

APPROVAL TO COMMIT FUNDING A BESPOKE SPECIALIST PLACEMENT FOR A FOUR-YEAR PERIOD 2021 – 2025
Councillor Lynne Ayres, Cabinet Member for Childrens Services, Education, Skills and <u>University</u>
December 2021
Deadline date: N/A

Cabinet portfolio holder:	Councillor Lynne Ayres - Cabinet Member for Childrens Services, Education, Skills and University
Responsible Director:	Wendi Ogle-Welbourn – Executive Director: People and Communities for both Cambridgeshire & Peterborough Councils
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES. Unique Key decision Reference from Forward Plan: KEY/07JUN21 / 01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	YES Appendix 1
Is this a project and if so has it been registered on Verto?	NO Verto number:

RECOMMENDATIONS
The Cabinet Member is recommended to:
<ol style="list-style-type: none"> 1. Approve the funding of accommodation, care and support in compliance with the authority's statutory responsibilities as listed in the report. 2. Authorise the award of contract for the care services provision to the Preferred Bidder following a compliant procurement process led by Cambridgeshire and Peterborough Clinical Commissioning Group.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for Councillor Lynne Ayres to consider exercising delegated authority under paragraph 3.4.3 and 3.4.8 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b).
- 1.2 The attached report/background information is NOT FOR PUBLICATION in accordance with paragraph (s) 2 of Schedule 12A of Part 1 of the Local Government Act 1972 in that it contains information relating to the identity of an individual. The public interest test has been applied to the information contained within the exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it.

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

3. BACKGROUND AND KEY ISSUES

- 3.1 The Council and the Cambridgeshire and Peterborough Clinical Commissioning Group [C&PCCG] have statutory duties under the Mental Health Act 1983 -Section 117 to provide aftercare services for individuals [including children and young people] who have been detained under Section 3 and other defined sections of the Act. It is the aftercare duty that comes in effect once the individual has been discharged from the hospital.

The young person concerned will also be a child in care under Section 20 of the Children Act 1984, and therefore our statutory responsibilities at the time of discharge from hospital will begin.

- 3.2 In order to comply with these legal duties NHS England, the C&PCCG and the local authority have worked with a range of stakeholder agencies to plan for the discharge of a Peterborough young person currently an inpatient in a tier 4 hospital.
- 3.3 Despite a number of attempts locally and nationally to identify suitable providers capable of meeting the child's assessed needs, we have been unable to secure a provision.
- 3.4 Working with all stakeholders the only option available is to develop a bespoke service, identify a property, make the necessary adaptations, engage a care provider and education service to deliver a holistic health, care and education provision within a registered children's home. The home will be registered with Ofsted as a children's home.
- 3.5 The costs associated with the delivery of accommodation, health and care will be funded equally between the C&P CCG and Peterborough City Council.

4. CONSULTATION

- 4.1 Detailed in Exempt Annex - Appendix 1

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1

Provision of accommodation, health and care, clinical support and education in compliance with statutory responsibilities under the Children Act 1984, the Mental Health Act 1983, and the Children and Families Act 2014.

6. REASON FOR THE RECOMMENDATION

6.1 The Council must adhere to statutory responsibilities as detailed below:

-The local authority and The Cambridgeshire and Peterborough Clinical Commissioning Group have a statutory duty under the Mental Health Act 1983 – Section 117 to ensure and fund the aftercare of patients detained under s3, 37, 45A, 47 or 48. Section 117 places an obligation on the clinical commissioning group (CCG) and the local social services authority (LSSA) to provide aftercare services until they are satisfied that the person concerned no longer needs such services. Under the Act, the obligation rests with the CCG and LSSA for the area in which the person concerned is resident. These Aftercare services apply to children, young people and adults.

-The young person concerned will also be a child in care under section 20 of the Children Act 1984, and therefore our statutory responsibilities at the time of discharge from hospital will begin.

-In order to secure the optimum care service the C&PCCG led on the procurement of a care services provider via NHS Shared Business Solutions. The Local Authority worked in partnership to develop the suite of contract documents and tender for care services provision.

-The outcome of this Invitation to Tender is that a Preferred Bidder has, through a very robust process involving all stakeholders been recommended for contract award details of which are to be found in Appendix 1.

7. ALTERNATIVE OPTIONS CONSIDERED

7.1 Detailed in Exempt Annex - Appendix 1

8. IMPLICATIONS

Financial Implications

8.1 Detailed in Exempt Annex

Legal Implications

8.2 Compliance with statutory responsibilities as listed in section 6.

Equalities Implications

8.3 There are no equalities implications arising from this decision.

Carbon Impact Assessment

8.5 This decision relates to the funding of a care and support package. The property will not be owned by the council and therefore will not impact the council's carbon emissions. The property will be close to a bus route to support staff to travel to and from the property via public transport, therefore minimising staff travel emissions.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

9.1 None.

10. 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.

10.1 None.

11. APPENDICES

11.1 Exempt Annex – Appendix 1