

Divisions Affected – N/A

**DELEGATED DECISIONS BY CABINET MEMBER FOR CHILDREN,
EDUCATION AND YOUNG PEOPLE'S SERVICES**

11 SEPTEMBER 2024

**FUNDING CONTRIBUTION TOWARDS JOINT COMMISSIONED
CAMHS CONTRACT 2024-2025 (RETROSPECTIVE)**

Report by Director of Children's Services

RECOMMENDATION

The Cabinet Member is **RECOMMENDED** to:

- a) Delegate authority to the Director for Children's Services, in consultation with the Head of Procurement and Contract Management, to award a funding contribution value £754,400 to Buckinghamshire, Oxfordshire, Berkshire West Integrated Care Board (BOB ICB) under the existing partnering agreement with BOB ICB towards payment for the contract for Child and Adolescent Mental Health Services (CAMHS) in Oxfordshire. This service contract value is £20million in 2024-2025 is managed by the BOB ICB and delivered by Oxford Health NHS Foundation Trust (OHFT).
- b) Agree commencement of an immediate review process for this contract and future funding arrangements post April 2025, to ensure return on investment and improving outcomes for children and young people in Oxfordshire experiencing mental health problems and associated neuro diversity.

Executive Summary

1. The CAMHS contract commenced in 2017-2024 and has now expired. Initially it was funded via a pooled budget in section 75 agreement between the then Oxfordshire Clinical Commissioning Group and Oxfordshire County Council. This contract is now managed by the Buckinghamshire, Oxfordshire, Berkshire West Integrated Care Board (BOB ICB) and delivered by Oxford Health NHS Foundation Trust (OHFT).
2. The contract includes delivery of in-patient provision and specialist community outreach services providing treatments for emotional mental health and

neurodivergence via a single point of access. The aims are to ensure children, young people and families receive specialist help at an early stage in their life to prevent further harm later in their lives in addition to linking them with other support services in the community.

3. The current contract expired on April 30th, 2024, and requires immediate action to ensure continuity in provision. The ICB are proceeding with a direct award process under the new Provider Section Regime C for the next 11 months until 31.03.2025. This includes continuing with the existing contract and service specification due to the short time scale for implementation.
4. The financial contribution from the Council will be fixed at £754,400 for 2024-2025 which is a contribution towards an overall annual contract value now estimated to be in the region of £20million for 2024. Final negotiations have been completed between OHFT and the ICB including an uplift for Agenda for Change costs to agree an overarching contract.
5. The overall value of the block payment from BOB ICB to OHFT in 2024/25 is £330,230m which includes payment for several contracts including CAMHS in Oxfordshire. Individual contract values will be calculated and varied in accordingly at a later stage following agreement in Quarter 2.
6. BOB ICB are responsible for managing this CAMHS contract to deliver services in Oxfordshire
7. A review process will commence in Oxfordshire to prepare for the next round of contract negotiations. The intention is to co-produce the new specification involving stakeholders including OCC (Oxfordshire County Council) children's services, ICB, Oxford Health and children and their families ensuring improving outcomes and value for money.

Context and Background

8. The CAMHS contract in Oxfordshire includes some services for children with neurodevelopmental conditions and their families/carers in addition to other mental health provision for children and young people.
9. The current CAMHS contract between BOB ICB and OHFT expired on 30 April 2024. Immediate action is required to ensure continuity of provision for children and young people requiring specialist support for mental health and neurodiverse conditions.
10. In 2017 at the commencement of this contract, the overall value was £17 million including contributions from OCC and NHS England via the Clinical Commissioning Group. Since that time, the contract has flexed to include the impact of COVID and included new services in response to additional successful bids for funding e.g. NHS Trailblazer funding for Mental Health Support Teams to pupils in schools, support for pupils with autistic spectrum disorder and digital transformation funding.

11. CAMHS service delivery is based on the Anna Freud I-thrive model linking to the wider system of children's services in Oxfordshire. It is an essential element in this system to improve outcomes for children and families.

12. **CAMHS Services in Oxfordshire**

Oxford Health NHS Foundation Trust provide the following specific services via a single point of access for the current contract [Welcome to Oxford Health NHS Foundation Trust - Oxford Health NHS Foundation Trust](#). CAMHS are part of the wider system of health and care provision for children and young people requiring help and support for mental health problems and neurodiverse conditions. The CAMHS contract includes the following services for children and young people via the single point of access:

- Neurodevelopmental conditions pathway for attention deficit hyperactivity disorder, (ADHD) and autism
- Dynamic Support Register for children at risk of hospital admission who have a diagnosed Learning Disability/Autistic Spectrum Disorder diagnosis.
- Learning Disabilities team for Young People
- School In-Reach-works directly with schools to provide support.
- Eating Disorders service for Young People
- Anxiety and Depression clinic
- Mental Health Support Team's across the county (currently support 35 schools in Oxfordshire)
- Outreach service-intensive support to families and children with complex mental health needs-Dialectical Behaviour Therapy
- Neuropsychiatry focussed on intersection of neurology and psychiatry.
- Services for high-risk young people-Horizon service, Family Assess and Safeguarding, harmful behaviours service.
- The Highfield in patient unit – funded by the provider collaboratives (NHSE (NHS England))
- Link Programme – funded by NHSE-care navigators.
- Forensic CAMHS service -Criminal Justice and Youth justice Liaison Assertive Outreach and Out of hours Crisis Team (OSCAR)

Key Issues

13. The CAMHS contract for Oxfordshire was competitively tendered in 2017 under the light touch regime under the Public Contract Regulations 2015.

14. The ICB is including the CAMHS contract in a block contract arrangement with OHFT until 31 March 2024/5 using the category direct award C under the Provider Selection Regime process 2023.

15. A new contract needs to be developed from 2025 to consider current and future service delivery requirements to ensure fit with the wider system of provision for children and families in Oxfordshire which have recently been recommissioned.

16. The future contract from 2025 needs to include recommendations from the SEND (Special Educational Need and Disability) Transformation Plan to ensure sustainability, continuous improvement for children and families and return on investment. If there is to be a further change for April 2025 then it would be useful to have an indication on that asap for budget planning if there will be a significant increase or decrease.

17. Performance and Outcome Measures

Key performance measures are included in the current contract and outcomes are reported at national level for the ICB. More recently there has only been reporting of a limited range of indicators for Oxfordshire due to COVID and an IT cyber-attack which has since been rectified by tendering for a new IT system. Regular reporting is now due to commence from July 2024, and specific reports on performance have been made available upon request

18. Corporate Policies and Priorities

The above proposal supports the Council's Corporate Plan and in particular points 2,3,7 and 9.

- *Tackle inequalities in Oxfordshire*-young people to be supported in the above service are amongst the most disadvantaged in the county.
 - *Prioritise the health and wellbeing of residents*-resource is dedicated to addressing health issues of residents, particularly mental health.
 - *Create opportunities for children and young people to reach their full potential*. This service helps to enable young people to achieve good life outcomes and will provide the support needed to help young people at an early stage in life to address their mental health needs and plan for their future.
 - *Work with local businesses and partners for environmental, economic and social benefit*. This joint commissioning arrangement between the Council and the NHS delivers an integrated contract and facilitates a system wide delivery model in partnership with our local NHS Foundation Trust to improve outcomes for individuals and communities across health and social care.
19. In addition, this service aligns with the following Council Strategies and CAMHS Transformation Plan:
- [Oxfordshire Health and Wellbeing Strategy 2024 - 2030](#)
 - [Children and Young People's Plan 2018 - 2023](#)
 - [Oxfordshire SEND Strategy 2022-2027](#)
 - [Oxfordshire's SEND Sufficiency Strategy 2018 - 2027](#)
 - [Oxfordshire's Child and Adolescent Mental Health Services \(CAMHS\) Transformation Plan 2016-2021](#)
 - [Oxfordshire's Early Help Strategy and Workplan 2022](#)
 - [SEND local area partnership Priority Action Plan](#)

Financial Implications

20. There is a Section 75 arrangement for management of a pooled budget. The OCC contribution has stayed flat in nominal terms and fallen in terms of share of the overall budget (£754,400 per year) over the contract term, as the NHS has increased investment targeted towards areas of greatest need for transformation and service development.
21. The overall value of the block payment from BOB ICB to OHFT in 2024/25 is £330.230m which includes payment for several contracts including CAMHS in Oxfordshire. Individual contract values will be calculated and varied in accordingly at a later stage following agreement in Quarter 2.
22. A decision will be required as to whether the OCC contribution to the pool will continue to allow robust planning in relation to a new CAMHS contract from April 2025. If withdrawn, it is likely there will be significant impact on aspects of service delivery which could include increased waiting times for children to access provision.
23. The Council is planning to review all contract arrangements included in the section 75 agreement with the NHS in the Autumn of this year to ensure they continue to meet Council priorities and return on investment.
24. The ICB are managing this contract and responsible for ensuring the overall financial value meets contract requirements and includes required uplifts for Agenda for Change, negotiation with OHFT.

Comments Checked by Thomas James, Head of Finance Business Partnering
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Legal Implications

25. The arrangements for the joint commissioning of the CAMHS service (and other health and social services) are covered by the existing partnership agreement between the Council and BOB ICB dated 3 April 2023 under section 75 of the National Health Service Act 2006 (S 75 Agreement). Under the S 75 Agreement BOB ICB is defined as the Lead Contractor for the CAMHS service.
26. The S 75 Agreement allows for the annual agreement of contributions to jointly commissioned services as envisaged by this report.
27. The existing CAMHS contract for Oxfordshire was competitively tendered by BOB ICB under the previous s 75 agreement in 2017 as a light touch regime under the Public Contract Regulations 2015.
28. The procurement of health services such as CAMHS is now covered by the Provider Selection Regime (PSR) which came into force on 1 January 2024.

The PSR introduced greater flexibilities for contracting authorities in respect of the procurement of health services,

29. The ICB is intending to make a direct grant award for the coming year until 31 March 2025 using the category direct award C under the PSR. This is a legally compliant route to award and in any event it is BOB ICB as Lead Contractor who has control, responsibility and liability for the award process chosen.

Comments checked by:

Jonathan Pool, Solicitor (Contracts) (Jonathan.Pool@oxfordshire.gov.uk)

Staff Implications

30. There are no new or additional implications for staff providing the CAMHS contract for the next 11 months. There is an increase in budget for the interim arrangements to consider an uplift for Agenda for Change

Equality & Inclusion Implications

31. CAMHS include an individual equalities statement on their website that provides assurance that whatever an individual's needs are they will aim to ensure that they are met. They acknowledge that different people have diverse needs, and they will always do whatever they can to ensure these needs are met.
32. The latest CQC (Care Quality Commission) report in December 2019 rated the Oxford Health CAMHS service as good. Since then, there have been changes in the way the CQC interfaces with Providers, but the Trust continues to attend quarterly meetings with their CQC representative.
33. Oxford Health NHS Foundation Trust is likely to continue to satisfy the Quality and Innovation criteria to a high standard and relevant aspects of the contract will continue to be monitored by the SEND Transformation Board to ensure improvement to the required standards.
34. A recent SEND inspection in 2023 highlighted significant failings and concluded that services for children and young people with neurodevelopmental conditions required improvement to reduce waits and offer children help while they wait. A SEND transformation plan is in place and a priority action plan being implemented to address these aspects of the service for full review again in 2025.

Sustainability Implications

35. OHFT is committed to achieving NHS sustainability targets and achieved a 38% reduction in carbon emissions in 2021 exceeding the NHS target of 34%

by 2020. In 2021 OHFT signed the zero Carbon Oxford Charter agreeing support to achieve zero net carbon emissions in the City by 2040

Risk Management

36. There is evidence that OHFT have satisfied the existing contract 2017-2024 to a sufficient standard according to the detail outlined in that contract.
37. They provided all the relevant documentation, information, and policies for the existing contract.
38. They have followed the contractual service specification, not deviated from the BOB ICB Safeguarding requirements, charged the correct prices as per the contract, issued invoices correctly in accordance with the BOB ICB process, complied with quality reporting requirements and followed schedule 6A reporting requirements.
39. Oxfordshire NHS Foundation Trust CAMHS have complied with/not fallen foul of the Service Conditions in 2017/18 NHS Standard contract (full length) and 2018/19, including service conditions relating to -service standards, co-operation, information requirements, safeguarding, payment terms and quality requirements.
40. Oxford NHS Foundation Trust CAMHS have also not fallen foul of the 2018/19 service conditions including those relating to failing and indemnity, assignment and sub -contracting, and Information Governance.
41. The new contracting arrangements are based on a roll over of the previous contracting arrangements/schedules which the provider has already satisfied/complied with, and so the provider will highly likely be able to satisfy the new contract to a sufficient standard.

Consultation

42. As this is a retrospective award for a contract with no changes to the service specification for 2024-2025, no external consultations have taken place at this point.
43. Consultations have taken place when this contract was let in 2017 and with stakeholders during the SEND transformation programme in 2023-2024.
44. A full review is planned with stakeholders during the next few months prior to the new contract being implemented post April 2025. This will include the Parent Carer Forum, OCC Children and Family Services, ICB, OHFT leads, Clinical Psychology, Public Health.

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