

Report of Head of Complex Needs

Report to Director of Children's Services

Date: 27 November 2014

Subject: Award Report for Independent Support workers (ISW) framework contract



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. In October 2012 Children's Services Leadership Team agreed the recommendations of the Complex Needs Service and commenced a commissioning process for a framework contract to supply Independent Support Workers or (ISWs) to children with a disability and their parents.
2. The commission is to ensure every family that has an assessment of need which recommends access to an ISW is able to access one from a range of quality assured providers on a framework.
3. A restricted procurement process was set up with an agreed target of 10 providers as part of the framework.
4. The process completed and there are 5 providers that were established on the framework. These were CIC, SCOPE, Reed, Leeds Weekend Care Association and PSLA. PSLA subsequently withdrew leaving four providers on the framework. In the period since this has proved to be insufficient to meet demand and it was decided to retender to add additional capacity to the framework contract. A retendering exercise was carried out and six additional providers have been added these are Care UK, Caremark, Helping Hands of Harrogate, People Matters, Real Life Options and Yorkshire Care.

5. The anticipated contract value is still £2 million over 3 years based on recent usage and the new contract rates set out in this report. The contract start date is 1st January 2015 until 31st December 2016 with the provision to extend for a further period of 12 months. This enables the two ISW contracts to run concurrently and for extension decisions to be taken at the same time.

Recommendations

6. The Director of Children's Services is recommended to agree to award the framework contract to the successful additional suppliers as detailed in the report.

1. Purpose of this report

To give an overview of the commissioning process and agree to award the contract.

2. Background information

- 2.1 The purpose of this provision is to enable children with disabilities specialist services to access personalised day and evening short break activities in a variety of settings both within the community and in the family home. Children with a disability and young people who have needs that are met by specialist services can be described as having complex needs and/or life limiting illnesses. They may have moving or handling needs and may require assistance with feeding and or require specialist equipment / adaptations.
- 2.2 The provision should enable children with a disability to take part in fun activities of their choosing and give parents a valuable break from caring, deliver domiciliary care such as help in getting ready for school, deliver support at short notice in response to an emergency, meet any specialist health intervention needs or challenging behaviour. This provision is key to enabling Leeds to meet the short breaks duty. From April 2011 Local Authorities are under a duty to provide short breaks to carers of children with a disability.

The model and specification used has built on good practice from other local authorities.

3. Main Issues

- 3.1 There are no specific implications for or impact on any council ward. The provision is city wide and so benefits children with a disability and families across the city.
- 3.2 The work on the framework will be allocated by the following process. When a family is identified as needing an ISW they will be able to choose a provider from the framework with the help of their social worker. Providers are also ranked dependent on their overall price and quality score. This means that if a decision cannot be made between two or more providers based on the matching process, the ranking will be used. A two tier system will be used with the first four suppliers on the framework being approached first if they are not able to do the work then the additional six suppliers will be approached

3.4 There will be clear communication with families and other stakeholders on the decision, stating our continued commitment to providing ISW and supporting smooth transition. Parent carers and other stakeholders have been closely involved throughout the commissioning process in helping write the specification and in selecting the providers. Children's Services will work closely with the new providers to ensure wide and effective promotion.

3.5 Consequences if the proposed action is not approved

3.5.1 This would have a considerable impact on the families who need an ISW and rely on this support. Withdrawal of the service would have a significant impact on families ability to care effectively for their children with a disability. Leeds City Council would not be discharging its duty.

3.6 Advertising

3.6.1 The tender was advertised via YORtender and in line with all LCC contract procedure rules. An open procurement process was utilised which comprised the pre-qualification questionnaire being published with the documentation. The reason for this approach was to speed up the procurement process and also because the desired outcome is more capacity on the framework, so a shortlist of tenderers was not required. The pre-qualification questionnaire was used to vet the providers.

3.6.3 Tender Stage

. The tender documents were published on YORtender on with a return date of Wednesday 15th October at 12 noon. Providers needed to complete the quality method statement and submit their prices as part of this process. As part of the quality evaluation process providers were also invited to an interview.

A minimum quality threshold of 60% was applied at tender stage and the prices were capped as follows based on a market assessment of care prices and other local authority expenditure. The decision was taken to evaluate tenders only on the daytime rate and domiciliary care rate. Waking and sleeping nights make up a small proportion of the contract and the prices are for contractual purposes only.

Maximum Hourly Rates (including mileage)

Daytime Rate	£18
Domiciliary Care	£15
Waking Nights	£24
Sleeping Nights	£13

4.1 Consultation and Engagement

- 4.1.1 The commissioning process involved consultations with key stakeholders in Children's Services including EPIC who are a children with disabilities parent's forum.
- 4.1.2 Upon publication of the delegated decision, bidders, both successful and unsuccessful, will be notified as to the outcome of the procurement process.
- 4.1.3 Upon publication of the delegated decision, recipients of the service will receive a notification to inform them of the outcome of the procurement process.
- 4.1.4 To ensure that recipients of the service continue to receive high quality responsive services, the mobilisation process will be managed by officers within the directorate. To ensure that there is a smooth transfer of contractual obligations and a seamless delivery of service, the mobilisation process will include appropriate dialogue with the recipients of the service, the current providers of the services and the future providers of the services.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 A full equalities impact assessment was carried out (see Appendix 1).

4.3 Council policies and City Priorities

- 4.3.1 This commission fits within the children's plan priorities shown below.
 - i. Children and young people are safe from harm- helping young people live in safe and supportive families
 - ii. Children and young people do well at all levels of learning and have skills for life- improving attendance

4.4 Resources and value for money

- 4.4.1 The current budget available for ISW for 2014/5 is £719k. It is anticipated that the framework will not only deliver ISW support within the available budget, but also enable savings to be made. This is on the basis that the previous costs of the domiciliary hourly rate have been reduced; it also reflects that the utilisation of the framework will reduce as we move firstly to greater take up of Direct Payments, and then eventually to personalised budgets.
- 4.4.2 It should be noted that some of the savings referred to in 4.4.1 will need to be used to fund the increase in costs due to the increase in utilisation of Direct Payments and Personalised budgets. It is not possible to quantify exactly what these savings and costs are without knowing future demand but these will continue to be closely monitored.
- 4.4.2 The rate for ISW is set below the hourly rate that some providers were previously charging and is now inclusive of mileage. except in limited circumstances

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The contract value of this framework is £2 million over three years

4.6 Risk Management

- 4.6.1 Risks have been assessed in the procurement process and have been principally identified and mitigated from the beginning
- 4.6.2 The providers on the framework have met a quality threshold of 60% and have had to identify how they will manage the work and what governance structures they have in place as part of the evaluation.
- 4.6.3 The way that providers on the framework will be allocated work has been clearly set out and this will mitigate against any disputes.
- 4.6.4 Contract mobilisation will ensure a smooth transition to the new framework with regular communication with parents to update on progress.

5. Conclusion

- 5.1 This was a successful procurement process that has drawn to a conclusion and the contract is now ready for award.

6. Recommendations

- 6.1 The Director of Children's Services is recommended to award the framework contract to the successful suppliers as detailed in the report.

7. Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.