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**Decision Maker:** PORTFOLIO HOLDER FOR ADULT CARE & HEALTH  
FOR SCRUTINY FROM ADULT, CARE & HEALTH POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 5 September 2023

**Decision Type:** Non-Urgent Non-Executive Key

**Title:** Oxleas COMHAD Contract Extension

**Contact Officer:** Mimi Morris-Cotterill, Assistant Director (Public Health)  
Tel: 0208 461 7779 E-mail: mimi.morris-cotterill@bromley.gov.uk

**Chief Officer:** Dr Nada Lemic, Director of Public Health

**Ward:** All

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## 1. REASON FOR REPORT

- 1.1 On 13<sup>th</sup> January 2021, the Executive approved the recommendation in report ACH20-088 that the direct award of contract, via an exemption from tendering, be granted to Oxleas NHS Foundation Trust (Oxleas) for delivery of the service for Co-occurring mental health and alcohol/drug use conditions (COMHAD). The contract is for 3 years from 1<sup>st</sup> April 2021 (with the option to extend for up to a further two years) at an annual value of £87,000 (average) and a whole life value of £432,000.
- 1.2 Approval from Chief Officers to vary the current contract for 6 months from 1<sup>st</sup> October 2023 was given to ensure adequate capacity and appropriate clinical skills and autonomy required is available to support those with co-occurring needs.
- 1.3 This report seeks approval to extend the existing contract for a further two years from 1<sup>st</sup> April 2024 to 30<sup>th</sup> March 2026 from the Chief Officer and Portfolio Holder for Adult Care & Health, in agreement with the Assistant Director of Governance and Contracts, the Director of Corporate Services and the Director of Finance. The total value for the 2 year extension is £259,679.

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## 2. RECOMMENDATION(S)

- 2.1 The Portfolio Holder for Adult Care & Health is recommended to approve the contract extension for two years from 1<sup>st</sup> April 2024 to 30<sup>th</sup> March 2026 with a total contract value of £259,679.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: This service is vital for vulnerable adults to ensure they receive effective and appropriate treatment and care that is co-managed with the local drugs and alcohol service.
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## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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## Financial

1. Cost of proposal: £259,679
  2. Ongoing costs: Recurring Cost: £128,199 (2024/25) and £131,480 (2025/26)
  3. Budget head/performance centre: Public Health Grant
  4. Total current budget for this head: £129,000 per annum
  5. Source of funding: Public Health Grant
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## Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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## Procurement

1. Summary of Procurement Implications: Option to extend existing contract approved by Executive (13<sup>th</sup> January 2021)
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## Property

1. Summary of Property Implications: Not Applicable
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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

The Provider is committed to Bromley's Net Zero Action Plan and has developed an organisational social value action plan.

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Customer Impact

1. Estimated number of users or customers (current and projected): Minimum of 250 per year
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable  
2. Summary of Ward Councillors comments: Not Applicable

### **3. COMMENTARY**

- 3.1 The COMHAD contract is delivered by Oxleas, serviced by a small team consisted of two mental health practitioners, one in the community and another based in the Liaison Team at Princess Royal University Hospital. The existing contract has an approved life of 3 years with option for a 2 year extension which is from 1 April 2024.
- 3.2 Bromley's COMHAD team aims to support both Bromley mental health and Bromley substance misuse services that enable the long-term recovery, rehabilitation, and social re-integration of people in Bromley affected by co-occurring substance use and mental ill health.
- 3.3 COMHAD is a small element of a wider mental health service but an important pathway to avoid people who otherwise may be excluded due to their alcohol/drug use and likewise depending on the severity of their mental illness, they may be excluded from alcohol and drug services.
- 3.4 COMHAD has worked well with the local drugs and alcohol service (Change, Grow, Live) to ensure "No Wrong Door" arrangement and have effective co-management in place for this cohort of clients. However, over the years the number of clients with co-occurring conditions has grown and so has their complexity.
- 3.5 To manage this, Chief Officer's approval was granted to vary the contract to increase the community capacity and to move the post to a higher clinical grade due to increased complexity and needs,

#### **Summary of Business Case**

- 3.6 Alcohol and drug dependence is common among people with mental health problems. PHE Better Care Guide for co-occurring mental health and drug/alcohol states around a third of people using mental health services will have some form of drug and/or alcohol use condition(s). Local data (Oxleas, March 2023) indicates 50 to 60% co-occurrence within clients in acute and community settings.
- 3.7 The underpinning principles of "Everyone's Job" and "No Wrong Doors" has not only strengthened joint responsibility and collaborative delivery of care within both local mental health and substance misuse services and are now permeating across the mainstream mental health teams within Oxleas and other agencies. This has enabled easier access to a range of ongoing care and recovery support, enabling an integrated approach to clients' health and wellbeing.
- 3.8 Acknowledging the importance of No Wrong Doors and in transforming the local mental health services, the Integrated Care Board (ICB) has developed and commissioned a mental health hub in Bromley jointly delivered by Oxleas and BLG Mind offering a single point of access. Recognising the growing demand in co-occurrence conditions of mental health and substance misuse and the value of the service, the ICB has funded a full-time drug and alcohol worker within the hub to support COMHAD clients, cementing the "No Wrong Doors" principle within provision.
- 3.9 More work is still necessary to embed the close collaboration and partnership working within the local health and social care system. Interaction with these key partners will undoubtedly enhance outcomes further for this client group.

- 3.10 Given the need to continue to cultivate the underpinning principles and to maintain a localised service plus the added values highlighted above, it is proposed to extend the Oxleas contract for a further two years to maximise the benefits and potentials for further transformation.
- 3.11 The total adjusted value for the 2 year extension is £259,679 bringing the total 5 (3+2) year contract value to £531,896. The difference can be fully met within the current Public Health Substance Misuse budget.

### Service Profile / Data Analysis / Specification

- 3.12 Referrals to the Community COMHAD Practitioner have increased throughout 2022-23. Table 1 illustrates a comparison of referrals for quarters one, two and three 2021-22 and 2022-23.

**Table 1.**

	2021-22	2022-23
Community COMHAD Referrals Quarters 1,2 & 3	48	72

- 3.13 The Community COMHAD Practitioner is embedded within Bromley's new Mental Health Hub arrangement. The underlying principle of COMHAD is 'no wrong door' so if a person is using substances, they will still be offered a mental health assessment and support. Secondly, an assertive engagement model is promoted, this involves actively assisting clients to engage with support. Increasing rates of substance use are being seen within Mental Health services, In March 2023 Oxleas reported 50 to 60% co-occurrence within clients in acute and community settings.

### Options Appraisal

- 3.14 **Option 1:** Do nothing. Oxleas will cease provision.

Benefits: None

Disadvantages: This is not an option as the Council has a statutory responsibility for people with mental health problems.

There are significant reputation risks associated with early and unexpected deaths in the absence of a co-ordinated service and approach that bridges between mental health and substance misuse services.

- 3.15 **Option 2:** Tender the Service.

Benefits: Testing the market to determine viability of procuring the service

Disadvantages: There is a limited number of specialist services in the market. Easy access to local treatment and support is crucial to ensure people with co-occurring conditions are not excluded from services.

Existing close working relationship and pathways between local mental health and substance misuse services will be lost and need to be redeveloped. During this transition period, vulnerable clients may be passed to and from services, leading to risks of clients falling through the gap with detrimental consequences of potential suicides and deaths.

Investment already made in improving the service will be lost. The momentum and pace of change could not be maintained due to the distraction and disruption brought about by the competitive tendering process thereby severely impacting on quality of care.

- 3.16 **Option 3:** Extend the current contract for a further 2 years, as approved by Executive on 13 January 2021.

Benefits: Longevity of the contracts will maintain current provision of service, safeguard the trusted relationship between the service and their users, galvanise the existing partnership between multi-agencies, embed the underpinning principles of Everyone's Job and No Wrong Doors to further improve access and quality of care. The extension will continue to offer value for money.

Disadvantages: None identified

### **Preferred Option**

- 3.17 **Option 3:** Extend the current contract for a further 2 years, as approved by Executive on 13 January 2021.

## **4. MARKET CONSIDERATIONS**

- 4.1 Recent procurements undertaken by Public Health Commissioners have shown that there is a limited market of specialist services for the provision of similar programmes. Further market intelligence has confirmed that it would be exceedingly difficult and time consuming for an external provider to secure a seamless service when they have to in-reach for local mainstream mental health provisions at the same time maintain close partnership with the local substance misuse service. The disruption and detrimental effects brought about by a change of provider at a time when consolidation should take place would be immense.
- 4.2 Oxleas is the only provider who can deliver a wide range of integrated in-borough mental health services that span from acute to community and primary care. Over the years, Oxleas has carried out significant work to transform the Service with evidence to show improvements not only within their own team but also established close liaison with the substance misuse service and wider partners.
- 4.3 Re-procuring the service at this time would mean the progress made and the benefits realised so far would be lost. The trusted relationship and continuity of seamless care built up over the years with some of the more entrenched COMHAD clients would need to be rebuilt with the risk of these clients being disengaged and lost to the system.
- 4.4 In addition, Oxleas continue to provide senior clinical and management support without charging these overhead costs in the contract price and continue to add value to this contract. Added value has been further enhanced by the ICB funded post at the Bromley Mental Health Hub.

4.5 Given the above deliberation, Oxleas is therefore considered the most suitable provider to continue with the delivery of services for COMHAD conditions.

## 5. **SOCIAL VALUE, CARBON REDUCTION AND LOCAL / NATIONAL PRIORITIES**

5.1 The continuation of these services provides economic and social value by employing local staff and enabling access to local resources.

5.3 Oxleas have demonstrated their compliance with local and national priorities regarding the treatment of drug and alcohol misuse and the provision of effective treatment pathways.

## 6. **STAKEHOLDER ENGAGEMENT**

6.1 Ongoing feedback from service users have shown that 93% reported being either likely or extremely likely to recommend the service to a friend or relative.

6.2 In terms of information provision 89% service users felt they had been provided with sufficient information about their care and treatment. They felt they had been involved in decisions about their care and treatment. Service users feedback that they felt that they had been treated with dignity and respect and all felt that the service had been helpful.

## 7. **PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS**

7.1 **Estimated Value of Proposed Action:** The estimated value of the two year extension is £259,679, with a whole life value of £531,896.

7.2 **Other Associated Costs:** None identified

7.3 **Proposed Contract Period:** 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2026 utilising the two year option built into the contract. The extension is in compliance with the Public Contract Regulations 2015.

## 8. **IMPACT ASSESSMENTS (INCLUDING VULNERABLE ADULTS AND CHILDREN)**

8.1 This option provides continuity and affords the opportunity to build on trusted relationships. It will maintain the pace of change and help to embed the underlying key principles and approach to deliver a safe and accessible service that meets the needs of this highly vulnerable group of our local population.

## 9. **TRANSFORMATION/POLICY IMPLICATIONS**

9.1 The COMHAD service support the Council to meet its obligations under the Corporate Strategy, 'Making Bromley Even Better'.

## 10. **IT AND GDPR CONSIDERATIONS**

10.1 Not applicable

## **11. STRATEGIC PROPERTY CONSIDERATIONS**

11.1 Not applicable

## **12. PROCUREMENT CONSIDERATIONS**

12.1 This report seeks a two year extension to the contract with Oxleas NHS Foundation Trust utilising the formal extension option built into the contract. The value of the proposed extension being an estimated £259,679, with a whole life value of £532,596.

12.2 The Council's requirements for authorising an extension are covered in CPR 23.6 and 13.1. For an extension of this value, the Approval of the Portfolio Holder following Agreement by the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services, and the Director of Finance must be obtained.

12.3 In accordance with CPR 2.1.2, officers must take all necessary professional advice.

12.4 Following Approval, the extension must be applied via a suitable Change Control Notice, or similar, as specified in the contract.

## **13. FINANCIAL CONSIDERATIONS**

13.1 This report recommends that the Portfolio Holder for Adult Care & Health approves an extension of the contract with Oxleas NHS Foundation Trust for two years from 1st April 2024 to 30th March 2026. The cost of the two-year extension amounts to £259,679, which will bring the total 5 (3+2) year contract value to £531,896. This contract, including the additional cost of the contract extension, will be funded from Public Health grant.

## **14. PERSONNEL CONSIDERATIONS**

14.1 Not applicable

## **15. LEGAL CONSIDERATIONS**

15.1 On 13<sup>th</sup> January 2021, the Executive approved the recommendation in report ACH20 088 that the direct award of contract, via an exemption from tendering, be granted to Oxleas Foundation Trust (Oxleas) for delivery of the service for Co-occurring conditions of mental health and drugs and alcohol (COMHAD). This is a Services contract and was originally procured via an exemption from tendering. As the value of the procurement fell below the thresholds set out in Part 2 of the Public Contract Regulations 2015, it was only subject to Part 4 of the Regulations.

15.2 This report seeks approval from the Chief Officer to extend the contract with Oxleas for two years from 1<sup>st</sup> April 2024 to 30<sup>th</sup> March 2026. The total value for the 2 year extension is £259,679 with a whole life value of £432,000.

15.3 Under Section 12 (1) of the Health and Social Care Act 2012, the Council is responsible for improving the health of their population and to provide local public health services. These services include services aimed at reducing conditions of mental health and drug misuse.



15.4 A Formal Contract Extension as defined by CPR 23.6.1 may be authorised in line with the thresholds at CPR 13.1. For a contract extension of this value authorisation may be given by the Chief Officer in Agreement with Director of Corporate Services, Assistant Director Governance & Contracts and Director of Finance and following Approval of the relevant Portfolio Holder.

**16. WARD COUNCILLOR VIEWS**

16.1 Not applicable

<b>Non-Applicable Headings:</b>	10. IT & GDPR Implications, 11. Strategic Property Considerations, 14. Personnel Considerations & 16. Ward Councillor Views
Background Documents: (Access via Contact Officer)	Report No. ACH20 088 Direct Award of contract, via an exemption from tendering, be granted to Oxleas Foundation Trust (Oxleas) for delivery of the service for Co-occurring conditions of mental health and drugs and alcohol (COMHAD)