

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**13 January 2022**

**Report of the Executive Director of Adult Social Care and Health**

**Contract for the provision of the Recovery and Peer Support Service  
(ADULT CARE)**

**1. Divisions Affected**

1.1 County-wide

**2. Key Decision**

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are, significant having regard to the budget for the service or function concerned.

**3. Purpose**

3.1 To seek Cabinet approval for the extension of the contract for the provision of the Recovery and Peer Support Service for 12 months until 31 March 2023, beyond the original contract award, together with a further contract extension to temporarily expand the service.

**4. Information and Analysis**

Background information on the current contract

4.1 On 10 January 2017 Cabinet approved the award of the contract to deliver the Recovery and Peer Support Service. The contract was awarded for a two-year fixed term from 1 April 2017 to Rethink Mental Illness with a condition of contract award allowing for the option to extend

for up to three further periods of 12 months. Rethink is the lead contractor in a consortium arrangement and sub-contracts services to P3 (People, Potential, Possibilities) and Derbyshire Federation for Mental Health. The contract has previously been extended by 3 years and is now due to end on 31 March 2022. The total original annual contract value for this service is £0.620m. Derby and Derbyshire Clinical Commissioning Group contribute £0.345m per annum to this service and the remaining expenditure is met from the appropriate Adult Social Care and Health budget. The service was commissioned following a consolidation of previous grant funding and the new model of provision was developed in response to extensive consultation.

- 4.2 The Recovery and Peer Support Service provides mental health opportunities and social inclusion services including a wide range of support for people with mental ill health to improve and maintain their mental health and overall sense of wellbeing, to improve outcomes, and to support people with mental ill health to lead a fulfilling life. It forms part of comprehensive mental health services that are required by national directives including the Community Mental Health Framework. This service is an essential part of mental health care provision in Derbyshire, enabling the Council to meet its Care Act 2014 duty to prevent and delay the need for care and support.

#### Extension of contract

- 4.3 The Council had been planning to re-commission the service during 2020-21, with a new service operational from April 2022. The Council would have consulted on plans to re-configure and expand the service with greater investment from the NHS. This was in response to changes within the wider mental health system, including the national Community Mental Health Transformation programme. The transformation programme includes significant additional funding to develop more integrated working across health and social care with greater involvement of voluntary, community and social enterprises (VCSE).
- 4.4 In Derbyshire, the implementation of the Community Mental Health Transformation programme has included prototyping an approach in High Peak to determine staffing requirements. This has identified the need for additional VCSE recovery and peer support workers, to work alongside health and social care workers in local community teams. The transformation programme includes expansion in north Derbyshire in 2022-23 followed by whole County provision in 2023-24.
- 4.5 Due to unforeseen circumstances relating to the Covid pandemic, it has not been possible to re-commission the service as had originally been

planned. As County Council and Derby and Derbyshire Clinical Commissioning Group (CCG) commissioners were diverted to other priorities, they were unable to undertake preparatory work for re-commissioning, to engage with the provider market, or to consult with service users.

- 4.6 The prototyping described above has also been delayed by the Covid pandemic, with recommendations being released in summer 2021. The learning from this delayed prototyping indicates that there is a need for an additional 15 members of staff within the Recovery and Peer Support Service at a total cost of £0.420m. It has not been possible to re-commission the service to meet this additional need, as the Covid pandemic delayed the prototyping that would have informed the changes as well as the re-commissioning itself.
- 4.7 Cabinet approval is therefore sought to extend the contract for a further 12 months beyond the original contract term and to include additional funding to enable the appointment of additional staff, in accordance with Regulation 72 within the Public Contracts Regulations 2015. This allows for the modification of a contract price due to unforeseen circumstances where the increase in price does not exceed 50% of the total value of the original contract. This contract extension would allow for the re-commissioning of an expanded service for April 2023, while continuing to provide a service to Derbyshire residents in the interim.
- 4.8 The proposed extension would be at a value of £1.04m, including the additional staffing resource of £0.420m. The additional costs would be funded by the NHS, with £0.345m being contributed by Derby and Derbyshire CCG and £0.420m by NHS England and Improvement transformation funding. The County Council would continue to fund £0.275m from the already-committed Adult Social Care and Health budget.

## **5. Consultation**

- 5.1 Under this proposal, there would be no reduction in service and no duty to consult.

## **6. Alternative Options Considered**

- 6.1 To not extend the service for a further 12 months and to give notice to the provider that the service would end in March 2022. To end the current arrangements would result in people not receiving services that are

required under the Care Act 2014 and that form an essential part of the local mental health support system. In addition, the Council would not have undertaken the statutory consultation that would have been required prior to the ending of a service.

## **7. Implications**

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

8.1 Cabinet Report 10 January 2017 – Recovery and Peer Support Service Award of Contract

8.2 Business Case November 2021 - Contract for the provision of the Recovery and Peer Support Service - agreed under Protocol 10 of Council financial regulations

## **9. Appendices**

9.1 Appendix 1- Implications.

## **10. Recommendation(s)**

That Cabinet:

a) approves the extension of the contract for the provision of the Recovery and Peer Support Service for 12 months until 31 March 2023, beyond the original contract award

b) approves a further contract extension to temporarily expand the service.

## **11. Reasons for Recommendation(s)**

11.1 To extend the contract would allow the Council to re-commission a service for April 2023, to undertake the required evaluation and consultation to ensure that the future service will meet the needs of Derbyshire's residents, and to work with health commissioners to develop expanded services in accordance with the Community Mental Health Transformation programme.

11.2 In the interim, this would maintain a valued service that enhances the lives of individuals and reduces demand on specialist services including social care. The R&PSS forms part of comprehensive mental health services that are required by national directives including the Community Mental Health Framework. This service is an essential part of the mental health care provision in Derbyshire, enabling the Council to meet its Care Act 2014 duty to prevent and delay the need for care and support.

## **12. Is it necessary to waive the call in period?**

12.1 No

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## **Implications**

### **Financial**

- 1.1 The proposed extension would be at a value of £1.04m, including additional staffing resource of £0.420m. If this extension is approved, the total increase in price over the whole contract term would be £1.146m, including a previous extension of £0.105m in 2021-22. This represents a 37% increase on the original contract value over five years, which was £3.1m.
- 1.2 The additional costs would be funded by the NHS, with £0.345m being contributed by Derby and Derbyshire CCG and £0.420m by NHS England and Improvement. The County Council would continue to fund £0.275m from the already-committed Adult Social Care and Health budget.

### **Legal**

- 4.9 Protocol 10 of the Council financial regulations and Regulation 72 within the Public Contracts Regulations 2015 allow for the modification of a contract price due to unforeseen circumstances where the increase in price does not exceed 50% of the total value of the original contract and does not alter the overall nature of the contract.
- 4.2 Through the submission of a P10 business case advice has been sought from the director of legal services along with an approved risk assessment from the chief financial officer.

### **Human Resources**

- 3.1 N/A

### **Information Technology**

- 4.1 N/A

### **Equalities Impact**

- 5.1 An Equalities Impact Assessment (EIA) is not required as there are no significant changes to service delivery.

## **Corporate objectives and priorities for change**

6.1 As described in the Adult Social Care and Health Service Plan 2017 – 2021 (2020/21 update) and the Council Plan 2021 – 2025.

## **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 As set out in the report.