

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B100/22

If not a Key Decision write n/a above

OFFICER DECISION RECORD ⁱ

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject: Contract for the provision of a Challenging Behaviour Service for Children with Learning Disabilities and/or Autistic Spectrum Disorder - Positive behaviour, Autism, Learning disability and Mental health Service (PALMS)

Type of Decision: Non-Executive

Key Decision (Executive Functions only): N/A

Executive Member/Committee Chairman:

The commissioning of the PALMS was approved at the Childrens Emotional Health and Wellbeing Board; the Board's core attended by:

HPFT - Executive Director Strategy and Partnerships

HCC - Operations Director – Specialist Services

HCC & HWE ICB - Deputy Head of Service IHCCT: Children and Young People Emotional & Mental Wellbeing System Design and Commissioning

HCC Cabinet Member – Children, Young People and Families

HWE ICB - Director of Nursing & Quality

HCT - Chief Operating Officer

Primary and Secondary Schools' Head Teachers' Forum - Deputy Head / Pastoral Lead – Presdales School

Primary Care - Lead GP for CYP Mental Health

Public Health - Head of Service (Children and Young People)

NHS England and NHS Improvement – East of England - Senior Quality Improvement Manager – Children & Young People

An options paper for the provision of a Challenging Behaviour Service for Children with Learning Disabilities and/or Autistic Spectrum Disorder - Positive behaviour, Autism, Learning disability and Mental health Service was discussed at the Childrens Emotional Health and Wellbeing Board meeting on 28th July 2021.

Portfolio (Executive Functions only): N/A

Officer Contact: Joella Scott - Deputy Head of Service IHCCT: Children and Young People Emotional & Mental Wellbeing System Design and Commissioning

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1. Decision

To direct award to Hertfordshire Community NHS Trust for the provision of a Challenging Behaviour Service for Children with Learning Disabilities and/or Autistic Spectrum Disorder - Positive behaviour, Autism, Learning disability and Mental health Service (PALMS) via a regulation 32 notice.

2. Reasons for the decision

Hertfordshire County Council is of the view that the contract award is in compliance with Regulation 32(2)(b)(ii). Due to the specialist, comprehensive and locally developed nature of the service offered by Positive behaviour, Autism, Learning disability and Mental health Service (PALMS), when undertaking market research during 2021/22, commissioners have been unable to find anything of comparable service provision. Whilst there are providers that deliver elements of the service PALMS provide, we were not able to find a provider that delivers the whole holistic offer that is currently provided so no reasonable alternative or substitute exists.

PALMS are delivering services to Children & Young People (CYP) with Autism and/or Learning Disability (LD) who are more likely to develop mental health problems. One of the key areas of focus for the Hertfordshire Child and Adolescent Mental Health Service (CAMHS) system is to improve the availability of access to mental health service for CYP and expand support for CYP with Autism and/or LD who often have more complex needs.

PALMS offer includes range of psychological interventions for challenging behaviour, mental health, sleeping, toileting, feeding and eating difficulties, and/or problematic sexualised behaviours for CYP with ASD and/or LD; crisis support to meet the needs of CYP through multi-agency response to crisis, including joint assessments, follow up & brief interventions. They host the

Special School Mental Health Support Team (MHST) and provide consultation and training for other providers (health, social care and education) who support CYP and their families/carers, as well as providing clinical gatekeeping to out of County specialist mental health and challenging behaviour services.

The PALMS model of support has been in existence in Hertfordshire since end of 2014 and since then has adapted to meet the local needs of CYP and the local Children and Adolescent Mental Health Services (CAMHS) system and is now well embedded and established, with a proven track record of improving outcomes for those children and young people who are unable to access mainstream service due to their additional needs. It is, therefore, imperative that we have continuation of the service provision in Hertfordshire.

Commissioners and Partners are currently working on transformation of the Hertfordshire CAMHS system and services and are moving towards an Integrated Care System in which providers work together and are accountable for a system rather than just their own service. PALMS form part of that system.

3. Alternative options considered and rejected

Option 1 – Do nothing.

Not commissioning any dedicated specialist service would mean that this would create unacceptable gap and we could continue to see a rise in the number of CYP with ASD and/or LD experiencing mental health and challenging behaviour issues, which in turn would result in pressure on an already strained local health care services and could result in poorer health outcomes for CYP and their families/Carers.

Option 2 – We commission a dedicated specialist Challenging Behaviour Service for Children with Learning Disabilities and/or Autistic Spectrum Disorder and award contract to Hertfordshire Community NHS Trust.

Recommended Option – It is our recommendation that we commission a dedicated service to provide specialist Challenging Behaviour Service for Children with Learning Disabilities and/or Autistic Spectrum Disorder and award contract under Regulation 32 to Hertfordshire Community NHS Trust and therefore continue to commission the Positive behaviour, Autism, Learning disability and Mental health Service (PALMS).

Option 3 - Go out to tender for the service.

Due to the specialist nature of the service there is a very limited market of providers able to offer a provision for elements of the current offer available to CYP in Hertfordshire and we have found no providers that are able to offer a complete replica of our current service provision. The lack of a buoyant market provides a significant risk to undertaking a full procurement process.

Furthermore, Commissioners and Partners are currently working on transformation of the Hertfordshire CAMHS system and services and are moving towards an Integrated Care System in which providers work together

and are accountable for a system rather than just their own service. However, whilst work to achieve this is ongoing, it was and still is being impacted by the pandemic. It is vital that we support the market, reduce commercial sensitivity and not de-stabilise existing providers, the system and CYP who are receiving services. Any de-stabilisation of the market during this time would have significant impact on Hertfordshire CYP getting a timely, effective, and safe service to support with their mental health and emotional mental wellbeing difficulties.

4. Consultation *(see Summary of Requirements below)*

Was any Councillor consulted?

Options paper was presented at the Childrens Emotional Health and Wellbeing Board meeting on 28 July 2021, the meeting included the following representation from across the system:

HVCCG Manging Director

HCC Operations Director – Specialist Services

HCC Programme Manager - CAMHS Redesign & Implementation

HCC- Cabinet Member – Children, Young People and Families

HWE ICS - Director of Nursing & Quality

HCT Chief Operating Officer

HPFT Exec Director of Service Delivery & Customer Experience

GP Lead for CAMHS & GP Watford and Three Rivers

Public Health – Health Improvement Lead for CYP

HWT ICS - Associate Medical Director

NHS E/I – EoE Regional Lead - Senior Quality Improvement Manager – Children & Young

(Please note that some job titles might have changed since then.)

5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision

N/A

6. I am proceeding with the proposed decision.

Signed: Joella Scott

Title: Deputy Head of Service IHCCT: Children and Young People Emotional & Mental Wellbeing System Design and Commissioning

Date: 11/10/2022

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.ⁱⁱ

Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Executive Functions: Consult relevant Lead Executive Member and, where appropriate, Local Councillor Non-Executive Functions: Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	Executive Functions: Inform Lead Executive Member and Local Councillor Non-Executive Functions: Inform Local Councillor
Local	Yes	Executive Functions: Consult Lead Executive Member and Local Councillor Non-Executive Functions: Consult Local Councillor
General or County-wide	No	Executive Functions: Consult relevant Lead Executive Member (s) Non-Executive Functions: Consult relevant Committee Chairman
General or County-wide	Yes	Executive Functions: Consult relevant Lead Executive Member (s) and the Leader of the Council Non-Executive Functions: Consult relevant Committee Chairman/Leaders all Political Groups