

March 2023

REPORT TITLE:	HM PROBATION SERVICE, WIRRAL COUNCIL AND CHANGE GROW LIVE LTD - PARTNERSHIP WORKING 'DEPENDENCY & RECOVERY'
REPORT OF:	ASSISTANT DIRECTOR: CONSULTANT IN PUBLIC HEALTH

REPORT SUMMARY

This report seeks approval for Wirral Council, as commissioner of drug and alcohol services in Wirral, to receive transfer of funds from Probation Service North West, allocated for partnership working between drug and alcohol treatment services and the criminal justice system.

This work has been developed jointly between Wirral Council and HM Probation Delivery Unit Wirral, in order to vary the existing contract for Change Grow Live Service Ltd, (CGL) Community Substance Misuse Public Health Contract.

The aim is to establish joint working relationships between The Probation Service, Local Authority and substance misuse services, through defining clear and concise support pathways for individuals within the Criminal Justice System, who have issues with addiction.

The decision is not a key decision.

The service provider (CGL) delivers services across the borough and therefore this decision has potential to affect all Wards across the Borough.

The activity outlined in this report supports the vision of the Wirral Plan 2021-2026, to 'create equity for people and place' and opportunities for all to secure the best possible future for resident, communities and businesses. It contributes directly or indirectly to delivering the following themes of the plan:

- Brighter Futures
- Inclusive Economy
- Safe and Pleasant Communities
- Active and Healthy Lives

RECOMMENDATION/S

The Director of Public Health is recommended to approve the transfer of funds from Probation Service North West to Wirral Council in order to provide enhanced support for people with a drug or alcohol treatment need in the criminal justice system, via a variation of the existing drug and alcohol treatment contract for Wirral.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 A request was received from Probation Service North West to work in partnership with Wirral Council in providing substance misuse services to people on probation. Part of Probation's business case was to employ specialist organisations (existing local treatment providers) to provide rehabilitative interventions to reduce re-offending by tackling their criminogenic needs.
- 1.2 Whilst the Probation Service did have the opportunity to go out to tender at a National Level, they were concerned that this may have led to confusion for the Probation Practitioners but more importantly the service users, in relation to which services each provider would deliver. The Probation Service felt that building on our existing relationships and working in partnership locally is the best approach. This would avoid any confusion and negate any duplication of services.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The option of the probation service going out to tender at a National Level was considered, however, for the reasons stated in 1.2 above it was considered that this would lead to confusion and that partnership working was the best approach.
- 2.2 Were the Council to not accept this transfer of funds, Wirral residents would not receive any enhanced service for people in the criminal justice system with a drug or alcohol treatment need.

3. BACKGROUND INFORMATION

- 3.1 The contract held with CGL Services Ltd was awarded in 2020 and complied with Public Contract Regulations and Wirral Council's Contract Procedure Rules. The provider is commissioned to deliver a Community Substance Misuse Service that supports Wirral residents to move towards recovery from problematic alcohol and drug use and improve their long term physical health and mental wellbeing. This benefits service users, their families and local communities. The contract term is 1st February 2020 – 31st January 2025 (with two twelve-month extension options).
- 3.2 A request was received from Probation Service North West to work in partnership with Wirral Council in providing substance misuse services to people on probation. Part of Probation's business case was to employ specialist organisations to provide rehabilitative interventions to reduce re-offending by tackling their criminogenic needs.
- 3.3 The aim is to establish best practice and outline joint working relationships between The Probation Service, Local Authority and Substance Misuse Services, through defining clear and concise support pathways for individuals within the Criminal Justice System, who have issues with addiction and by implementing an organic provision which will develop year on year.

- 3.4 There is a Memorandum of Understanding between the Wirral Council and Probation Service North West for the co-commissioning of rehabilitative and resettlement interventions.
- 3.5 Working in collaboration, all services will ensure that those individuals that have been sentenced to an Alcohol Treatment Requirement (ATR) or Drug Rehabilitation Requirement (DRR) and/or are released from prison or subject of a referral from probation services, will receive personalised support that is tailored to their specific needs and circumstances. Teams will ensure that they review what substance(s) an individual has issues with, where they are in their recovery journey and where they want to be, whilst reviewing their current risk and need level.
- 3.6 There are plans for CGL to recruit substance misuse caseworkers who will be co-located in the Wirral Probation Office to case manage people on probation alongside the Probation Practitioners. This close working relationship will provide excellent wrap round support, improve communication, and manage risk in a timely fashion.
- 3.7 The Probation Service has requested Wirral Council to vary the Community Substance Misuse Public Health Contract with Change, Grow Live Ltd in order to deliver the 'Dependency & Recovery' Service. A Regulation 72 Assessment has been completed and advice has been sought from Procurement and Legal Services.

4. FINANCIAL IMPLICATIONS

The current funding to be transferred from Probation Service North West up to 31 January 2025 is as follows:

2022/23 - £87,452 mobilisation and delivery costs.

2023/24 - £129,224 delivery costs.

2024/25 - £116,576 this is for 10 months delivery costs that will run to 31st January 2025, the end of the current contract with CGL.

Should the contract with CGL be extended beyond the 31st January 2025 Probation Service North West will transfer the following funding:

2024/25 - £23,315 Two months delivery costs

2025/26 - £140,485 delivery costs.

5. LEGAL IMPLICATIONS

- 5.1 It is necessary to ensure the proposed procurement complies with the Public Contract Regulations 2015 and Wirral Council Contract Procedure rules.

- 5.2 A Regulation 72 Assessment has been undertaken. The proposed variation would, in aggregate with previous variations, be less in value than 10% of the initial contract with CGL, would not considerably extend the scope of the contract nor change its economic balance in favour of CGL. The proposed modification would not be substantial within the meaning of Regulation 72 of the Public Contract Regulations 2015 and would therefore be lawful without the need for competition.

The value of the proposed variation is within the Council's Contract Procedure limits.

6. RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There is no significant resource implication. The relevant Council Officer will issue a contract variation to the provider to reflect the change to the contract value. The contract will continue to be monitored in accordance with the Public Health contract management framework.

7. RELEVANT RISKS

- 7.1 The council will need to review all financial allocations to achieve a balanced budget over the next few years. The Public Health department has and maintains a five-year financial plan to provide assurance that the projected funding is in place for the commissions that it makes. The contract variation period is within this timeframe. The funding covered by the ODN is received from Probation Service North West and therefore is separate to the wider Public Health, and Council budgets.

8. ENGAGEMENT/CONSULTATION

- 8.1 The original commission incorporated findings from a range of consultations and insight work, including with individuals accessing drug and alcohol treatment services, other front-line services and partners, as well as those not engaged with services.

9. EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

The Equality Impact Assessment for this commission can be found at - <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2017/health>

- 9.2 The commissioned service is compliant with the Public Sector Equality Duty as contained in section 149 of the Equality Act 2010

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 During the procurement process for core drug and alcohol treatment contract, bids were evaluated on any social value added to the service. CGL Services Ltd indicated

how they would have a positive impact on Wirral's environment and climate related to car miles saved as a result of green transport options.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The contract variation to this contract will support the service provider to maintain the quality of current service provision, supporting the health and wellbeing of some of the borough's most vulnerable residents. Improving the connections between drug and alcohol treatment services and the criminal justice system will reduce reoffending, with subsequent positive impacts on local economies.

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APPENDICES

N/A

BACKGROUND PAPERS

Wirral Council Public Health Contract (DN406009): Community Substance Misuse Services.

Invitation to Tender (ITT) Scope and Contract Specification for the supply of Community Substance Misuse Services. Contract Reference: DN406009

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE	14 TH JUNE 2022.