

## London Borough of Enfield

### Portfolio Decision

Meeting Date 23<sup>rd</sup> August 2021

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**Subject: Mental Health into employment service contract variation**

**Cabinet Member: Councillor Cazimoglu**

**Executive Director: Tony Theodoulou**

**Key Decision: N/A**

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### Purpose of Report

1. To inform Councillor Cazimoglu as Health and Adult Social care portfolio holder of the proposal to vary the mental health into employment contract and seek approval of that variation.

### Proposal(s)

2. That Councillor Cazimoglu agree to the variation of the contract for a period of three years to allow the mental health community to benefit from the offer of increased funding from the NCL Clinical Commissioning Group (NCLCCG). Details can be found in the restricted annex of this report.

### Reason for Proposal(s)

3. Additional funding has recently been offered by the CCG to enhance the current contract offer funded by the Council and the BEH Mental Health Trust.

### Relevance to the Council Plan

#### 4. **Good homes in well-connected neighbourhoods:**

Employment support service for adults with mental health needs will contribute towards the Council's aim of serving the whole borough fairly. This group of residents faces several barriers to enter the job market or to retain jobs when they gain one. This programme helps them gain and maintain employment with the aim they can move to their own properties and eventually live independently.

#### 5. **An economy that works for everyone.**

The employment support service for adults with mental health needs will contribute towards getting individuals into employment and improve the local economy.

## Background

6. 96% of adults with mental health problems in contact with secondary care services in Enfield are not in employment<sup>1</sup>. As a result, supporting people with mental health conditions to achieve employment is part of the national and local public service performance indicators. Local Authority and MH Trust's outcomes are nationally monitored in this area.
7. The IPS delivery approach is an area where Enfield has under achieved compared with other local authorities.
8. In 2019 a competitive tender was undertaken and at the time the Clinical Commissioning Group (CCG) was approached to see if they also wished to participate, however at the time the CCG chose to invest their budget with the another IPS provider
9. On the 6<sup>th</sup> February 2020 Councillor Cazimoglu agreed to the issuing of a four-year contract with the Working Well Trust and the contract commenced on the 1<sup>st</sup> April 2020.
10. In February 2021 the CCG approached the Council with additional funding for the year 2020/21 to be added to the Enfield contract from April 2021 onwards. Financial details can be found in Restricted Annex of this report.
11. In May 2021 the CCG again approached the Council with further funding given to them from North Central London (NCL) to bolster areas where the spend and performance was not as equitable as with other boroughs in the NCL.
12. The allocation of all the additional CCG funding comes with certain conditions. Details of this and approaches to spend the additional funding can be found in Restricted Annex of this report.
13. Performance of this service is monitored through national indicators:
  - ASCOF 1F The proportion of adults in contact with secondary mental health services in paid employment
  - NI150 Percentage of Adults receiving secondary mental health services in employment

## Main Considerations for the Council

14. By varying this contract to allow for the extra funding from the CCG, we can support additional individuals with Mental Health problems to find or sustain employment.

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<sup>1</sup> Enfield Joint Adult Mental Health Strategy 2014-2019  
[http://www.enfield.gov.uk/download/downloads/id/8494/enfield\\_joint\\_adult\\_mental\\_health\\_strategy\\_2014](http://www.enfield.gov.uk/download/downloads/id/8494/enfield_joint_adult_mental_health_strategy_2014)

15. For further risks see the restricted section of this report.

### **Safeguarding Implications**

16. All staff working on the contract will be DBS checked and be trained on raising safeguarding alerts.

### **Public Health Implications**

17. Employment is protective of good mental wellbeing for all and is therefore especially important to those with pre-existing mental health conditions. Employment reduces risk of poverty and other associated factors that are also linked with poor mental health. The contract variation will enable a greater number of residents with pre-existing mental health conditions to be supported into employment. These people are likely to achieve better mental wellbeing with employment than without, therefore from a Public Health perspective this is a very positive development

### **Equalities Impact of the Proposal**

18. There are no identified issues for this service. An EQIA was undertaken prior to the contract being formally awarded.

### **Environmental and Climate Change Considerations**

19. This is a local service contract so has limited impact on the environment, as the service is local there is also limited environmental travel costs. Staff on this contract will either work from home or in the community.

### **Risks that may arise if the proposed decision and related work is not taken**

20. The risk is Enfield will perform lower in the nationally published KPI in comparison to near neighbours.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

### **Financial Implications**

21. See restricted annex

### **Legal Implications**

22. The Council, under s.111 Local Government Act 1972 has power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council also has a general power of competence under s.1(1) Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to Public Law principles.

23. At the time of award, the contract's total value was below the Public Contracts Regulations 2015 threshold for Social and Other Specific Services (Light Touch Regime) threshold. An open tender process was followed in accordance with the Council's Contract Procedure Rules. As fewer than five quotes had been obtained, the award required the approval of the Procurement & Commissioning Hub.
24. The proposed variation brings the contract within the scope of the Public Contracts Regulations 2015 ("Regulations"). The Council must ensure compliance with the Regulation, the Council's Constitution and Contract Procedural Rules. Further advice is contained in the Restricted Annex of this report.
25. The Council must also adhere to the Duty of Best Value in accordance with the Local Government Act 1999.
26. The Council must further ensure that all legal agreements entered into in consequence of the approval of the proposals set out in this report must be approved by the Director of Law and Governance.

*(Legal implications provided by E.M. 28/07/2021 based on the version of the report circulated on 23/07/2021 at 12:46pm)*

### **Workforce Implications**

27. None. Enfield Council will not employ the staff.

### **Property Implications**

28. None, staff on this contract will work from home, meet clients in the community or occasionally visit the MH Community Rehab Team. (e.g. attend team meetings).

### **Other Implications (Procurement)**

29. Any procurement must be undertaken in accordance with the Council's Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015).

The award of the contract, including evidence of authority to award, promoting to the Council's Contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract, including variations.

All awarded projects must be promoted to Contracts Finder to comply with the Government's transparency requirements. This contract is registered on the Contract Register DN417516. The variation and contract value must be updated on the contract register to ensure transparency.

Variation of contracts is covered under rule 72 of the Public Contract Regulations 2015, and within the Councils' CPRs rule 11. The rule states that contracts may only be varied if it meets all three of the stated criteria and no more than 50% of the original value.

If the contract is varied, then rule 26 of the CPR's states that contracts over £100,000 must have a nominated contract manager in the LTP, and for contracts over £500,000 there must be evidence of contract management uploaded into the LTP. This should include operational & performance management, supplier resilience (financial risk management), regular risk management, and commercial elements of the contract.

### **Options Considered**

30. Increase the funding with the aim to drive up performance in this area.

Do not accept the funding. NCL CCG may choose to work with a neighbouring borough (Haringey or Barnet) to add support for Enfield residents to their own employment support contracts.

Vary the contract for a period of 12 months with the overall variation representing less than 50% of the total contract value. This options allows little time for scaling up the service and evaluation and hinders the organisation's ability to appropriately plan for the future development of the service.

### **Conclusions**

31. That the Cabinet Member for Health and Adult Social Care agree with the recommendations of increasing the contract for a period of 3 years.

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Report Author: Iain Hart  
Mental Health Service Development Manager  
Iain.hart@enfield.gov.uk  
020 8132 0500

Date of report 29<sup>th</sup> June 2021

**Appendices-** Restricted Annex

### **Background Papers**

The following documents have been relied on in the preparation of this report:

None.