3.3 The specialist service is commissioned to complement the core CAMHS service commissioned and funded by NHS Brent. The aim of the core service is to provide assessment and treatment in the context of emotional, developmental, environmental and social factors to service users suffering from mild to moderate mental health disorders. This service is provided to children, young people and families in clinics and community settings.
- 3.4 The Joint Commissioning Board, a sub group of the Brent Children's Partnership, are assessing the current use of resources within both the specialist and core CAMHS contracts. This review of Mental Health services in Brent encompasses services currently commissioned by both Brent Council and NHS Brent. The scope of the review includes children, adolescents, younger and older adults, people with learning disabilities as well as drug and alcohol service users. The aim of the review, as it relates to child and adolescent mental health services, is to assess the potential for greater integration with Local Authority Children's services as well as deliver early intervention services at a locality level within current resource levels. The

review further aims to identify areas of duplication across the two CAMHS contracts in order to achieve efficiencies and best value for both NHS Brent and Brent Council. Therefore the review could result in a decision to continue the existing service with a new specification, or introduce significant changes to the way that Mental Health services are provided in the borough. This could include pooling Brent Council and NHS Brent resources in order to commission a single CAMHS contract covering both core and specialist provision.

- 3.5 The Local Authority contribution to the specialist CAMHS contract is £532,545.92 per annum. NHS Brent contribute a further £331,948.80, while providing £2.5 million for the core CAMHS contract. Given that the majority of funding towards both contracts is derived from the NHS, it would be more appropriate to apply NHS procurement procedures to commissioning any future service. NHS commissioning guidelines state that Commissioners should first work with existing NHS providers to deliver efficiencies and improve or redesign services, before considering external procurement. This is to minimise risk of disruption to care arrangements and avoid de-stabilisation of existing NHS providers. As a result, the Commissioners are seeking to work with CNWL to meet the needs identified in the review, and achieve efficiencies identified by both commissioning bodies (NHS Brent and Brent Council).
- 3.6 It was intended that the review would be completed in time to allow implementation in the 2011-12 financial year. However, it is now clear that there is insufficient time to complete a comprehensive review and enable any recommendations to successfully proceed through new NHS governance procedures before April 2011. Similarly, early discussions are required to determine the arrangements for establishing a pooled budget, should this be the most appropriate method for achieving the required efficiencies. Under these circumstances, it is not possible to implement a revised service model and pooled budget until at least the financial year 2012/13. At this point, the full outcome of the review will be known, a future service model will have been agreed, and the Commissioners will have had the opportunity to work with the existing provider(s) to evaluate their capacity and capability and achieve key milestones in implementing the new model.
- 3.7 The future of this service will also be affected by the NHS White Paper issued by the coalition government in July 2010: 'Equity and excellence: Liberating the NHS'. This White Paper introduced significant changes to NHS commissioning procedures, placing a greater emphasis on the role of GPs and expanding their responsibilities to include the commissioning of a greater number of local services, including CAMHS. Although GP representatives have expressed an interest in working with CNWL, further consultation is required to ensure that any service redesign reflects their vision for the future of CAMHS in Brent. Two Brent GPs have been identified to represent their colleagues in the review process, and needs assessment will incorporate GP's understanding and perspective on the quality and accessibility of current CAMHS provision in the borough.
- 3.8 In view of the service review described in paragraph 3.4 and 3.6, and the changes to NHS commissioning outlined in paragraph 3.7, this report recommends that this one year contract (with an option to extend by a further year) should not be subject to a tender process for the following reasons and be recommissioned with the current provider:

- The Mental Health Review will not be in a position to report its findings, and present the necessary recommendations within the full spectrum of new NHS Brent governance procedures, until 2011. This does not provide sufficient time to enter formal procurement and award a contract which would enable the establishment of a reconfigured service by 1 April 2011.
- The NHS White Paper issued in July 2010 transferred the responsibility for commissioning for CAMHS from PCTs to GP consortia. The Review must take time to ensure GPs are on board with recommendations arising from the review and reflect their views and requirements into any future service redesign to ensure sustainability of the future model.
- CAMHS involves working alongside some of the most vulnerable children and young people within Brent. The commissioning of a new Service Provider in April 2011, and potentially again in April 2012 following the review, could prove disruptive and detrimental for such users.
- Service users and professionals are aware of where and how to access current CAMHS services. If a new provider was sought, it would require months of publicity to promote the new service so that both users and professionals are aware of the revised arrangements.
- Brent Council provide £532,545.92 per annum for specialist CAMHS in Brent, supplementing the £2.5 million per annum provided by NHS Brent for both the core and specialist services. In this context, it is most appropriate to use NHS procurement processes and guidelines. These guidelines state that Commissioners should first work with the existing NHS provider to deliver efficiencies and improve or redesign services, before considering an external procurement procedure and inviting bids from alternative providers. A formal approach to reviewing an existing service enables the Commissioners to maintain continuity of care for vulnerable users while achieving necessary changes or efficiencies. In particular, the Commissioners will seek to address any duplication between the core contract and this contract.
- The commissioners are confident in the standard of service delivered by CNWL. CNWL are an experienced provider who met their service delivery targets throughout 2009-10.

3.9 Therefore this report recommends an exemption from the tendering requirements of Contract Standing Orders to enable CNWL to be commissioned to deliver the existing service for a further one year (2011-12) with the provision for an extension to deliver in 2012-13. This is being requested should the review be subject to unavoidable delays and consequently be unable to provide a comprehensive response in time for the 2012-13 commissioning year.

3.10 The Commissioners are confident in the standard of care provided by CNWL, and the breadth of resources at their disposal. CNWL currently provide tier 3 or specialist CAMHS services to five of the eight PCTs belonging to the North West Sector CAMHS Consortium. The consortium is made up of eight boroughs in the north and west of London, including Brent. CNWL deliver core

and targeted CAMHS services on behalf of NHS Brent as well as the provision of specialist CAMHS to four other boroughs in the sector. In line with current arrangements, CNWL will continue to be performance managed through a service level agreement with rigorous, quarterly monitoring arrangements.

#### **4.0 Financial Implications**

- 4.1 There are no financial implications from this report. The report relates to the service to be provided in 2011/12 and 2012/13. The funding has already been identified and will be drawn from a joint budget with NHS Brent and the Local Authority. The Local Authority contribution is £532,545.92 and the NHS Brent contribution is £331,948.80 to the specialist CAMHS contract. In addition, NHS Brent, commission a further £2.5 million worth of core specialist CAMHS services for children and young people in Brent.
- 4.2 Any High Value CAMHS contracts beyond April 2013 will be subject to further reports to the Executive.

#### **5.0 Legal Implications**

- 5.1 The Council is under an obligation to secure that there are mental health services in place for children in accordance with its general duties to safeguard and promote the welfare of children within their area who are in need, under section 17 of the Children Act 1989. The Council is also under a duty to provide advice and counselling for children in need while they are living with their families, under Schedule 2 of the same Act.
- 5.2 All contracts for services exceeding £500,000 in value are classified as High Value contracts under Contract Standing Orders. Here the Council element of the service is £532,545.92 per annum for 2011/12. Such a contract is required by Contract Standing Orders to be tendered. Where any contract is proposed not to be tendered, then only the Executive can approve this under Standing Order 84, on the conditions that there are good operational and / or financial reasons for doing so. Here the operational reasons are set out in paragraph 3.8 of this report, and Members need to be satisfied that the reasons are sufficient to justify an exemption from the usual tendering requirements of Contract Standing Orders.
- 5.3 In addition, Members can only grant an exemption from tendering where there is no breach of the European public procurement requirements. Mental health services are Part B services under the Public Contracts Regulations 2006 and so the contract is subject only to partial application of the regime. Most importantly, there is no requirement to advertise and tender a Part B contract in accordance with the Regulations. However as a Part B service it will still require notification of the contract award to the EU Publications Office.

#### **6.0 Diversity Implications**

- 6.1 This contract relates to the delivery of specialist CAMHS for children and young people known to social care services, those with learning disabilities and young people aged up to their 18<sup>th</sup> birthday with mental health problems and disorders. The presence of mental health problems is a known risk factor which can result in vulnerability and associated behaviours.

- 6.2 The aim of this provision is to enable practitioners in the Children and Families department, and other agencies such as schools and GPs, to access a range of flexible and responsive therapeutic services for vulnerable children and young people who present with family breakdown, social crisis, neglect, absent parenting and or socially unacceptable behaviour and including those with learning disabilities and associated mental health problems. Current service users are representative of the ethnic and cultural diversity in Brent.
- 6.3 The service will ensure that children and young people with mental health problems and disorders have access to timely, integrated, high quality, multidisciplinary mental health services to ensure effective assessment, treatment and support, for them and their families. Provision is delivered on the basis of a personalised needs led assessment of individual children and young people in order that interventions are appropriate and targeted to those most in need.
- 6.4 The failure to approve the award of this contract could lead to the withdrawal of services from some of the most vulnerable children and young people in Brent. Those most at risk include young people known to social services and children and young people with learning disabilities.
- 6.5 CNWL are an NHS foundation trust with a robust Single Equality Scheme and Action Plan and substantial experience of delivering mental health services in Brent. In January 2005, the Department of Health launched *Delivering Race Equality in Mental Health*, a five-year action plan to deliver equality of access, equality of experience and equality of outcome for BME communities in mental health. CNWL were selected as one of 17 pilot sites to to research and test out new ways of working with service users and carers from Black and Minority Ethnic communities and find new ways of involving these communities in developing more appropriate mental health services. A comprehensive evaluation of this work has now been completed. Furthermore, quarterly monitoring data for the joint contract for specialist CAMHS indicates that the caseload supported by CNWL is representative of the population of Brent.

## **7.0 Staffing Implications**

- 7.1 This service is currently provided by an external provider and there are no implications for Council Officer staff arising from continuation of the contract.

### **Contact Officers**

Sarah Mansuralli  
Head of Partnership Commissioning Service  
Children and Families Department  
Tel: 020 8937 3128. [Sarah.mansuralli@brent.gov.uk](mailto:Sarah.mansuralli@brent.gov.uk)

**Krutika Pau**  
**Director of Children and Families**