



## **OFFICER DECISION**

**OCTOBER 2024**

<b>REPORT TITLE:</b>	<b>RE-TENDER OF THERAPEUTIC SUPPORT FOR CHILDREN LOOKED AFTER IN WIRRAL. THERAPEUTIC SUPPORT FOR CHILDREN LOOKED AFTER</b>
<b>REPORT OF:</b>	<b>ASSISTANT DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION</b>

### **REPORT SUMMARY**

The purpose of this report is to make recommendations to the Director of Children, Family and Education Services regarding the proposal to re-tender for the service that provides Mental Health and Therapeutic support for Children Looked After (CLA) in Wirral.

The recommendations support the delivery of the Wirral Plan by working together to promote fairness and opportunity for people and communities. This aligns with the vision to prioritise those with the greatest need, to deliver council services within the means of the council budget and to work across communities with community, voluntary and faith organisations to improve all residents' life chances.

The recommendations support the delivery of the following Wirral Council Plan themes,

*Delivery theme: Working together to improve early help for children and families.*

- children and young people have their needs met early.
- children and young people stay safe and are protected from harm.
- children and young people achieve their potential and are prepared for adulthood.

*Delivery Theme: Promoting independence and healthier lives.*

- Working with partner agencies to improve mental wellbeing.
- Supporting the delivery of the Health and Wellbeing Strategy 2022-2027.

This is a key decision.

The decision affects all wards in the Borough.

### **RECOMMENDATION/S**

The Director of Children Family and Education Services is recommended to approve that a procurement exercise be commenced seeking tenders for a new specialist provider who will provide therapeutic support to Children Looked After in Wirral based upon the specification set out in paragraph 3.10 of this report.

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 As of August 2024, Wirral has 749 Children Looked After (CLA) and 369 children who are subject to Special Guardianship Orders. The corporate parenting responsibilities of the Council includes having a duty under section 22(3)(a) of the Children Act 1989 to safeguard and promote the welfare of the children it looks after. This includes the child's physical, emotional, and mental health and acting on any early signs of health issues
- 1.2 The Council's Children Looked After and Care Leavers Strategy 22-25 identifies emotional and physical health and wellbeing as a priority:  
  
**“Priority 1 - Emotional and Physical health, and wellbeing – Making sure you are happy and healthy all the way through your childhood and into adulthood. Enabling you to build positive relationships, strengthen your sense of identity and understand your life experiences.”**
- 1.3 Children in care are four times more likely than their peers to have a mental health difficulty due to their experiences both before and during care. There is a requirement to commission a specialist provider to deliver bespoke mental health support and therapeutic interventions to support these young people to develop positive attachments with others, to develop a sense of their own identity, and a sense of safety.
- 1.4 The existing contract for the provision of therapeutic mental health support for CLA ends on 31<sup>st</sup> March 2025 and it is necessary to recommission this service.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 A proposal to replace the current contracts with a blend of in-house provision alongside a significantly reduced tender for some aspects of the service. This option was explored; however, this was deemed too costly and there were concerns around the challenges of recruiting a suitably qualified clinical psychologist.

### 3.0 BACKGROUND INFORMATION

- 3.1 Prior to 2020, the Council provided funding to Child and Adolescent Mental Health Service (CAMHS) for a total of £333,737 per annum to provide an additionality of service for Children Looked After (CLA) and Care Leavers in Wirral. There was no contract in place. This was a historical arrangement which pre-dated the establishment of the children's commissioning team. This arrangement saw CLA being prioritised for an initial assessment; however, once the young person was assessed it was clinical need which decided priority and the cohort fell in line with the rest of the population. This led to long delays in CLA accessing vital support. these delays were highlighted in Care Quality Commission Cand Ofsted inspections.

- 3.2 During 2020 tenders were sought with a view to provide a more holistic and targeted form of mental health and emotional wellbeing support for CLA and Care Leavers. This was with the aim to reduce waiting times for CLA and ensure the earliest possible intervention.
- 3.3 The current CLA therapeutic support contract is delivered by Polaris Children's Services (£220,000 per year) This is complemented by a contract delivered by The Open Door Charity (£113,737 per year) which offers relationship based emotional health and wellbeing support for CLA. The organisations work collaboratively under the combined banner of 'OOMOO'
- 3.4 In November 2023 Children's DMT agreed to continue with the current model for an additional year to allow for further negotiations with health colleagues and to determine the future direction of the service.
- 3.5 The contract for the wider Emotional Health and Wellbeing Model for Children and Young Persons in Wirral (which will be known as Branch) has been jointly commissioned between Public Health, Children's Services and Wirral Place Integrated Care Board (ICB) for a contract period of five years (1st April 2024 – 31st March 2029), with the option of two one-year extensions.
- 3.6 An Alliance formed of 5 organisations has been appointed to deliver the Branch project in the long term. Wirral MyMind (CAMHS) is joining the team as an associate alliance member will attend weekly meetings with the Branch matching team to discuss complex cases which potentially require a referral to their clinical services. The Alliance will work together to deliver a borough-wide matching service to direct children and families towards the right resources and support for them.
- 3.7 The Branch Website will act as a central point of access for emotional health and wellbeing support for all CYP in Wirral. It is expected that the website will be fully operational by November 2024.
- 3.8 Following consultation with colleagues within the Wirral Place ICB and Wirral MyMind a combined model of commissioning is being developed to support the mental health and emotional wellbeing needs of CLA in Wirral. This includes a proposal to allocate funding to the wider 'Branch' alliance with a stipulation that funding is ring-fenced to provide an additionality of support for CLA.
- 3.9 This will involve varying the existing 'Branch Alliance' contract to provide funding of £113,737 per year to Open Door Charity, allowing for the continued delivery of a trauma informed and relationship based emotional health and wellbeing service, specifically for CLA. That will be subject to separate decision making.
- 3.10 This report proposes the procurement of a new specialised provider to deliver therapeutic support for more complex cases offering bespoke trauma informed support for CLA and addressing the gaps in the current offer. There will be an expectation that this provider will sit as an associate member to the wider Branch alliance. The specification will be developed and will focus on:
  - one to one support for young people;
  - linking in with Wirral MyMind to ensure continuity for complex cases;
  - providing support to the wider professional group working with CLA;

- providing support to foster carers when placement stability is a concern; and
- attending weekly meetings with the Branch matching team

3.11 This approach will allow for strengthened partnership working and will facilitate meaningful discussions around the needs of individual children and young people ensuring that they are accessing the right services, at the right times. Embedding the access to the additionality of support for CLA within the alliance has the advantage of making the support easily accessible via the central point of access.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 The annual contract value is at £220,000 given that the proposal is to seek submissions on a fixed price basis. This is within the current annual budget. Therefore, there are no additional financial implications associated with this proposal.

4.2 The budget required to deliver this proposed contract is £1,320,000. This is based upon an initial 2-year contract (1<sup>st</sup> April 2025 – 31<sup>st</sup> March 2027) with the options of a 2 year, plus 2-year extension. This will be reviewed during the life of the contract.

#### **5.0 LEGAL IMPLICATIONS**

5.1 The evaluation of contract(s) will be made on the basis of the most economically advantageous tender (MEAT) scoring given that the tenders are sought on a fixed price. The meaning of MEAT is currently governed by the Public Contract Regulations 2015. As criteria for the assessment of tenders on the basis of the best price-quality ratio, MEAT will always predominantly contain a cost or quality element, but the MEAT criteria may also include assessment on the basis of various other criteria linked to the subject-matter of the contract in question, including lifecycle costing and environmental or social aspects. For example, particular award criteria may take into account the inclusion of vulnerable and disadvantaged people, local wealth building, training and educational aspects or the use of non-toxic substances in the production process to deliver the requirement.

5.2 The Council's Contract Procedure Rules set out how contracts are to be awarded by the Council in accordance with the Procurement Strategy requirements. The award will be underpinned by a formal contract which will be drawn up by the Council's legal team.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 The Children's Commissioning Team will complete the tender process, support and establish monitoring of service for duration of contract.

6.2 The Delivery Lead will have oversight of the contract and will be responsible for analysing and capturing data to input into reviews and needs analysis work.

6.3 Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may be applicable. The incumbent provider will provide potential bidders with anonymised details of staff engaged in the provision of relevant services, who may be subject to TUPE. Contact information was shared with the tender documentation. It is the responsibility of tenderers to liaise with incumbent suppliers to establish whether

TUPE regulations apply to the contract and to ensure that TUPE information provided by incumbent suppliers is accurate.

6.4 The awarded provider will require access to the Council network and Liquid Logic System and appropriate legal arrangements will be entered into to facilitate this.

## **7.0 RELEVANT RISKS**

7.1 Children Looked After outcomes and emotional health and wellbeing is more likely to be below that of their peers and will often require support from specialist services such as CAMHS. Support from universal services can often have very lengthy wait times which can exacerbate poor mental health and emotional wellbeing. A commissioned service solely for Children Looked After will support direct access to specialist therapeutic services for this cohort without the need to access universal services.

7.2 Risks associated with not proceeding with this commission:

- the chance of breaking the cycle of poor outcomes will be reduced.
- the aspirations of all our children and young people will not be raised.
- There may be a failure to foster stable placements and nurture relationships for CLA and a reduction of the chances of these young people reaching their full potential.
- The lack of targeted mental health and wellbeing support for CLA and failure to implement earlier interventions will impact negatively on placement stability, increasing the risk of escalation to tier 3 or 4 services.
- An increased risk of foster care placement breakdown for those children and young people experiencing adverse emotional health and wellbeing episodes. This may result in a need to commission places in high-cost residential children's homes. This can have a significant impact on individual CLA and has significant financial implications for the local authority. The current average cost to the Council for 1 residential placement is approximately £304,912.12 per year.

7.3 The procurement process is also subject to scrutiny and at risk of legal challenge. Particular regard is given to contract procedure rules and relevant legislation at all stages of the process.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 Monitoring arrangements with existing contract providers has highlighted gaps in the current provision and areas for improvement for the new service specification.

8.2 Feedback from a cohort of Children Looked After has been captured by the Participation and Engagement team.

8.3 There has been consultation with a care leaver who has offered valuable insight and has agreed to support with the tender process.

8.4 There has been consultation with Wirral Place Integrated Care Board and Wirral MyMind CYPMHS.

- 8.5 Children's commissioning team have previously undertaken a pre-market engagement exercise to assess the level of interest from potential providers.
- 8.6 Chair and Spokesperson of the Children and Young People's Committee have been briefed.

## **9.0 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.
- 9.2 Equality Impact Assessment can be found here,

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impactassessments>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 During the procurement process, bids are evaluated on any social value added to the service which includes potential impact of the contract on Wirral's climate and environment. Social value will be monitored as part of routine contract and performance management arrangements.
- 10.2 The content and/or recommendations contained within this report are expected to have no significant impact on emissions of greenhouse gases

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 Social Value can be applied to this contract.
- 11.2 Themes, Outcomes and Measures
- Local Employment
  - Staff Training Opportunities – inc. Equality, inclusion, and diversity training.
  - Money spent in local supply chain.
- 11.3 Good therapeutic services contribute significantly to the aim of,
- Children and young people achieve their potential and are prepared for adulthood.
- Thus, improving their employment chances and their ability to fulfil their true potential.

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## **BACKGROUND PAPERS**

- Wirral Children Looked After Sufficiency Strategy

- Wirral Children Looked After and Care Leavers Strategy 2022-25
- NICE guideline [NG205] Looked After Children and Young People (October 2021)
- Children’s Commissioner - Children’s Mental Health Services 2021-22 (March 2023)
- House of Commons Education Committee, Mental health, and well-being of looked-after children.
- Department for Education and Department for Health and Social Care. Promoting the health and wellbeing of looked-after children

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>