

**Report of: Executive Member for Health and Social Care**

<b>Meeting of</b>	<b>Date</b>	<b>Ward(s)</b>
Executive	18 October 2018	All

<b>Delete as appropriate</b>	<b>Non-exempt</b>	<b>Exempt</b>

**SUBJECT: Procurement Strategy for Mental Health Recovery Pathway and outcome of day services consultation**

**1. Synopsis**

- 1.1 One in four adults experience mental illness at some time in their life, and many more of us know and care for people who do. Islington is committed to meeting the mental health needs of our residents, by providing people with the support they need to set their own goals, fulfil their ambitions and live as independently as they can.
- 1.2 We have an opportunity to reshape our services to provide personalised support which builds on people’s strengths, assets and interests and makes the most of the borough’s rich and diverse local community resources, to help reduce loneliness, and support people when they are facing a mental health crisis.
- 1.3 The current model does not meet the ambition that we have for our mental health services. We know that:
  - some of our buildings are not fully utilised
  - not enough young people (18-29 years) with mental health problems are accessing recovery support services
  - the pathway is difficult to navigate and there is duplication
  - some people feel that Day Services are too institutionalising
  - services could be more flexible in meeting people’s needs
- 1.4 We want to provide mental health support services, that are responsive, better coordinated, easier to navigate, and above all, give people the chance to thrive, and realise their potential, through access to employment opportunities and other day time activities that are important to them and which they choose to pursue.

- 1.5 This report seeks pre-tender approval for the procurement strategy in respect of a Mental Health Recovery Pathway in accordance with Rule 2.5 of the Council's Procurement Rules.
- 1.6 The contract is for the delivery of mental health community support and recovery services. These services offer recovery support from mental illness.
- 1.7 This report proposes bringing together an existing reablement service, an enablement service, a universal day service, an intermediate day service, and the addition of a new out-of-hours recovery drop-in, to create an integrated Mental Health Recovery Pathway. This will be delivered through one new contract, which will increase accessibility, improve navigation and be better positioned to deliver good outcomes for service users.
- 1.8 This report includes a summary of the responses to the mental health day services consultation, with regard to buildings from which day services operate.

## **2. Recommendations**

- 2.1 To note the Resident Impact Assessment undertaken in June 2018, attached as Appendix 1.
- 2.2 To approve the recommendation to retain Ashley Road as a day service site, and to proceed with the closure of Mind Empower day service at Southwood Smith, in order to prioritise resources for staff, activities and the direct delivery of care and support services for mental health service users.
- 2.3 Subject to approval being granted for recommendation at 2.2 above: To approve the procurement strategy for a Mental Health Recovery Pathway as outlined in this report.
- 2.4 To delegate authority to award the contract to the Corporate Director of Housing and Adult Social Services in consultation with the Executive Member for Health and Social Care.

## **3. Background**

### **3.1 Nature of the Service**

- 3.1.1 Islington is developing its strengths based approach to social work and social care. The approach supports people to identify their own strengths and assets, empowering them to set their own goals, solve difficulties and sustain positive change in their lives, with proportionate support when it's needed.

This way of working is clearly set out in the Care Act 2014 and is critical in realising a more personalised model of care and support. In order to achieve this, commissioned services as well as social work practice need to change to develop flexible services that are tailored to individual needs.

- 3.1.2 As part of our strategy to embed our strength based approach and to make our services more accessible, responsive and flexible, the following five services are in scope to procure in one contract:
  - Reablement service (currently delivered by Camden and Islington NHS Foundation Trust)
  - Referral only intermediate Day Service at Isledon Road Resource Centre (currently delivered by Camden and Islington NHS Foundation Trust)
  - Community Support Service (open access day opportunities, currently delivered by Islington Mind)
  - Enablement Service (currently delivered by Islington Mind)
  - Crisis drop-in service (currently delivered by Look Ahead).
- 3.1.3 All of these services currently help Islington residents who are in need of support to maintain or prevent further deterioration in their mental health - which in turn would lead to either hospital admission or other secondary care intervention - and provide the necessary support to enable a

recovery from a mental illness and develop greater self-management of their mental health. The majority of the services are for people who are Care Act Eligible; some services may also reach others who require support under the prevention duty of the Care Act 2014.

- 3.1.4 Demand for the Islington Crisis Service and 24-hour crisis call line remains high and there continues to be significant pressure on acute mental health crisis, emergency departments and inpatient services.
- 3.1.5 It is known that once someone is admitted to mental health in-patient services, their use of health services increases significantly and their independence, choice and control can be greatly reduced. Therefore, earlier interventions, more recovery support and alternatives for people experiencing distress, will support stronger recovery outcomes.
- 3.1.6 We have worked closely with people who currently use mental health services over the past two years to ensure that we know what matters to them. Therefore, we have a clear picture of what is valued most and what it will be important to retain in future. These principles will underpin the transformation of our mental health recovery pathway and help to ensure that we are delivering the services that people need and want.
- 3.1.7 Reviewing the recovery pathway provides opportunities to look at where we can improve services too. We are determined to ensure that our recovery offer is effective and accessible for all residents who need it and that we make best use of our venues and other available resources so that more Islington residents can recover and maintain good mental health. The new service will strengthen the recovery pathway in a number of ways.
- The service will adopt a more personalised, strength-based model of support, focussing on individuals' strengths and aspirations, enabling people to plan for and choose their own care and support based on interests and existing strengths.
  - By commissioning the pathway as a single contract, the service will reduce duplication, multiple assessments and provide a streamlined and connected range of services. The pathway will enable greater community connectedness and promote social inclusion, by supporting people to access community-based activities and services, as well as supporting clients to access training, voluntary, education and employment opportunities.
- 3.1.8 Involving people in the development of the services which they use is the best way of ensuring that services meet peoples' needs and are high quality. The details of the service specification have been co-designed with the people who currently use services or may do in the future. The pathway will contain these four elements:

1. Day opportunities

The day opportunities service will focus on the development of a peer support network. This will include the recruitment of peers and volunteers, development of a progression pathway for service users to find volunteering and employment opportunities, and a programme of peer and volunteer-led events and activities across the community.

It will support people to access community resources, provide a structured programme of activities and interventions, as well as drop-in sessions, to help reduce social isolation, support recovery, and give people the tools they need to be more resilient and better able to manage their mental health.

The growth of peer support and recovery networks are important as a more effective, sustainable and less institutional way to provide support. As a result they are known to increase self-esteem, resilience, and self-worth. The service will provide information and advice about the mental health system and help people to access community resources. Access to the service will be straightforward without the need for a referral, and those with greater needs will be supported with a tailored package of support.

## 2. Recovery out of hours service

The service will provide an evening and weekend service offering social, practical and emotional support delivered by people who have lived experience. This will be underpinned by an approach that builds on peoples' strengths and focuses on their recovery enabling them to build community connections and recovery skills. It provides an alternative to seeking support from A&E and statutory crisis treatment services, though there will be referral pathways should this be required.

## 3. Intensive psycho-social support

This will provide structured, time-limited support, addressing psychological and social needs through more intensive one-to-one key working, group work, counselling and therapeutic interventions. People using the service will have individual care plans which will support them to maintain their recovery in the community. People accessing day services can step up to more intensive support to prevent a hospital admission or those in an inpatient setting or crisis house may step down to this type of support.

## 4. Reablement Service

This service will provide short term, intensive support (up to 8 weeks) to a person within their home. It supports people to make connections in their local area, to develop support networks, and to develop or re-establish the practical skills they need to help them maintain their independence in their own home. The service supports people who are stepping down from an inpatient setting or crisis services.

### **3.2 Re-designing the pathway: proposed approach**

3.2.1 Islington mental health commissioners have consulted widely with service users and professionals in relation to crisis and community support provision over the past two years. Work with service users from Isledon Road Day Service from August 2016 to September 2017, and engagement with service users of MIND services, led by Healthwatch Islington July – August 2017, asked what service users valued most from the services currently provided and what they would like to keep in any future re-design of services. We will use this insight to and continue to work with service users to re-design a pathway that:

- Helps to build upon individuals' existing strengths and assets
- Provides access to early help and promotes recovery, empowerment, choice and independence
- Is clearer, easier to navigate, and better coordinated between services
- Delivers personalised care and support
- Increases connectivity with the local community to reduce loneliness
- Increases access into employment
- Is flexible and responsive to fluctuating needs
- Meets the needs of younger adults (18-29 years), who are currently under-represented
- Promotes service user involvement in the running of services

3.2.2 The services in scope of this redesign are currently delivered through five contracts. The re-procurement aims to deliver our mental health recovery pathway under one contract.

3.2.3 In addition to supporting people in Islington who are known to mental health services, it is expected that this new arrangement of services will improve the reach of services to those people who do not currently access this type of mental health support. The new services will provide individualised support in-reaching into the community and closer working with the Mental Health Trust across all access points, including new Practice Based Mental Health Teams, which will reduce the stigma associated with attending dedicated mental health day services. This service is to become part of the fabric of the local community, supporting and encouraging service users to make use of local universal health, social and employment support services.

## **4. Mental health day services consultation outcome**

4.1 Mind Empower (Southwood Smith) and the Mind Spa (Ashley Road) are two of three open access mental health day services in Islington. A third day service is delivered at Isledon Road Resource Centre, which is a referral-only service.

4.2 A public consultation has been held to consider the proposal to close up to two of the day service sites.

Option 1: Close Mind Empower, located on Southwood Smith Street. This property is owned by Camden and Islington NHS Foundation Trust.

Option 2: Close The Mind Spa, located on Ashley Road. This is a council-owned property.

Option 3: Close both Mind Empower and The Mind Spa day centres.

### **4.3 Consultation proposal rationale**

- The Resident Impact Assessment (June 2018) looked at usage of the sites and showed that buildings are not available for open access every day of the week, and that we are not making best use of the largest building (Isledon Road), which is under-used and available to only a small number of people who are receiving care-planned support. So the same number of people can still access day services, and other community facilities, in fewer buildings. Moreover, some buildings are underutilised and there is opportunity to provide more service user contact.
- It also showed that there are some people who need support, but don't attend day services (younger people are under re-presented) and during previous engagement, others told us that day services have held their recovery back. As such supporting people to access non-institutional community support is likely to be preferable to some people.
- The council is operating within financial constraints which means there is a need to ensure services are value for money, and are effective and efficient.
- The council currently pays rent and other charges on multiple venues. This money can be better used, by reducing the large amount spent on rent for buildings, and associated running costs. At the moment we spend about 20% or a fifth of the day service budget on buildings alone.
- We have the opportunity to re-think the way we deliver our mental health services to make better use of this money to deliver a wide choice of services and support in a more flexible way. By reducing the number of buildings, and using them differently, we can focus our resources on staff, activities and support.

### **4.4 Consultation methodology**

4.4.1 The aim of the consultation was to understand the views and concerns that residents and relatives may have about the proposals and what the impact of the proposed changes would have on people who use mental health day services, or who may use them in the future.

4.4.2 Public consultation took place from 12 June - 27 July 2018, specific targeted events took place with people who use day services, and staff, carers and relatives were encouraged to attend. A range of feedback options were provided and steps were taken to enable as many service users as possible to take part during the consultation.

4.4.3 This included six group meetings with at current Day Service sites as well as public spaces. Other opportunities to feedback such as a questionnaire and a phone line were widely publicised.

## 4.5 Options Appraisal of Consultation Proposal

### 4.5.1 Option 1– Close Southwood Smith (Mind Empower)

#### Benefits

This option is the most likely to:

- Provide an option for its owner Camden and Islington Foundation Trust to re-use this space for mental health services; other services delivered on this site by the Trust would be unaffected.
- Minimise the impact on other voluntary sector and community services accessing the site, as these can still be accommodated by Camden and Islington Foundation Trust
- Result in the smallest number of service users being affected by change
- Achieve £65k of efficiencies from building running costs, to help us protect front line service delivery.

#### Risks

- Services users are not supported well during the transition and this has a negative impact on them.
- Service users will need support to travel to alternative venues.
- Risk of deterioration in service user mental health and increased isolation if uptake with the new service decreases.

**This option to close Southwood Smith as a day service site is recommended.**

### 4.5.2 Option 2 – Close Ashley Road (Mind Spa)

#### Benefits

- The closure of Ashley Road would reduce the council's spend on rental costs by £29k.
- Ashley Road wasn't designed for Day Services.

#### Risks

- This option would result in significant detrimental impact on individuals with a range of protected characteristics.
- In addition to council commissioned services other groups meet at this site which extends the use of the building and range of people with protected characteristics that would be affected. These include; LGBTQ+, women and BAMER groups.
- Risk of deterioration in service user mental health and increased isolation if transitions are not well managed
- With the lowest rental costs, the council would need to identify efficiencies from elsewhere.

**This option to close Ashley Road as a day service site is not recommended**

### 4.5.3 Option 3 – Close both Southwood Smith and Ashley Road

#### Benefits

- Ashley Road is a council-owned property sale of this asset would result in significant revenue for the council.
- Creates the greatest financial efficiency for the council overall (approximately £95k)

#### Risks

- Risk of deterioration in service user mental health and increased isolation if transitions are not well managed
- Largest number of service users affected.
- This option would result in significant detrimental impact on individuals with a range of protected characteristics.

- In addition to council commissioned services other groups meet at this site which extends the range of people with protected characteristics that would be affected. These include; LGBTQ+, women and BAMER groups.
- Service users will need support to travel to alternative sites.

**This option to close both Southwood Smith and Ashley Road as day service sites is not recommended**

#### 4.6 Consultation feedback and mitigations

Service user feedback – key themes	Mitigations
<b>Travel and accessibility</b>	
Many respondents said that travel to another day service would be difficult.	The council will work with service users and providers to ensure appropriate support is in place to enable service users to travel to other community or day service sites.
There would not be a Day Service site in the South of the Borough.	<p>Future service models will operate to support access to community venues and not be solely dependent on day service sites.</p> <p>There are a significant number of community centres and resources in the South of the borough offering space to meet, affordable food, activities and groups.</p>
<b>Deterioration in mental health and increased isolation</b>	
<p>Change can be difficult for people and this was raised as a concern, which may impact on their mental health.</p> <p>Some people reported that isolation may increase if they lost social networks they had built by a change in service location.</p>	The Council will ensure that providers produce tailored individual plans to support service users through any changes required. These will ensure appropriate interventions are put in place to support individuals before, during and after the transition period.
<b>Continuity of valued activities, groups and therapies</b>	
There was concern that current activities and groups would cease to run if buildings closed. Including access to other voluntary sector organisations that also use Day Service locations.	The Council will work with the Trust to support other voluntary sector service such as Food Cycle to continue to have access at Southwood Smith.
<b>Capacity at other day services</b>	
Concern was raised that the remaining day services won't be able to manage an increase in the numbers of people accessing the service, if any of the day centres sites close.	The Council has looked closely at the numbers accessing and opening times of day centres and we are confident that the remaining three day services can accommodate high levels of activity if used to their full capacity.
<b>Continuity of staff</b>	
The high quality of the staff and volunteers at delivering day service, their expertise,	Staff and volunteers will be offered the opportunity to transfer to new services to

and the trusted relationships built with service users is highly valued by those who currently use the service.	provide continuity of care for services users. Reducing costs in buildings helps to protect staffing levels.
<b>Impact on South Rehabilitation and Recovery Team</b>	
The Rehab and Recovery Team based at Southwood Smith have reported that being co-located with the day service is beneficial to service user recovery.	Clear evidence was not provided that having the day service within the same building as the Rehab and Recovery teams improves outcomes or reduces risk. Service users didn't raise this as an issue in their feedback. We will work with providers to ensure they establish strong links to Trust services, including Recovery and Rehabilitation Services.

## 5. Estimated Value of contract

- 5.1 The current combined annual budget for mental health recovery services (including but not exclusively day services) is £1,382,500.
- 5.2 The current Community Support Service and Enablement Service and Reablement contracts have been extended until May 2019. The Isledon Road day service currently sit within the Section 75 agreement between C&I and Islington CCG. Notice has been served on these contracts so that they can be recommissioned by May 2019.
- 5.3 The new contract value will not exceed £1,082,500 per annum, which represents a 22% reduction against the current budget. The proposed contract length is three years, plus two 1-year extensions. The maximum total value of the contract to be awarded, if all options to extend are exercised, is £5,412,500.
- 5.4 There is an efficiency target of £300,000 per annum against this procurement, which will contribute to the wider Adult Social Care Plan for 2019/20.
- This will be achieved in the following ways:
- Through re-configuring the services, contracting arrangements are expected to provide the opportunity for further efficiencies, through a revised staffing and delivery model.
  - Reducing the number of day service sites and combining management costs and overheads across all services.
  - Ensuring that day services are more service user lead and run, with input from professional staff.
- 5.5 The service will be funded via the Mental Health Commissioning Pooled Budget, which has pooled contributions from both Islington Council and Islington CCG.

## 6. Timetable

- 6.1 The following deadlines must be reached:

Co-design activity with service users completed	September 2018
Executive approval of Procurement Strategy and day service building consultation outcome	October 2018

Advert and Invitation to Tender (ITT) published in OJEU	October 2018
ITT Evaluation	December 2018
Corporate Director approval of Contract Award	January 2018
Contract start date	May 2019

6.2 Work on implementing this procurement strategy would commence immediately after approval by Executive. The aim would be to complete the procurement exercise by January 2019 allowing three months for mobilisation of new contract, which would start in May 2019.

There are no statutory deadlines to be met. However, a service must be in place to avoid creating significant disruption in the mental health recovery pathway.

## 7. Procurement options appraisal

7.1 The value of this contract is above the threshold for ‘social and other specific services’ and must therefore be advertised in the Official Journal of the European Union (OJEU). This service falls under the “light-touch” regime with regards to the Public Contracts Regulations 2015.

7.2 The following procurement routes have been considered:

- A competitive tender using the restricted procedure (organisations are shortlisted on the basis of their performance at the selection questionnaire stage and only those shortlisted organisations will be invited to submit a tender).
- A competitive tender using the open procedure.

7.3 The preferred procurement route is a competitive tender through the open procedure. It is anticipated that the open procedure should reduce the overall procurement timetable

7.4 It is not feasible to jointly commission these services with another local authority at this time. Collaboration would likely increase re-procurement risks and will not deliver greater efficiencies. Demand within Islington for this type of service results in no spare capacity to share with other local authorities.

### 7.5 Key Considerations

#### 7.5.1 Social value

In addition to the local economic benefits of the service being provided in Islington, social benefits clauses will place an emphasis on the following:

- the service being part of the fabric of the local community, supporting and encouraging service users to make use of local universal health and social support services;
- engage with relevant third sector services;
- sustain local links with family and friends and;
- make better use of community resources to support good mental health, coping strategies, and living skills.

The following additional opportunities for social value have been identified and will be undertaken as part of the new contract:

- New provider to work with Islington Council’s iWork Employment service to create one apprenticeship for Islington residents.
- New provider to work with the iWork Employment Service to offer work experience opportunities through the ‘Get set for work’ scheme.

- Support and promote purchasing from the local supply chain where possible.
- Support and encourage the adoption of specific workplace health initiatives.
- The service will develop employment skills and a pathway to further voluntary and employment opportunities through enabling peer-support and voluntary roles in the service, and a commitment to employ people with a lived-experience of mental health problems.

#### 7.5.2 London Living Wage

LLW will be a condition of this contract where permitted by law.

#### 7.5.3 Best value

The service will implement a robust performance-monitoring framework so that value for money, quality, outcomes and cost effectiveness can be assessed. The monitoring framework will include activity levels, evidence of outcomes achieved, as measured against the desired service KPIs outcomes in the service specification and individual support plans. Expenditure against the service budget will also be required. Regular contract monitoring reviews will take place and the provider will submit information on the service provided on a quarterly basis. This process allows for continuous improvement and service development. The service specification will include provisions to ensure the provider offers continuous improvement against delivery targets, and works with commissioners and service users to co-produce a service where innovations can be quickly implemented.

#### 7.5.4 Economic, social and environmental sustainability

The service will reduce social isolation and help people lead healthier, fulfilling lives in the community, maximising life opportunities and independence. The service will support income maximisation and access to training and employment. An environmental impact assessment will be completed during the preparation stage.

#### 7.5.5 Staffing implications

TUPE will apply to this contract. This may have significant financial implications for the successful provider, as the current staff team at Isledon Road and Reablement Service are on NHS terms and conditions.

## 8. Evaluation

8.1 The tender will be conducted in one stage, known as the Open Procedure as the tender is 'open' to all organisations who expression their interest in the tender. The Open Procedure includes minimum requirements, which the organisation must achieve before evaluation of their Award Criteria is considered.

8.2 The award criteria have not yet been fully developed, as these will be designed with service users, however the contract will most likely be awarded to the Most Economically Advantageous Tender (MEAT) on the basis of quality 70% and cost 30%, in line with the below:

<b>Tender Award Criteria</b>	<b>Total</b>
<b>Cost</b>	<b>30%</b>
<b>Quality – made up of</b>	<b>70%</b>
Proposed approach to service model and delivery	40%
Proposed approach to service user engagement and involvement and social value	10%
Proposed approach to workforce management and contract implementation	10%
Proposed approach to safeguarding and risk management	10%
<b>Total</b>	<b>100%</b>

## 9. Business Risks

### 9.1 Risks in transition to the new service delivery model

The transition to the new service will need to be carefully managed to ensure continuity of support and to manage any service user anxieties arising from the potential change in support provider and service venue. Consequently, the transition to the new service delivery model will be carried out in conjunction with service users, carers and family (where appropriate). Commissioners will also be undertaking robust co-design and engagement activity with service users around the changes pre-tender and in the development of the new service specification.

### 9.2 Tender failure

We may be unable to identify a potential provider at the indicative costs identified due to TUPE liability.

The project has a risk register in place, reviewed on a regular basis and governance of this is managed by the mental health commissioning team.

9.3 The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to sign the Council's anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

9.4 The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.6 of the Procurement Rules:

<b>Relevant information</b>	<b>Information/section in report</b>
1 Nature of the service	The contract is for the delivery of mental health community recovery services offering recovery support for people with a mental illness.  See paragraph 3.1
2 Estimated value	The estimated value is £1,048,000 per annum  The agreement is proposed to run for a period of three years with an optional extension for a further two years (two separate 12-month periods)  See paragraph 5.3
3 Timetable	See paragraph 6
4 Options appraisal for tender procedure including consideration of collaboration opportunities	The preferred procurement route is a competitive tender through the open procedure.  See paragraph 7
5 Consideration of: Social benefit clauses; London Living Wage; Best value; TUPE, pensions and other staffing implications	See paragraph 7.5

6 Evaluation criteria	Cost 30% Quality 70% The award criteria price/quality breakdown is described further within the report.  See paragraph 8
7 Any business risks associated with entering the contract	Key risks are: tender failure, risks in the transition to the new service delivery model and risk of opposition/adverse publicity.  See paragraph 9
8 Any other relevant financial, legal or other considerations.	N/A

## 10. Implications

### 10.1 Financial Implications:

The existing mental health services and budgets within the scope of this procurement include:

- The Mental Health Reablement Service

Within the Intermediate Care Pool, which is joint funded with NHS Islington CCG

Budget: £250k

- Isledon Road Resource Centre

Within the Mental Health Provider Pool which is joint funded with the C&I NHS Trust

Budget: £368k

- The Community Support Service

Within the Mental Health Commissioning Pool, which is joint funded with NHS Islington CCG

Budget: £692.5k

- The Enablement Service

Within the Mental Health Commissioning Pool, which is joint funded with NHS Islington CCG

Budget: £72k

- Total combined current budget is £1.383m

The maximum annual contract value for the proposed procurement is £1.083m for an initial period of three years with the option to extend for a further two years (of separate twelve month periods) and the total value over the maximum five-year contract term is £5.413m.

The new Integrated Mental Health Recovery Pathway contract will be joint funded with NHS Islington CCG within the Mental Health Commissioning Pool and is expected to deliver £300k efficiencies against the total current budget, which is a 22% reduction, which will contribute to the departments Medium Term Financial Strategy MTFS.

Payment of the London Living Wage and any TUPE cost implications that may arise from this tender will have to be met by existing resources outlined above.

### 10.2 Legal Implications

#### Closure of Mind Empower day service

Closure of a day service requires full and meaningful consultation to prevent such a decision being open to judicial review challenge. In any consultation a council will have to comply with the four, so called, 'Sedley' principles, as outlined in the case of the Supreme Court Judgment in the matter of Moseley v Haringey. [2014] UKSC 56.

First, that consultation should be undertaken on proposals at the earliest possible stage. Second, the proposer must give sufficient reasons for the proposal, in order that those being consulted, can provide intelligent consideration and response.

Third, adequate time must be given for consideration and response. Fourth, the results of the consultation must be conscientiously taken into account in finalising the proposals.

Other general principles are:

- A consultation exercise must have a high degree of specificity when addressed to members of the public, particularly perhaps the economically disadvantaged.
- The demands of fairness are likely to be somewhat higher when the authority contemplates depriving someone of an existing benefit or advantage than in relation to an applicant for a future benefit.
- Fairness may require that interested persons be consulted not only upon the preferred option but also upon arguable yet discarded alternative options.

The Supreme Court Judgment is illustrative of the high level of court scrutiny of consultation documents that can be expected. Failure to adhere to the principles could render any consultation process unlawful.

The council must comply with the Public Sector Equality Duty, in section 149 of the Equality Act 2010 by having 'due regard' to the need to achieve the equality aims listed in that section.

Conducting a Resident Impact Assessment (RIA), formerly referred to as the Equality Impact Assessment, will assist in discharging the council's duty. Although there is no longer a legal requirement to carry out RIA's, public bodies still have to demonstrate that they are taking the Public Sector Equality Duty into account when making decisions.

The revised Consultation Principles published by HM Government and updated on 19 March 2018, give clear guidance on conducting consultations and should also be adhered to.

### Procurement strategy

The Care Act 2014 (CA) sets out various provisions in relation to the care and support needs of adults. The council has duties (CA section 18) as well as powers (CA section 19) to meet the needs of adults for care and support. The council also has a duty to prevent or reduce the development of needs for care and support (CA section 2). The council may meet needs that are identified by providing care and support at home or in the community (CA section 8(1)) including by arranging for a person other than itself to provide a service (CA section 8(2); and Local Government (Contracts) Act 1997), section 1). Therefore, the council may enter into contracts with providers of mental health community support and recovery services. The Executive may provide Corporate Directors with responsibility to award contracts with a value over £2,000,000 (Procurement Rule 14.2).

The social care services being procured are subject to the light touch regime (Light Touch Services) set out in Regulations 74 to 77 of the Public Contracts Regulations 2015 (the Regulations). The threshold for application of this light touch regime is currently £615,278.00. The value of the proposed contracts is above this threshold. They therefore need to be advertised in the Official Journal of the European Union (OJEU). The council's Procurement Rules for Light Touch Services require competitive tendering for contracts over the value of £500,000. The proposed procurement strategy, to advertise a call for competition and procure the service using a competitive tender process, is in compliance with the Regulations and the council's Procurement Rules.

On completion of the procurement process the contracts may be awarded to the highest scoring tenderers subject to the tenders providing value for money for the council

## 10.3 Environmental Implications

The main environmental impacts of this procurement will be associated with the management of the buildings used for the day services, including energy used for heating, hot water and appliances, water use and waste generation. The recommended closure of the Southwood Smith site would therefore potentially reduce the environmental impact of the service. If possible, the procurement

process should include requirements for the provider to minimise energy and water usage at the remaining sites, as well as maximising recycling and ensuring compliance with waste legislation. Consideration should also be given to improving biodiversity habitats in the garden area at day service sites.

The reablement service will have some impact related to staff travel. The contractor should seek to address this by planning staff schedules to minimise travel.

## **11. Resident Impact Assessment:**

- 11.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 11.2 A Resident Impact Assessment was completed on 12 June 2018 and the summary is included below. The RIA has been published and can be accessed on the Islington Council website at the following address: <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/adultcareservices/information/adviceandinformation/20182019/20180720dayserviceconsultationresidentimpactassessment1.pdf> and is attached Appendix 1.

### Potential impact on equality of opportunity for people with protected characteristics

#### **LGBTQ groups**

A specialist LGBTQ network is currently delivered from one of the day service sites which is proposed to close. This is a long-standing group and largely peer-led and volunteer-led. A decision has not yet been made on which buildings close, and any decision will take into account the views of service users, including the impact this change would have on them. We will mitigate the impact this change would have by ensuring they can continue, but in another location. This could include, for example, support to use other community settings as a group, or move to an alternative day service setting. We will co-design this element in the new service with people who use these services.

#### **Women**

A women's group is currently delivered from one of the day service sites that is proposed to close. This is another long standing peer and volunteer-led group. As with the LGBTQ group we will mitigate the impact this change would have by, supporting them to use other community settings as a group, or move to an alternative day service setting. The Isledon Road day service also runs a women's only day, which may be affected by the re-design of services. We will co-design this element in the new service with people who use these services, to ensure that the new model has capacity, and will continue to provide, specialist support for women accessing these services.

#### **People with a disability – mental health**

The closure of one or two of the day service sites may impact on residents' ability to access services. Some residents may not be able to travel to another day service site due to difficulties accessing public transport, the remaining sites may be further for them to travel to, and/or the lack of familiarity with other day service sites may be anxiety provoking. This may particularly be the case for those who currently access the community support day service, as this is the only site located in the south of the borough.

#### Opportunities for advancing equality of opportunity

We believe the same number of people can access day services, and other community facilities, even with fewer buildings. There are some people that need support who don't attend day services, and others who would like support to access other community facilities and feel that day services have become institutionalised and are unattractive or hold back their recovery.

We need to re-design recovery services so they are more flexible in supporting people in the way that they choose, and provide greater access, including open access and care planned support. The new day service to be procured will adopt a more strength-based model of support, focussing on individuals' strengths and aspirations. The new pathway will support clients to improve social inclusion and ensure that they make meaningful use of their time in order to achieve independence and feel part of a community. This may include support to: access education, training or employment, identifying and accessing leisure, cultural, faith, informal learning activities, contacting external services, groups, friends and family.

## 12. Reason for recommendations

- 12.1 We need to adopt a more strength based approach to mental health community recovery services, which enable recovery from mental ill health and prevent escalation to crises and hospital admission. The procurement of the services listed above (paragraph 3.1) will support a Mental Health Recovery Pathway, which aims to provide appropriate support for adults with mental health problems who need ongoing support with recovery in the community. The Pathway will also seek to address the challenges of providing appropriate support for those entering, or at risk of entering a mental health crisis.
- 12.2 The development of the pathway provides an opportunity to re-design services within a more efficient model. Services will seek to build on an individuals' existing strengths and assets to promote recovery, be more inclusive, accessible, flexible and deliver more personalised care and support. The procurement of these services will strengthen the council's capacity to reach and support people to recover, remain well, and manage mental crises, as far as possible within their communities.
- 12.3 The closure of Southwood Smith site as a day service setting represents the least risk to service users, particularly those with protected characteristics. It also means that the council will spend less on buildings, with the added value of income generation from the Ashley Road site, as there are some services operating from the site not currently contributing to the running costs. Thus, the council will be able to manage sites more efficiently whilst prioritising remaining resources on direct service delivery of care and support for mental health service users.

**Appendices:** Appendix 1: Resident Impact Assessment June 2018

**Background papers:** None

**Final report clearance:**

**Signed by:**



8 October 2018

Executive Member for Health and Social Care

Date:

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## Resident Impact Assessment (June 2018)

**Title of policy, procedure, function, service activity or financial decision: Mental Health Day Services Consultation**

**Service Area: Adults Joint Commissioning, Housing and Adult Social Services**

### 1. What are the intended outcomes of this policy, function etc?

We are seeking to consult with service users on the proposed closure of up to two Mental Health Day Service buildings in the borough.

The day services form part of the Mental Health Recovery Pathway, which is being procured later this year. This tender will include day services, reablement and crisis drop-in services. Due to budget cuts, significant savings must be achieved through this tender. Mental Health Commissioners feel that funding could be better used to deliver a wide choice of services and support in a more flexible way. By reducing the number of Day Service buildings and costs associated with them, we will be able to focus resources on staff, activities and support.

The options to be consulted on are as follows:

- Option 1: Close Mind Empower, located on Southwood Smith Street. This property is owned by Camden and Islington NHS Foundation Trust.
- Option 2: Close The Mind Spa, located on Ashley Road. This is a council-owned property.
- Option 3: Close both Mind Empower and The Mind Spa day centres.

This consultation forms part of a two-stage process of involving service users, their carers and others who may be affected by the changes:

#### **Part One – Consultation on closure of up to two-day service buildings**

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We are consulting with people who may be affected by the proposed closure of one or two of the day service buildings, and people who may want to access them in the future. The consultation will run from 12<sup>th</sup> June – 27<sup>th</sup> July 2018.

## Part Two – Co-design of recovery services

We will work with service users to co-design the service models to improve recovery from July to August 2018, to ensure new services are more efficient, recovery-focused, accessible and flexible to meet individual needs and aspirations.

This consultation and co-design activity builds on work we have undertaken previously with service users over the past two years to learn what is important in mental health day services, and what helps with recovery and mental health. This included co-design work with service users from Isledon Road Day Service from August 2016 to September 2017, and engagement with service users of MIND services, led by Healthwatch Islington July – August 2017.

We asked what service users valued most from the services currently provided and what they would like to keep in any future re-design of services. We have been clear that due to restricted finances some changes would be required.

We want to ensure that the future re-design of recovery services meets service user and commissioning aspirations, and in formulating the proposals to be consulted on, we have taken into account how we could do this with having as little impact on services as possible.

## 2. Resident Profile

Who is going to be impacted by this change i.e. residents/service users/tenants? Please complete data for your service users. If your data does not fit into the categories in this table, please copy and paste your own table in the space below. Please refer to **section 3.3** of the guidance for more information.

The following groups may be impacted by the proposed changes:

- People who currently use mental health day services in the borough their carers and relatives
- Islington residents who may access these services in the future

The data in table 2 below, reflects the demographics of current service users only, it does not include other residents who may use these services in the future.

Table 1. Islington borough resident profile

		Islington Borough profile
		<b>Total: 206,285</b>
<b>Gender</b>	<b>Female</b>	<b>51%</b>
	<b>Male</b>	<b>49%</b>
<b>Age</b>	<b>Under 16</b>	<b>32,825</b>
	<b>16-24</b>	<b>29,418</b>
	<b>25-44</b>	<b>87,177</b>

	<b>45-64</b>	<b>38,669</b>
	<b>65+</b>	<b>18,036</b>
<b>Disability</b>	<b>Disabled</b>	<b>16%</b>
	<b>Non-disabled</b>	<b>84%</b>
<b>Sexual orientation</b>	<b>LGBT</b>	<b>No data</b>
	<b>Heterosexual/straight</b>	<b>No data</b>
<b>Race</b>	<b>BME</b>	<b>52%</b>
	<b>White</b>	<b>48%</b>
<b>Religion or belief</b>	<b>Christian</b>	<b>40%</b>
	<b>Muslim</b>	<b>10%</b>
	<b>Other</b>	<b>4.5%</b>
	<b>No religion</b>	<b>30%</b>
	<b>Religion not stated</b>	<b>17%</b>

Table 2. Current service user profile

		<b>Service user profile Islington Mind Day Services</b>	<b>Service User profile Isledon Road Resource Centre</b>
		<b>Total no. on Islington Mind Day Services list of potential attendees: 1,396</b>	<b>Total no. on Isledon Road Resource Centre list of potential attendees: 426</b>
<b>Gender</b>	<b>Female</b>	<b>703 – 49.6%</b>	<b>225 – 45.5%</b>
	<b>Male</b>	<b>693 – 49.6%</b>	<b>201 – 40.7%</b>
<b>Age</b>	<b>Under 16</b>	<b>N/A</b>	<b>N/A</b>
	<b>18-29</b>	<b>93</b>	<b>16</b>
	<b>30-49</b>	<b>574</b>	<b>229</b>
	<b>50-65</b>	<b>703</b>	<b>172</b>
	<b>65+</b>	<b>0</b>	<b>0</b>
<b>Disability</b>	<b>Disabled</b>	<b>100%</b>	<b>100%</b>
	<b>Non-disabled</b>	<b>N/A</b>	<b>N/A</b>
<b>Sexual orientation</b>	<b>LGBT</b>	<b>Data not available (however a specialist LQBTQ service is run which attracts approx. 34 people per week)</b>	<b>Data not available</b>
	<b>Heterosexual/ straight</b>		
<b>Race</b>	<b>BME</b>	<b>559</b>	<b>126</b>

	White	650	313
Religion or belief	Christian	Data not available	Data not available
	Muslim		
	Other		
	No religion		
	Religion not stated		

### 3. Equality impacts

With reference to the [guidance](#), please describe what are the equality and socio-economic impacts for residents and what are the opportunities to challenge prejudice or promote understanding?

If the proposal to close up to two of the mental health Day Service buildings goes ahead, this is not expected to be discriminatory for people with any of the protected characteristics.

The new Day Service to be procured is specifically targeted at Islington residents over the age of 18, with mental health problems, and will promote recovery, empowerment, choice and independence by delivering personalised care and support. The Day Services will provide a structured programme of activities and interventions, as well as drop-in sessions, as part of a pathway of mental health recovery services within the community.

Our vision is to commission services that are inclusive and accessible, and provide a network of safety, support and recovery for Islington residents who have mental health problems, including those with protected characteristics. This reflects the feedback we have had from service users during consultation and co-design work over the past two years.

We want to make sure that anyone who may be affected by these changes can take part meaningfully in this consultation. A support worker, carer, relative or friend is welcome to attend any of the consultation events with service users. We will also provide different methods for people to give their views, including:

- in person at a consultation event,
- completing a survey online or in hard copy
- by contacting the commissioning team by email or phone

Service users, or staff who support them, will also be encouraged to contact the mental health commissioning team to let us know if they need additional support to take part due to an access need, such as (but not limited to), sensory impairment, language or literacy or other barriers to participate.

[Impact on equality of opportunity for people with protected characteristics](#)

The potential negative impacts for specific protected characteristics are outlined below.

### **LGBTQ**

A specialist LGBTQ service and network is currently delivered from Ashley Road, one of the day service sites which is proposed to close. This is a long-standing group and predominantly peer-led and volunteer-led. A decision has not yet been made on which buildings to close, and any decision will take into account the views of service users, including the impact this change would have on them. We will mitigate the impact this change would have by ensuring they can continue, but in another location. This could include, for example, support to use other community settings as a group, or move to an alternative day service setting. We will co-design this element in the new service with people who use these services.

### **Women**

A women's group is currently delivered at Ashley Road, one of the day service sites that is proposed to close. This is another long standing peer and volunteer-led group. Should this building close, we would mitigate the impact this change would have by supporting them to use other community settings as a group, or move to an alternative day service setting. The Isledon Road day service also runs a women's only day, which could be affected by the re-design of services. We will co-design this element in the new service with people who use these services, to ensure that the new model has capacity, and will continue to provide, specialist support for women accessing these services.

### **BAMER groups**

The Nubian Users' Forum, meet at the Ashley Road day service site. They are an independent group within Camden and Islington for African and African/Caribbean people, who use or have used mental health and substance misuse services. Should this building close, we would mitigate the impact this change would have by supporting them to use other community settings as a group, or move to an alternative day service setting. In designing the new service provision, we will work with service users and providers to ensure services continue to remain accessible to people from BAMER backgrounds and are person-centred to reflect cultural needs and values.

### **People with a disability – mental health**

The closure of one or two of the day service sites may impact on residents' ability to access services. Some residents may not be able to travel to another day service site due to difficulties accessing public transport, the remaining sites may be further for them to travel to, and/or the lack of familiarity with other day service sites may be anxiety provoking. This may particularly be the case for those who currently access the community support day service at Southwood Smith Centre, as this is the only site located in the south of the borough.

A decision to close any building will not be made until we have fully consulted with people who may be affected by the changes, including understanding the impact these changes would have.

There is a risk of breakdown in service users' mental health as a result in change to services, including potential changes in provider and staff. We will work with current service providers to ensure service users are supported throughout the procurement process and particularly leading up to and immediately following the transition to new contracts. A robust process and methodology will be in place for evaluating and assessing tender submissions, to ensure the new provider meets quality requirements, including involving service users on the panel. Where there is a change in

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provider some staff may transfer to the new service and this would bring continuity of care and support.

Service users will have a choice, and will be supported to attend, between the remaining two or three day service sites they wish to use, or will be supported to access alternative community facilities if that is their wish. For example, this could include support to access other community settings as a group. This will be worked up as part of the co-design phase with service users. Service users will also be supported to travel to different sites, for example with a peer or support worker where required.

Opportunities for advancing equality of opportunity

The average number of people who use the Isledon Road service per week is 76, the target is 100. A specialist referral is required to attend this service, it is not currently used as open access, people who attend Isledon Road may also attend other day services listed below.

The table below shows the average number of attendees per week at each of the Community Support Service sites – please note that the same individual may attend more than one drop-in and more than one service:

	Despard Road (max capacity 100)	Southwood Smith (max capacity 50)	Ashley Road (max capacity 50)	Isledon Road (max capacity 160-170 across multiple rooms)
Drop-in (2 out of 5 days in each building)	60 (20-30 people on each day)	60 (approx. 30 people on each drop in day)	57 (approx. 20-30 people at each drop in day)	Not commissioned to provide open access drop-in
1-1 appointments or group activities (3 out of 5 days)	65	85	40	Referral only service for 100 people per week, average seen per week 76

As the figures above show, the current buildings can be better utilised. While filling buildings to capacity would undoubtedly pose risks and challenges, there is potential for greater utilisation in the buildings. Therefore, we believe at least the same number of people can access day services, and other community facilities, even with fewer buildings. There are some people that need support who don't attend day services and others who would like support to access other community facilities and feel that day services are too institutionalised and hold back their recovery.

There is a significant under representation of people under 30 attending the services.

We need to re-design recovery services so they are more flexible in supporting people in the way that they choose, and provide greater access, including open access and care planned support.

The new service to be procured will adopt a more personalised, strength-based model of support, focussing on individuals' strengths and aspirations, enabling people to plan for and choose their own care and support, based on interests and existing strengths. The day service offer will be more flexible in supporting people in the way that they choose, and provide greater accessibility, through providing

activities and groups in a more coordinated and joined-up way across sites, and within other community resources.

The new service will adopt a more peer-led approach, building on and expanding existing peer volunteering opportunities and peer-led activities within the service, developing supportive networks that extend beyond the service and into the community. The growth of sustainable and non-service based support and recovery networks are known to increase self-esteem, resilience, and self-efficacy.

The new service will also enable greater community connectedness and promote social inclusion, through supporting people to access community-based activities and services, as well as supporting clients to access training, voluntary, education and employment opportunities.

## 4. Safeguarding and Human Rights impacts

### a) Safeguarding risks and Human Rights breaches

Please describe any safeguarding risks for children or vulnerable adults AND any potential human rights breaches that may occur as a result of the proposal? Please refer to **section 4.8** of the [guidance](#) for more information.

No safeguarding risks for children or vulnerable adults or potential human rights breaches have been identified, that could occur as a result of the proposal.

## 5. Action

How will you respond to the impacts that you have identified in sections 3 and 4, or address any gaps in data or information?

For more information on identifying actions that will limit the negative impact of the policy for protected groups see the [guidance](#).

Action	Responsible person or team	Deadline
Undertake robust consultation with service users around the closure of buildings, ensuring as many people as possible are able to share their views, including providing a range of methods of providing feedback. Ensure that the final decision takes into account the views of service users, the impact of these changes and how people will be supported through the change.	Mental Health Commissioning Team	July 2018
Undertake co-design phase with service users (workshops), to ensure their views are articulated and fed into the design of the day services, including how we ensure equality of opportunity and equal access.	Mental Health Commissioning Manager / Islington Healthwatch	September 2018

Ensure people are supported to use other community facilities or attend another day service.	Mental Health Commissioning Team/ Day Service Provider Organisations	June 2019
Ensure service users are supported to travel to different sites, for example with a peer or support worker, based on assessment of individual need.	Mental Health Commissioning Team/ Day Service Provider Organisations	June 2019
Develop the new service model, to provide more personalised care and greater access including open access and care planned support, through co-design work with service users, including the LGBTQ Outcome group and women's groups at Isledon Road and Ashley Road, and greater reach to those under 30 years.	Mental Health Commissioning Team	September 2018

Please send the completed RIA to [equalites@islington.gov.uk](mailto:equalites@islington.gov.uk) and also make it publicly available online along with the relevant policy or service change.

**This Resident Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.**

**Staff member completing this form:**

Signed: \_\_\_A.Clark\_\_\_\_\_

Date: 12/06/2018

**Head of Service or higher:**

Signed: \_Jill Britton\_\_\_\_\_

Date: 14/06/2018