

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4416
Author:	Bethan Hopcraft
Department:	Finance and Resources
Contact:	Bethan Hopcraft (Job Title: Commissioning Officer, Email: bethan.hopcraft@nottinghamcity.gov.uk, Phone: 0115 876 5073)
Subject:	Approval to receive and spend one-off allocation for the provision of Individual Placement and Support employment support in substance misuse services
Total Value:	£220,000 (Type: Revenue)
Decision Being Taken:	1) To seek approval for the receipt of funding from Department for Work and Pensions (DWP), managed by Public Health England (PHE), for the provision of Individual Placement and Support (IPS) for employment support among the population in substance misuse treatment. 2) To seek approval for dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 to award funding to an existing service (Framework) that delivers similar interventions. 3) To seek approval to delegate signing authority to the Director of Commissioning and Procurement for any contract variations that arise from this process.

Reasons for the Decision(s) Public Health England, as a result of a successful pilot in some areas across other local authority areas, opened up an expression of interest for remaining funding to other local authorities across the country. The funding offered to Nottingham City (£220,000) must be used for the provision of Individual Placement and Support (IPS) support for adults who are accessing drug and alcohol support services, and that require tailored and intensive support to access employment. IPS is intensive employment support delivered by trained employment specialists and provided as part of multi-disciplinary clinical services, rather than separately through mainstream employment support services. The funding must be used to employ one senior employment specialist and two employment specialists who will work along with other professionals from a variety of services, but most specifically drug and alcohol treatment workers who will be responsible for identifying suitable service users to work with the IPS team. The funding will be awarded with the requirement that the money is spent by 31st March 2023.

The funding will be allocated to deliver an IPS provision alongside the requirements detailed in the service specification for the integrated drug and alcohol treatment service currently provided by Framework (Nottingham Recovery Network). See appendix A for full details.

It is widely accepted that a person is more likely to achieve recovery if they have stability in other areas of their lives; one of the pivotal factors is obtaining and maintaining employment. It can contribute to a person's self-esteem, perceived self-worth and can improve overall mental wellbeing, in addition to providing an income. Dame Carol Black's most recent research paper identifies employment as an essential element of a person's recovery from drug misuse and/or dependency.

Briefing notes documents: Appendix 1. DDM IPS funding 220000.pdf

Other Options Considered: 1) Do nothing. Rejecting the funding available for this provision will deny Nottingham City the opportunity to gain additional income from external sources, and ultimately stop the improvement of outcomes for citizens. 2) Procure the provision through a competitive process. The tight timeframes set by Pubic Health England mean that a tender process would not allow for deadlines to be met in terms of outcome requirements attached to the funding.

Background Papers: Service specification agreement - as provided by Public Health England

Unpublished background papers: IPS_expansion_agreement_Nottingham_unsigned.doc

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: None

Dispensation from Financial Regulations:	Yes
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	The CDP is required to produce an annual Strategic Assessment and Partnership Plan to consider crime, ASB, substance misuse and reoffending in the City signed off by full Council in 2020, in accordance with the Constitution. Substance misuse is a key priority within the Strategic Assessment and Partnership Plan. The Crime and Drugs Partnership is the lead commissioner for substance misuse services in the City, and has robust performance management arrangements in place for these services. As employment is a vital element of recovery, it contributes to the fulfilment of the CDP's annual priorities.
Equality:	EIA not required. Reasons: The tight timeframes for this allocation mean that an EIA has not been completed. The equalities clause within all of NCC's Public Health contracts ensures full compliance with the Equality Act and quarterly monitoring is done to confirm the application of the clauses within the contract.
Regard for NHS Constitution:	Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	03/11/2021
Advice Sought:	Legal, Finance, Procurement

Legal Advice:

There are no legal issues with the Council accepting receipt of funding as this will be covered under the general power of competence and the Localism Act 2011.

With regard to the dispensation and award of the additional services to Framework regard needs to be had to Financial Regulation 3.29 which currently permits the Chief Finance Officer and Portfolio Holder to grant a dispensation for operational reasons. The reasons have been set out in the report with regard to the delivery of the service and the use of the funding. The decision maker must be satisfied that the reasons are sufficient so as not to conduct a tender process as would be required for a contract of this value under Contract Procedure Rule 4.1.2. In addition, and as per the comments from the Procurement advisor, this would be a permitted modification under the Public Contracts Regulations 2015 (as amended).

In addition to being satisfied that there are operational reasons for the dispensation the decision maker must be satisfied that the award of the additional services without a separate procurement process demonstrates Best Value in accordance with s.3(1) Local Government Act 1999 and a continuing improvement of the Council's functions in respect of economy, efficiency and effectiveness.

Advice provided by Naomi Vass (Senior Solicitor) on 28/09/2021.

Finance Advice:

This decision seeks approval for the receipt of funding from Department for Work and Pensions (DWP), managed by Public Health England (PHE), for the provision of Individual Placement and Support (IPS) for employment support among the population in substance misuse treatment.

Funding of £0.220m will be received in line with the payment schedule attached to this decision, which states £0.083m will be received in financial year 2021/22 and £0.137m in 22/23. Funding must be spent by 31st March 2023 and NCC should manage receipt of this funding in line with the schedule to ensure all funding is claimed in a timely manner and accounted for correctly across the respective financial years. Funding should be spent in accordance with any grant requirements.

Dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 to award funding to an existing service (Framework) that delivers similar interventions is sought. Procurement of the service through a competitive process was discounted due to the tight timeframes set by Public Health England which means that a tender process would not allow for deadlines to be met in terms of outcome requirements attached to the funding.

Advice provided by Graeme Black (Commercial Business Partner) on 15/09/2021.

Procurement Advice:

<p>This decision relates to the receipt of funding of £220,000 from Department for Work and Pensions (DWP), managed by Public Health England (PHE), for the provision of Individual Placement and Support (IPS) for employment support among the population in substance misuse treatment. Dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 (operational issues) for this funding to be added to the current contract with Framework Housing Association as part of the Integrated Drug and Alcohol Treatment Service contract as detailed in Appendix 1. This intervention is permitted under Regulation 72 of the Public Contracts Regulations 2015, and is supported from a procurement perspective. The use of this funding should comply with DWP and PHE grant conditions and suitable agreements should be in place with external providers to ensure compliance and satisfactory performance. Advice provided by Julie Herrod (Procurement Officer) on 13/09/2021.</p>
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Signatures

Adele Williams (Portfolio Holder for Adults and Health)
SIGNED and Dated: 27/10/2021
Lucy Hubber (DPH)
SIGNED and Dated: 14/10/2021
Clive Heaphy as Chief Finance Officer (Chief Finance Officer) - Dispensation from Financial Regulations
SIGNED and Dated: 14/10/2021
Chief Finance Officer's Comments: