

Report for: Cabinet Member Signing – 15 September 2022

Title: Request for Approval of Acceptance of Grant Funding for the Supplemental Funding for Substance Misuse Treatment and Recovery and Contract Extension and Variation of the Contract to Humankind Charity

Report authorised by: Will Maimaris, Director of Public Health

Lead Officer: Sarah Hart, Senior Commissioner, Public Health, 0208 489 1480, Sarah.Hart@haringey.gov.uk

Ward(s) affected: All

**Report for Key/
Non-Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1. **Receipt of Supplemental grant** - The Council has been given indicative budgets for 2023/2024 and 2024/25 for Supplemental grant funding for Substance Misuse Treatment and Recovery. We wish the decision maker to accept the indicative grant now, as this will allow the Council to give some providers of Supplemental services provisional three-year contracts, subject to the availability of funding. Note, the Cabinet Member for Health, Social Care and Wellbeing has accepted the grant award for 2022/23.
- 1.2. **Variation of Contract** - Supplemental grant funding is to support improvements in existing substance misuse treatment and recovery services. Humankind is best placed to deliver new supplemental grant services as a variation of their main substance misuse contract - Integrated adult substance Misuse treatment and recovery services lot two.
- 1.3. **Extension of Contract** - The Humankind Integrated adult substance Misuse treatment and recovery services lot two contract was approved by Cabinet in 2019 for a period of four years with 2, two-year extension provisions and the initial term ends on 31st January 2023. Contract delivery is satisfactory and so it is most efficient to use the contract extension options to extend the contract at the same time as requesting a contract variation.

2. Cabinet Member Introduction

- 2.1. Not applicable.

3. Recommendations

The Cabinet Member for Health, Social Care, and Wellbeing is recommended:

- 3.1. To approve the receipt of the Office for Improvement and Disparities (OHID) grant 'Supplemental funding for substance misuse treatment and recovery' for the year 2023/24 and 2024/25 in accordance with Contract Standing Orders (CSO) 16.02 and 17.01 The value for the indicative grant will be £1,303,160 for 2023/24 and £2,515,389 in 2024/25.
- 3.2. In accordance with Contract Standing Orders 16.02 and 10.02 .1 (b), to agree the use some of the grant monies (as outlined in this report) to vary the existing contract with Humankind Charity for Integrated adult substance Misuse Treatment and Recovery services lot two from 1st April 2022 until 31st January 2025 a period of or 31 months) at a total value of £918,332.
- 3.3. To include the Supplemental grant, financial year 2022/23 £283,290 and subject to OHID agreement 2023/24 £346,387 and 2024/25 £288,655.
- 3.4. In accordance with CSO 16.02 and 10.02.1 (b), to agree contract extension of the Humankind contract for Integrated Adult Substance Misuse Treatment and Recovery services: lot two, for two years from 1st February 2023 until 31st January 2025, such extension to include the variation referred to in para 2.2 above. Total value of extension £1,779,814.56.
- 3.5. To delegate authority to the Director of Public Health to approve a further extension in the total value of £57,731 for a further period of 2 months from 1 February 2025 to 31 March 2025.

4. Reasons for decision

- 4.1. **Accepting the grant** - Reducing the impact of drugs and alcohol misuse on adults, families and the community is a cross cutting Council priority. The Council therefore welcomes a significant uplift in funding for substance misuse treatment. The public health team along with providers and service users have designed the services that this grant will be used for.
- 4.2. **Preferred providers** - Humankind is an existing provider of Haringey substance misuse services, having successfully bid in an open tender process for the Alcohol service, Young People's service, Recovery services and as a sub-contractor of the criminal justice elements of the Drug service. It has partnered with the Council in several successful bids. It is strongly invested in building a better future for Haringey residents with substance misuse issues. Humankind is one of 4 providers receiving funding from this grant, others include two resident peer led organisation and our NHS substance misuse provider.
- 4.3. **Continuation elements within the Supplementary Contracts** – services within the 2022/23 Supplementary grant are not new, they were contracted within the one-year Universal grant 2021/22 and delivered by Humankind. Before awarding the Universal contract to Humankind, steps were taken to ensure that Humankind would deliver the universal services well. Humankind was a partner, with other agencies, commissioners, and services users in the successful bid for the universal grant. Humankind is still the right organisation to deliver these services well, for it has delivered the Universal contract in line with key performance indicators, overseen by Public Health commissioner's reporting into a steering group.

- 4.4. Projects within the new Supplementary grant are continuations of the Universal grant, there must not be a break in service. Humankind has already recruited into posts, established delivery, and successfully met outcomes. For these services Humankind is the only viable provider.
- 4.5. **New elements** – Humankind’s Haringey workforce are our major asset, for it is their relationship with clients that makes Haringey’s treatment system successful. In 2021, with agreement from the Council, Humankind conducted a pay review. All staff are paid London Living Wage, however for many years they have not had pay increases in line with inflation. Providers have needed to keep costs low to be competitive in tenders. Also, we want to keep our staff in Haringey, so agreed to benchmark our salaries with other competitor services in other local authorities. A pay award has been agreed between the Council and Humankind.
- 4.6. **Back dating** – We are asking for the decision maker to agree that the funding to Humankind Charity in respect of the contract variation to be backdated to April 2022. The reason for this is that Haringey’s bid for 2022/23 Supplemental grant included pay increases to staff from April 2022. This was accepted by OHID, but not in time for the funding to be applied from April 2022
- 4.7. **Variation** – Variation of the main contract for Adult Substance Misuse treatment and recovery services, is permitted by Contract Standing Orders.
- 4.8. **Extension of main contact** - After an open tender process in October 2018 Cabinet awarded a contract to CDP Blenheim (who became Humankind Charity), for Integrated Adult Substance Misuse treatment and recovery services. The award was for a period of four years with an option to extend for 2 years and a further period of 2 years total value £7,170,567.54 (for 8 years). This initial term of the contract expires on 31st January 2023. The contract is performing satisfactorily, and it would not be in the Council or residents’ interest to go out to the market at this stage for a new provider.

5. Alternative options considered

- 5.1. The Cabinet member could refuse to receive the grant. However, as there was a clear need for this work and strong support to tackle the impact of substance misuse on the community, this option has not been considered.
- 5.2. The Cabinet member could choose not to award the grant to Humankind and go to market for the Supplemental projects; however, it is agreed that Humankind is the only viable provider and as co-designers of the bid and existing providers, best placed to ensure services are delivered well.
- 5.3. The Cabinet member could choose not to vary the existing contract, however setting up a separate contract would create duplication and avoidable administration costs.
- 5.4. The Cabinet member could decide not to allow backdating of the contract, however the pay award has been agreed by OHID to be paid from 1st April, so it is included within the grant.

5.5. The Cabinet member could decide that the main Humankind contract should not be extended, as the existing service is delivering well, going through the disruption of a tender process is not in the interests of residents

6. Background

6.1. Haringey has higher rates of Opiate and Crack-Cocaine users than both the London and national rate (2016/17)

6.2. The Dame Carol Black Independent Review on Drugs published in 2019, stated that as Government has disinvested in tackling drugs, there has been a noticeable increase in drug supply and purity. This has fuelled drug related crime, particularly violent crime, and the use of vulnerable children in drug trafficking. It's also a factor in 2018 seeing the highest recorded levels of drug related death. The disinvestment in drug treatment means that long-term drug users are cycling in and out of our prisons, at great expense but very rarely achieving recovery or finding meaningful work. The review states that the total cost to society of illegal drugs is around £20 billion per year, but only £600 million is spent on treatment and prevention. So, the amount of un-met need is growing, some treatment services are disappearing, and the treatment workforce is declining in number and quality.

6.3. In 2020, to start the work of addressing the Dame Carol Black review, Haringey received £480,000 Universal grant payable over 15 months from the Office of Health Improvement and Disparities (OHID). Haringey was to use this funding to provide additional drug treatment crime and harm reduction activity.

6.4. The Council was asked to complete an application for the grant. Completion of the application was led by the public health team in close consultation with community safety, co producers and providers. The guidance was very specific that the funding was only for adult drug treatment, with a strong focus on outreach, harm reduction, criminal justice, new forms of treatment and recovery.

6.5. The grant had challenges in terms of a very fast turnaround. Plus, as stated in the Dame Carol Black Review, there was already a workforce deficit. However, Haringey made excellent progress, recognised in a visit from the Permanent Secretary of State and New Drugs unit, to meet the new teams.

6.6. The table below gives a flavour of the activities and success of the Universal Grant to date.

Table 1 Universal projects and their successes.

Area of activity for the contract	Services	Achievements since July
Harm reduction	Barnet Enfield and Haringey (BEH) Mental Health Trust have employed a harm reduction lead.	<ul style="list-style-type: none"> • Covid vaccine information leaflet designed by service users • Review with service users of needle exchange pack.

		<ul style="list-style-type: none"> • Training of all hostel workers in preventing overdoses Naloxone pilot in 2 pharmacies
Criminal reduction	Humankind – 5 new criminal justice workers, targeting males under 25 years, women, and prolific offenders, who keep revolving around systems. Offering case managers with a flexible way of working.	<ul style="list-style-type: none"> • 5 graduates employed, inducted and training on the job as criminal justice workers Pathways for young male offenders designed. • Increase in referrals from courts and prison.
Outreach	Bringing Unity Back into the Community – peer led night outreach. BUBIC is led	<ul style="list-style-type: none"> • Night outreach begun. • Survey of these out at night to determine what night services they would like to keep them off the streets • Joint work in Turnpike Lane • Joint work in closing a crack house
Peer support	Inspirit – creating a new workforce through offering residents who are ex substance misusers, who have been co-producing services or volunteering, a diploma in health and social care and substance misuse worker training.	<ul style="list-style-type: none"> • 4 Haringey ex users taken onto a diploma, now reached stage of placements in services. • Pavilion recovery project, led by co producers begun.
New treatment	BEH – brand new type of treatment that can be administered monthly	<ul style="list-style-type: none"> • 12 people have commenced on Buvidal, 11 have been maintained on the medication.

6.7. Humankind's main contribution to the service has been the establishment of a new criminal justice team. The team has been working in a new way, offering a total package of substance misuse care from custody into community treatment. The team are needed because currently only 23% of those leaving custody with a substance misuse issue engage in treatment, our ambition is 60%. The team also target offenders who we know drop out of treatment – young men, women. From Sept to March the team had 253 referrals and saw 105 clients. The team's successes include 13 offenders receiving a community order for alcohol treatment and 13 for drugs. 12 clients came from prison into community

treatment, 7 probation clients have voluntarily engaged. It's a great start but our ambition is to ensure every offender with a SM issue has a place in treatment.

- 6.8. New funding - The Government responded to the Dame Carol Black Review in July 2021 and subsequently published the National Drug Strategy (Dec 2021). Now it has announced a supplemental Substance Misuse Treatment and Recovery Grant, which should be used by LAs to address the aims of the treatment and recovery section of the drug strategy.
- 6.9. This enhanced funding will enable Haringey to go above and beyond what the Universal projects have achieved. Our priority for 2022/23 is to ensure that the Universal providers and co producers continue the great work and build the evidence base for their services. Then we will complete a rapid needs assessment and equality audit with partners to agree priority areas for year two and three investment. Alongside this we will simultaneously create a three-year Treatment and Recovery Plan. Importantly the new funding goes beyond the Universal grant criteria, including services for young people, families and for alcohol misuse. As well as building the main workforce and reducing caseloads.
- 6.10. Humankind deliver the alcohol treatment service HAGA. The contract for the service was awarded in January 2019. During the first year of delivery the service underwent a number of changes which had been laid out in the tender method statement. The new service was taking shape when the CV19 pandemic and subsequent lock downs came. HAGA stayed open throughout the pandemic. Staff found ways to work both virtually and face to face with clients. New clients were seen, and existing clients supported. Prior to retendering there were 484 residents in treatment in HAGA, this fell to 381 during the re-tendering and stayed consistent through the pandemic. Numbers are starting to rise again with currently 411 in treatment. Similarly, completions took a reduction during the tendering process and remained steady during the pandemic. In October a new manager was recruited into the services who is working well with Commissioners to further improve services. Earlier in the year the group work program was redesigned by staff and service users and now has double the attendances. Work with service users around physical health care has resulted in a liver care clinic starting in July 2022. Consultation with service users has just been completed looking at how to prevent cycles of client engagement and dropping out. The service is always looking at what it can do better to safeguard and improve the lives of residents.

7. Contribution to strategic outcomes

- 7.1. The service fulfils three crosscutting commitments of the Haringey Labour Manifesto:
1. Tackling inequalities and poverty - making services equitable and easily accessible for all Haringey residents.
 2. Living Well Approach - locally delivered services.
 3. Protecting our residents - Improved community safety for all ages.

8. Statutory Officer Comments

8.1. Finance

- 8.1.1. The annual costs of the proposed extension to the Humankind have been reviewed, and it confirmed that budgets are in place to cover the cost. The contract does contain a caveat for termination should funding no longer be available.
- 8.1.2. The annual costs of the proposed variation to the Humankind contract will be funded by allocations from the Supplemental Substance Abuse Fund in each year.
- 8.1.3. The detailed financial costs are exempt information and are set out in exempt Appendix 1.

8.2. Procurement

- 8.2.1. The grant award from the Office for Improvements and Disparities (OHID) may be accepted by the Council in concord with Contract Standing Orders 16.02 and 17.1.
- 8.2.2. The services, within substance misuse recovery and treatment fall within the remit of Schedule 3 of the Public Contracts Regulations 2015. The contract with Humankind was duly tendered and awarded in line with the regulations in 2018
- 8.2.3. Under Regulation 72. (1) (a) modification of contract is allowed if it was part of the original award. The contract with Humankind was let with provision for two, two- year extensions, one of which is currently requested in line with Contract Standing Orders 16.02 and 10.02.1b. The Contractor is providing a satisfactory service that meets contractual outcomes it would not be beneficial for the Council or service users to expend unnecessary resources going out to tender and disrupting service provision.
- 8.2.4. Further, Regulation 72 (1) (b) permits additional services without the need for a retender, if a change of contractor cannot be made for economic or technical reasons provided the cost is not more than 50% of the original award. Moreover, any such change, if permitted would have meant duplication of cost and administrative resources as well as significant service disruption. The request for this contract variation is also in line with CSOs 16.02 and 10.02.1b

8.3. Legal

- 8.3.1. The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.
- 8.3.2. The services are categorised as Schedule 3 services (Social and other specific Services) under the Public Contracts Regulations 2015 (the Regulations).
- 8.3.3. The Regulations allow for modifications to be made to contracts without conducting a procurement in certain specified circumstances. Regulation 72 (1)

(a) allows for modification where the modifications have been provided for in the original procurement documents in clear precise and unequivocal review clauses. Legal Services has been advised that the provision for the two-year extension was included in the original tender documents and so this would be permitted under Regulation 72 (1) (a).

8.3.4. The Regulations also allow for modifications where additional services are necessary and a change of contractor cannot be made for economic or technical reasons and such a change would cause significant inconvenience or substantial duplication of costs, providing that any such increase is not more than 50% of the contract price (Regulation 72 (1) (b)). Legal Services is advised that this is the case in respect of the proposed variation to the contract to include the additional grant funding.

8.3.5. The approval of the grant would normally fall to Cabinet as the value is over £500,000 (CSO 17.1). However, in-between meetings of the Cabinet, the Leader may take any such decision or may allocate the decision to the Cabinet Member with the relevant portfolio (CSO 16.02).

8.3.6. Under CSO 16.02 the Cabinet Member for Health, Social Care and Wellbeing also has power to approve the variation and extension of contract.

8.3.7. The recommendations in this report are a Key Decision and therefore need to comply with the Council's governance processes in respect of Key Decisions.

8.3.8. The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Health, Social Care and Wellbeing from approving the recommendations in this report.

8.4. Equality

8.4.1. The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2. The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.4.3. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.4. This report relates to the receipt of a grant and award of contract for provision of services to residents with substance misuse issues. The service by its nature

provides support to vulnerable people, including those with protected characteristics.

8.4.5. Substance misuse is highly stigmatised and so it is to be expected that adults, young people, and parents with protective characteristics may face additional challenges in seeking help. This is explored within the needs assessments, equity audits and service design. Having people with lived experience co deliver services and monitor service will further expand equity. Data from these projects will include all protective characteristics.

8.4.6. The contract specifications related to these services clearly set out the supplier's responsibilities under equalities legislation, including a requirement to have in place up to date equalities policies and to ensure that the service is accessible to all sections of the community.

8.4.7. The contractor's compliance with equalities legislation will continue to be quality assured through regular contract monitoring and service review.

9. Use of Appendices

9.1. Appendix 1 – Exempt Financial Information.

10. Local Government (Access to Information) Act 1985

10.1. Not Applicable.