

Decision Maker: EXECUTIVE

With pre-decision scrutiny from Adult Care & Health Policy Development and Scrutiny Committee on 5th September 2023

Date: 20th September 2023

Decision Type: Non-Urgent Executive Key

Title: Section 256 - Project Funding Allocation

Contact Officer: Andrew Royle, Strategic Commissioner
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Chief Officer: Kim Carey, Director of Adult Social Care

Ward: All

1. Reason for decision/report and options

- 1.1 The South East London Integrated Care Board (ICB) has made available financial support to the London Borough of Bromley (LBB) to help provide the borough with funding to support services to adults and children with autism and to support admission avoidance and prevention into adult Assessment and Treatment Units or children's CAMHS in patient provision.
- 1.2 This transfer of non-recurrent funds is being made via a Section 256 arrangement. Portfolio Holder and Executive approval is required before the funds are spent in accordance with the Council's financial guidelines.

2. **RECOMMENDATION(S)**

- 2.1 The Adult Care & Health PDS is asked to note and comment on the contents of the report.
- 2.2 Executive is recommended to:
- i) **Agree to receipt the funds from the Integrated Care Board under a Section 256 Agreement**

- ii) Award contracts to the following organisations via an exemption from tendering:**
- 18 months contract with Bromley Mencap for an Autism Pathway Project at a total cost of £82,321**
 - 12 months contract with Bromley Mencap for an All-Age Autism Specialist Welfare Benefit Service at a total cost of £58,769**
 - 12 months contract with CASPA for a Travel Support Programme at a total cost of £40,000**
- iii) Delegate to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care and Health Services, the Assistant Director Governance & Contracts, the Director of Finance and the Director of Corporate Services, authorisation to directly award the Community Discharge Grant funding.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: 420 people aged 16+ with Autism are currently supported through the Autism Pathway, this additional funding will provide additional one off support for this cohort as well as expanding to families and a wider group of Autistic people.
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Transformation Policy

1. Policy Status: Existing Policy:
 2. Making Bromley Even Better Priority:
 - (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.
 - (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: Estimated Cost: £200,000 Autism Community Grant; £119,000 Community Discharge Grant
 2. Ongoing costs: Non-Recurring Cost: Non-recurrent grant funding from the ICB
 3. Budget head/performance centre: Adult Social Care
 4. Total current budget for this head: £83.7m
 5. Source of funding: South East London Integrated Care Board – Learning Disability and Autism Programme
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Personnel

1. Number of staff (*current and additional*): N/A
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Applicable:
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Procurement

1. Summary of Procurement Implications:
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Property

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

1. Summary of Social Value Implications:
COVID-19 recovery Tackling economic inequality Equal opportunity Wellbeing
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Impact on the Local Economy

1. Summary of Local Economy Implications:

All financial spend will be within the borough boundaries so will benefit the local economy. Improving benefit take up by individuals and families will have a positive economic impact both within the family unit and the wider economy.

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications:

Wide ranging impacts from growth in general confidence; increased confidence in ability to be outside the house; greater financial freedom; advice and support on coping strategies; friendship groups; tenancy support; health matters; employment support; improving life skills.

Customer Impact

1. Estimated number of users or customers: Based on national prevalence data the conservative estimate is that there are 5300 adults (16+) and 680 children and young people (0-15yrs) who are Autistic living in Bromley. Currently 420 people access the Autism Pathway Project; CASPA have 347 autistic members under the age of 16 and a further 189 over 16.
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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 South East London ICB has made available, via a Section 256 agreement, two non-recurring grants to be used by the London Borough of Bromley for the benefit of its residents.
- 3.2 The first non-recurring grant of £200,000 is to be used solely for the purpose of supporting autistic people of all ages and their families in the community. The required outcomes from this funding are that people with autism and their families can maintain their role and contribution to the community in which they live. The funding is to support access to services that provide skills and resources that enable autistic people to improve their wellbeing and to ensure that there is an equality of access to universal services.
- 3.3 The second non-recurring grant of £119,000 is for the specific purpose of either supporting discharge from in-patient Assessment and Treatment Units (ATU) or preventing such admissions, including Tier 4 CAMHS, in the first place. We are currently in discussions with the ICB as we believe the sum available to Bromley should be £380,248.
- 3.4 Following consultation with representative groups, families, autistic people's feedback and analysis of commissioning trends a programme of projects were identified as local priorities. These projects will also support the priority outcomes within the Council's All Age Autism Strategy (2022-2027), the Learning Disability Strategy and the Adult Care & Health Portfolio Plan. Robust and meaningful outcomes and Key Performance Indicators will also be agreed prior to the projects starting and will be monitored on a quarterly basis to ensure that the projects are delivered to plan.
- 3.5 Both of these grants are non-recurring and it has been made clear to the providers of the projects that neither the Council nor the ICB can commit to any further funding beyond that made available through this report. All the providers of the projects will be required to have an agreed exit strategy in place prior to commencement showing how the project will end or what alternative (non-Council) funding or provision will be accessed when this grant funding ends.
- 3.6 Autism Pathway Project:
- 3.6.1 This project was originally commissioned via the Bromley Well Innovation Fund, direct funding was then picked up by the SEL ICB due to the success of the project. The project accepts autistic adults from the age of 16 and who are not receiving funded services. It is intended to continue funding this project delivered by Bromley Mencap within the Bromley Well partnership for a further 18 months.
- 3.6.2 To date the project has engaged with 420 Autistic adults (16+) with 133 people accessing the service in the last quarter, and each person was contacted an average of 4 times. People are typically supported by 1-1 appointments, phone, text and email and are also supported in 1-1 video messaging appointments, Facebook Messenger and WhatsApp chat.
- 3.6.3 Workshops are also delivered by this project. These are delivered both in person and via Zoom. The workshops focus on managing money, managing emotions and self-regulation, and building social skills. The workshops are run simultaneously in person and online to engage a range of people.
- 3.6.4 The use of digital technology has proven successful when engaging autistic people. The projects Facebook Page and Group continues to be a source of support and outreach to autistic people, professionals, and other organisations. Both the page and group provide members with relevant information, including autism events and details for upcoming sessions run by the Autism Service. Similarly, the Instagram account for the project continues to grow

and reach an increasing number of followers. There are currently 530 followers with the account being accessed mostly by those aged between 25 and 44 years old.

3.6.5 Outreach with CASPA, Mind and the Oxleas Adapt Service have taken place to discuss the Autism Service and working collaboratively to further support Autistic adults.

3.7 All Age Autism, Specialist Welfare Benefit Service

3.7.1 The Autism Pathway Project identified a large number of requests for support with benefit claims. The benefits system is not well suited to autistic people with easy access to Personal Independent Payment (PIP) benefits a particular challenge with some people with autism finding it difficult to navigate the interviews and form filling which make up the assessment process.

3.7.2 It is proposed that a full-time autism specialist welfare benefits role based in Bromley Mencap and aligned closely with the Autism Pathway Project to be initiated for a 12-month period. The post will support all age autism welfare benefit claims to support access to resources and independence.

3.7.3 Through previous projects, funded by the National Lottery, Mencap have proven invaluable in supporting people with disabilities to maximise their benefits, having achieved additional income through welfare benefits of £250,000 over a 12-month period. With a dedicated full time resource to focus purely on welfare benefit forms for Autistic people and their families it is anticipated that additional income will be much higher. The proposal to use Mencap as the provider of this service will allow us to take full advantage of their depth of knowledge and expertise.

3.7.4 The response from Autistic people, representative organisations, families and professionals has been overwhelmingly positive as all parties recognise the very real barriers Autistic people and their families face in accessing the benefits system.

3.8 Travel Support Programme

3.8.1 Use of public transport can often be a barrier for autistic people when accessing community resources and employment. It is therefore proposed to fund a 12-month travel support programme with CASPA, a local community autism support charity.

3.8.2 This programme would be open to autistic people from the age of 14 who need initial support to attend a new day service, place of employment, education facility, leisure/friendship activities etc.

3.8.3 The emphasis will be on supporting Autistic people who will be able to use the skills learned to enhance their personal freedom and wellbeing.

3.8.4 The project anticipates supporting 42 autistic people over a 12 month period.

3.8.5 Supporting autistic people to travel independently will reduce the impact the current transport market has on people as well as potentially reducing transport costs for both the Council and autistic people.

3.9 Family Support Co-Ordinator

- 3.9.1 It is proposed to increase the hours delivered by an existing Social Communication Needs (including Autism) Family Support Co-ordinator post. This post is based within the Council's Early Intervention and Family Support (EIFS). This will increase capacity within the service and reduce waiting times for families.
- 3.9.2 The EIFS supports families struggling with day-to-day challenges offering a range of services and links with other agencies such as health visitors, making it easier for families to get the right help, at the right time and from the right people.
- 3.9.3 The aim will be to offer the right help to as many children and families as possible at the earliest opportunity to tackle a wide range of issues.
- 3.10 Autism Acceptance Week
- 3.10.1 Next year, World Autism Acceptance Week will take place from 27th March - 2nd April 2024. It is proposed to use an element of this funding to deliver a one-day information and celebration event to bring together autistic people, families, stakeholders and the general public to showcase what is available for and successes achieved by autistic people.
- 3.10.2 This governance of this funding will sit with the Bromley All Age Autism Board.
- 3.11 Community Discharge Grant
- 3.11.1 As noted earlier in this report we are in discussion with the ICB over the correct level of grant funding available to LBB. Pending the outcome of these discussions it is not possible to set out in detail the project that would be initiated with this grant, but a core set of principles have been identified.
- 3.11.2 A community-based programme that works into the homes of those families with adult clients with challenging behaviour/autism/mental health needs is proposed as the most effective use of these funds. Such a service will complement a similar service for children and young people run by Bromley Y and facilitate a joined-up approach with CYP/SEN services and creating a smoother move into adult services for service users and their families.
- 3.11.3 There is an increase in the complexity of people remaining in their family units and we need to be able to support families in skills, knowledge and advice.
- 3.11.4 The aim of this would be to prevent admission to ATU/Tier 4 as well as increasing resilience in families/carers and thereby preventing breakdown and a resulting demand on council funded accommodation and services. The project will enable early identification and intervention and promote the most local and least restrictive support. In order to achieve this flexible, tailored solutions that lead to positive change will be required.
- 3.11.5 The intention would be to also increase use of Direct Payments and personalised Health & Care budgets to maximise choice & control for families and clients.
- 3.11.6 If the additional funding is not made available from the ICB this work will not be commenced.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Based on national prevalence data the conservative estimate is that there are 5300 adults (16+) and 680 children and young people (0-15yrs) who are Autistic living in Bromley. Currently 420 people access the Autism Pathway Project; CASPA have 347 Autistic members under the age of 16 and a further 189 over 16.
- 4.2 Given the wide-ranging nature of the proposed projects and the outcomes anticipated we would be expecting to deliver a significant positive impact in people's lives. The respective service

areas will monitor all the projects closely to ensure that outcomes are on track and are meeting the needs of Autistic people and their families.

5. TRANSFORMATION/POLICY IMPLICATIONS

5.1 These proposals are driven by, and support, the priority outcomes as set out in both the Council's All Age Autism Strategy the Learning Disability Strategy and the Adult Care & Health Portfolio Plan.

6. FINANCIAL IMPLICATIONS

- 6.1 This report recommends that Executive approves the acceptance of two non-recurrent grants, via a section 256 agreement, from the South East London ICB. The first non-recurring grant of £200,000 is to be used solely for the purpose of supporting Autistic people of all ages and their families in the community. The second non-recurring grant of £119,000 is for the specific purpose of either supporting discharge from in-patient Assessment and Treatment Units (ATU) or preventing such admissions, including Tier 4 CAMHS, in the first place.
- 6.2 The intention is to use the grant funding to fund various projects as described in the body of the report and summarised in the table below.

Project	Amount	Provider
Autism Pathway Project	£82,321	Bromley Mencap
All Age Autism, Specialist Welfare Benefit Service	£58,769	Bromley Mencap
Family Support Coordinator	£14,000	LBB
Travel Support Programme	£40,000	CASPA
Autism Acceptance Week Event	£4,910	N/A
Community Discharge Grant	£119,000	TBC
Total	£319,000	

6.3 This report further recommends the awards of the following contracts in relation to three of the above projects, funded from the grant monies described in paragraph 6.1:

- An 18-month contract with Bromley Mencap for an Autism Pathway Project at a total cost of £82,321
- A 12-month contract with Bromley Mencap for an All-Age Autism Specialist Welfare Benefit Service at a total cost of £58,769
- A 12-month contract with CASPA for a Travel Support Programme at a total cost of £40,000

7. LEGAL IMPLICATIONS

- 7.1 This report seeks approval to enter a section 256 arrangement to accept a grant in the sum of £319,000 from the ICB to address local issues affecting Autistic children, young people, adults and their families and also support with admission avoidance and prevention into adult Assessment and Treatment Units or children’s CAMHS in patient provision.
- 7.2 The Council has various duties owed towards children with special educational needs, disabled children and young people, in particular under Part 3 of the Children and Families Act 2014, together with associated Regulations (Section 256 is in the NHS Act 2006).
- 7.3 Section 256 of the National Health Service Act 2006 provides authority for a clinical commissioning group to make payments to the council towards expenditure in connection with any social services functions. Section 1 of the Localism Act 2011 provides a power for local authorities to act in any way they see fit provided that action falls within the law (the general power of competence). This would include any action calculated to be in the best interests of the council’s local area.
- 7.4 This report also seeks approval to award the contracts set out at 8.1 of the report. These are service contracts for the purposes of the Public Contracts Regulations 2015 and below the relevant threshold therefore only subject to Part 4 of the Regulations.
- 7.5 For contracts of this value, CPR 13 requires approval from the Chief Officer following Agreement with the Director of Corporate Services, Assistant Director Governance & Contracts and the Director of Finance.
- 7.6 Procurement colleagues have confirmed elsewhere within this report the actions identified in this report are provided for within the Council’s Contract Procedure Rule, and the proposed actions can be completed in compliance with their content.

8. PROCUREMENT IMPLICATIONS

- 8.1 This report seeks to award contracts to the following organisations:

Provider	Service	Duration	Value
Bromley Mencap	Autism Pathway Project	18 months	£82,321
Bromley Mencap	Autism Specialist Welfare Benefit Service	12 months	£58,769
CASPA	Travel Support Programme	12 months	£40,000

- 8.2 These are service contracts and the value of each procurement fall below the thresholds set out in Part 2 of the Public Contracts Regulations 2015, so is only subject to Part 4 of the Regulations.
- 8.3 As the organisations are voluntary sector providers, and these are Light Touch Services, CPR 3.5.5 permits the exemption in consultation with the Director of Corporate Services.
- 8.4 The rationale for the exemption is set out in sections 3.1 to 3.8 above.
- 8.5 This action is permissible under the general waiver power of the Council (CPR 3.1). The Council’s requirements for authorising exemptions are covered in CPR 13 with the need to obtain Approval from the Portfolio Holder following Agreement from the Assistant Director

Governance & Contracts, the Director of Finance, the Director of Corporate Services and the Chief Officer for Contracts totalling the values set out in the table above. However, the report also requires the draw down of a section 256 grant received from South East London ICB and this requires Approval from Executive.

8.6 As each of the contract values are over £30k including VAT, an award notice will need to be published on Contracts Finder.

8.7 The actions identified in this report are provided for within the Council’s Contract Procedure Rule, and the proposed actions can be completed in compliance with their content.

9.0 SOCIAL VALUE IMPLICATIONS

9.1 The proposed projects support the Council in meeting the priority Social Value themes of:

- i) COVID-19 recovery – the psychological impact of COVID on people with Autism has been particularly profound through enforced social isolation.
- ii) Tackling economic inequality – through the increased uptake of benefits
- iii) Equal opportunity – tackling workforce inequality through support into employment.
- iv) Wellbeing – through improving the health and wellbeing of Autistic people and their families.

10. IMPACT ON THE LOCAL ECONOMY

10.1 The proposed funding will be spent with local third sector enterprises. The enhanced spending power of people in full receipt of benefits will also have a trickle through effect into the local economy.

11. IMPACT ON HEALTH AND WELLBEING

11.1 The early intervention, prevention and strength-based approach of these proposals focus on delaying and preventing care and support needs, and supporting people to live as independently as possible for as long as possible.

11.2 Enhancing personal choice and control are at the heart of these proposals and as such support the Council’s wellbeing duties as detailed in the Care Act 2014.

Non-Applicable Headings:	7 Personnel Implications; 10 Property Implications; 14 customer Impact; 15 Ward Councillor Views
Background Documents: (Access via Contact Officer)	Bromley Learning Disability Strategy Bromley All Age Autism Strategy