

APPROVAL TO ENTER INTO A S256 AGREEMENT WITH THE CAMBRIDGESHIRE AND PETERBOROUGH CLINICAL COMMISSIONING GROUP and S75 AGREEMENT WITH THE CAMBRIDGESHIRE AND PETERBOROUGH FOUNDATION TRUST

Councillor Lynne Ayres, Cabinet Member for Children's Services, Education, Skills and the University

February 2021

Cabinet portfolio holder: Responsible Director:	Councillor Lynne Ayres, Cabinet Member for Children's Services, Education, Skills and the University Wendi Ogle-Welbourn, Executive Director for People and Communities
Is this a Key Decision?	YES Reference: KEY/04JAN21/04
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	N/A

R E C O M M E N D A T I O N S

The Cabinet Member is recommended to:

1. Authorise the Council to enter into a Section 256 Agreement with the Cambridgeshire and Peterborough Clinical Commissioning Group for the joint commissioning of the Youth Offending Service Psychology Service, from 1 April 2021 until 31 March 2024.
2. Authorise the Council to enter into a Section 75 agreement in partnership with CCC, together the Authorities, and Cambridgeshire and Peterborough Foundation Trust to provide the Youth Offending Psychology Services from 1st April 2021 to 31st March 2024.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for the Cabinet Member for Children's Services to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with paragraph (b) of their portfolio.
- 1.2 This report outlines the details of the new Psychology Service provided through the Youth Offending Service and Targeted Youth Support Service, and seeks approval to formalise arrangements between Cambridgeshire and Peterborough Clinical Commissioning Group, Cambridgeshire County Council and Peterborough City Council, to offer a consistent and integrated psychology service, within the Youth Offending Teams and Peterborough's Targeted Youth Support Service. Appropriate governance arrangements need to be

established to enable the joint service to be put in place. The arrangements will include a Section 256 between Peterborough City Council (PCC) and Cambridgeshire and Peterborough Clinical Commissioning Group (CCG), to enable and confirm funding to be transferred from the CCG to PCC. A Section 75 agreement will be required between PCC and CCC acting as the Authorities and Cambridgeshire and Peterborough Foundation Trust (CPFT) to pay for the services to be delivered by CPFT. PCC shall be the lead Authority for purposes of Section 75 agreement.

- 1.3 The agreement would seek to cover the period 1st April 2021 to 31st March 2024. This request is for a maximum of three years (1 year +1year +1 year) contract period, but the funding will be reviewed annually. The annual value of the joint arrangement will be £273 354, although this will be jointly reviewed on an annual basis by each commissioning organisation.

2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 Local Authorities have a legal duty to secure youth justice services in their area. The main aim of the youth justice system is the prevention of offending and re-offending by children and young people, safeguard them and protect the public. For Peterborough City Council and Cambridgeshire County Council their aim is to support young people with appropriate interventions that allow them to progress to adulthood and achieve the best possible personal outcome.
- 3.2 Clinical Commissioning Groups also have statutory responsibility to this group of young people and have a statutory duty (Crime and Disorder Act 1998) to co-operate in the provision of multi-agency youth offending teams.
- 3.3 As part of both teams in Peterborough and Cambridgeshire appropriate access to a psychology service forms part of the menu of interventions available to young people who need support. The service offer includes:
 - 3.3.1 The provision of psychological services to young people across the Youth Offending Service (YOS) and Targeted Youth Support Service (TYSS), who present with a combination of forensic risk and mental health issues and struggle to access mainstream psychological services.
 - 3.3.2 The provision of psychological therapies and interventions for children and young people who are experiencing social, emotional and psychological health problems and develop and implement appropriate treatment plans.
 - 3.3.3 Work with carers/parents and professionals to develop their understanding of the importance of positive relationships for their child's future mental health, wellbeing and learning.
 - 3.3.4 Direct work with children and young people to observe, assess and deliver evidence-based interventions. The service will include advice for carers/parents and social workers through consultations, and will support carer, parent and staff development through the delivery of evidence-based training where appropriate.

- 3.3.5 The provision of timely individualised multidisciplinary assessments and treatment for young people accessing YOS and TYSS services, which is equally accessible to all users and addresses their individual needs in a non-judgemental and non-discriminatory way.
- 3.3.6 The provision of a recovery-focused model which enhances the well-being of the young people and promotes recovery. Including the young person's views and experience in order to develop a service that is responsive to the young person's need.
- 3.3.7 To facilitate the implementation and oversight of a trauma informed formulation approach across the partnership with our most complex young people. Ensuring a trauma approach to multi-agency assessment and the staged delivery of interventions.
- 3.3.8 Facilitate the transition of any young person who requires transfer to a secure psychiatric hospital in a timely manner, and providing clear advice to referring professionals and agencies for young people assessed as not requiring input from the Psychology Team.
- 3.3.9 Input, where appropriate, into Court proceedings, Multi-Agency Public Protection Arrangement meetings, Detention and Training Order board meetings and YOS risk, vulnerability, planning and review meetings to ensure that the young person's relevant mental health information and risks are shared according to Information Governance policies.
- 3.3.10 The provision of effective and timely transition and through care plans to ensure that a young person's mental health needs continue to be addressed as they move between young person and adult services
- 3.4 The current service is part funded by the Clinical Commissioning Group, Cambridgeshire County Council and Peterborough City Council through separate arrangements. The new arrangements will bring the delivery arrangements together, as a jointly commissioned service, ensuring effective delivery and preventing duplication of service input. In order to achieve this a number of governance agreements need to be put in place as follows:
- A Section 256 Agreement - within the National Health Service Act 2006 enabling payments be made from Cambridgeshire and Peterborough Clinical Commissioning Group to the Peterborough City Council (acting as the main contractor) under this section 256 agreement.
 - A Section 75 agreement, whereby payments from Peterborough City Council (to include payments made to PCC by CCC for provision of this service) will pay Cambridgeshire and Peterborough Foundation Trust for YOS / TYSS Psychology services delivered across Peterborough and Cambridgeshire.
- 3.5 The funding agreement will be in place for a three year period, however, funding will be reviewed annually. The total current annual contribution from the local authorities is £70,834, with a contribution from Cambridgeshire County Council of £21,809 and Peterborough City Council of £49,025. The contribution from the CCG's contribution is £202,520. The total annual cost of provision for 2021/22 is £273 354. However, funding for 2022/23 and 2023/24 will be confirmed prior to the start of each financial year.

4. CONSULTATION

- 4.1 The consultation has included Cambridgeshire County Council, Peterborough City Council, the Clinical Commissioning Group, and Cambridgeshire and Peterborough Foundation Trust.

5. ANTICIPATED OUTCOMES

- 5.1 The aim of this arrangement is to develop an integrated offer across Peterborough and Peterborough,

6. REASONS FOR RECOMMENDATION

- 6.1 The jointly commissioned service will enable the delivery of an integrated Psychology Service for young people and their families across Peterborough and Cambridgeshire, thereby improving outcomes for children and young people.
- 6.2 The service has been reviewed, to ensure that the needs of young people and their families are met, whilst providing a consistent offer to young people and families. There is a rising demand for services. In Cambridgeshire and Peterborough during recent years there has been an increasing number of young people requiring intensive support, as well as an increase in the number of complex cases supported by the Youth Offending Team and Targeted Youth Support Service.
- 6.3 As a result of the changing complex caseload of young people currently vulnerable to and involved in Criminal Exploitation and Youth Violence there is a need to embed a trauma informed formulation model to Cambridgeshire YOS and Peterborough TYSS that needs to be overseen by an appropriate psychologist or clinician. Psychology and clinical staff are consistently hard to recruit and retain outside of core CAMHS services, which has required a review of posts, grades and support structure.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 To do nothing – this was rejected as the agreement between Peterborough City Council and the Cambridgeshire and Peterborough CCG enables delivery of a wider range of services to children and young people, which will improve outcomes for this group.

8. IMPLICATIONS

8.1 Legal Implications

Section 256 of the National Health Service Act 2006 provides authority for a clinical commissioning group to make payments to a local authority if the clinical commissioning group is satisfied that the payment is likely to secure a more effective use of public funds than the deployment of an equivalent amount on the provision of services.

Section 75 of the National Health Service Act 2006 permits a local authority and a health trust to work together to deliver integrated services which include specific statutory functions. The agreement will cover the arrangements for the lead commissioning and delivery of youth offending services. Section 75 will allow Peterborough City Council as the lead Authority to pay funds on behalf of both Peterborough and Cambridgeshire to CPFT that will deliver the YOS Psychology Services. Contribution and funding arrangements shall be set out within the Section 75 Agreement.

8.2 Financial Implications

The S256 Agreement allows the Council to access and use CCG funding relating to health support to children and young people and their families from 1st April 2021 to 31st March 2024. The S75 Agreement allows Peterborough City Council to pay funds to the Cambridgeshire and Peterborough Foundation Trust to deliver services.

8.3 Equalities implications

This service offers young people and their families access to psychologic services, addressing needs of a vulnerable cohort of .young people and as such addresses potential inequalities they face in achieving the best outcome they can achieve educationally, socially and emotionally.

8.4 Carbon Impact Implications

Following completion of the Carbon Impact Assessment, there have been no specific implications identified

10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

10.1 None.

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012