

Report of Chief Officer, Transformation and Innovation and Chief Officer, Consultant in Public Health, Adults and Health

Report to Director of Adults and Health

Date: 8th August 2018

Subject: Implementation of the new Leeds Directory Information Service from 1st April 2019

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes X No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes X No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes X No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes X No

Summary of main issues

1. The current contract for the delivery of the Leeds Directory Information Service ends on 31st March 2019. As such a project to look at the best option for replacing the current service when the contract ends, commenced in early 2017.
2. Following extensive consultation and engagement with key stakeholders, new business and technical requirements were drawn up and were used to look at the replacement options that offered best value for money. Following an options appraisal, held in November 2017, the option of utilising an existing contract to provide a replacement website and to bring the service in-house was considered to provide the best value option for the council.
3. The preferred option was considered by the Directorate Leadership Team in February 2018 and the permission was given to work up more detailed plans for implementing the option.
4. This report gives an update on advancement of those plans and seeks approval for decisions to enable the implementation plan to be progressed.

Recommendations

1. The Director of Adults and Health is recommended to approve:
 - The variation, under CPR21.6, of the Hosting and Support Agreement signed with Public Consulting Group (formally Shop4Support) to upgrade to Type 4 functionality at an annual cost of £35,000, from 1st April 2019, for a period of 12 months, to provide the new Leeds Directory website and database.
 - The plans for the location of the staff, in scope to TUPE across to the Council, on the Adults and Health Directorate structure to provide the information element of the service.
 - An additional £16,843 of funding to cover the operational budget required for the first 12 months of operation from 1st April 2019.
2. To note:
 - the plans for TUPE of staff employed through the current service contract;
 - the progress made to date in developing the plans for the new service; and
 - that implementation of the new service will be supported by the Leeds Directory project team, with the new service to be operational by 1st April 2019.

1. Purpose of this report

- 1.1 To update the Director of Adults and Health on the progress of implementing the new Leeds Directory Information Service which is to be operational from 1st April 2019, and outline the next steps in the process of bringing the service in-house.
- 1.2 To seek approval regarding the revenue budget for the first year of operation for the new service and for the proposals regarding the transfer of staff to the council under TUPE.

2. Background information

- 2.1 The Leeds Directory information service has been running since 2005 and provides information on the services, local groups and activities that provide support for people who have care and support needs, or are managing a long term health condition, as well as more broadly supporting people to improve their wellbeing. The service is currently delivered by Care & Repair (Leeds) under a three, plus one, plus one contract, with an annual value of £132K. The second and final 12 months contract extension commenced on 1 April 2018, with the contract due to end on 31st March 2019.
- 2.2 The service is well used and valued by the public and professionals alike. Approximately 12,000 people use the directory each month and there are over 1,700 services listed on the site. The directory, especially its potential to identify a broad range of local community options, is a critical element in delivering strength based social care. The service also helps the Council to meet its obligations under the Care Act 2014 to provide information to people with care and support needs on the range of services available in the city to support them and improve their wellbeing.
- 2.3 In 2017 a project commenced to look at the options for recommissioning the service, as the current contract could not be extended past 31st March 2019. To inform this work a review of the current service was undertaken and extensive

consultation took place with key stakeholders (including social workers, people with care and support needs, people managing long term health conditions, health professionals and carers) to inform the new service. Through the review it was established that the current Leeds Directory website was at full capacity and as a result wasn't fully meeting service users' needs as well as it potentially could.

2.4 The results of the consultation and review of the current service were fed into a market sounding exercise, carried out in September 2017, to understand what the costs of delivering the new requirements would be if the council continued to procure the services externally and if there were suitable providers in the market place to deliver such a service. The results of the market sounding were then fed into an options appraisal workshop, held in November 2017, at which the following options were considered:

- Do nothing
- Put the service out for procurement
- Utilise an existing contract for the provision of the website and separately procure the data management and curation element of the information service
- Utilise an existing contract for the provision of the website and bring the data management and curation element of the information service in-house

2.5 The options appraisal took into account the results of the consultation, research carried out, and the responses from the market sounding exercise. The option which scored the highest was to bring the delivery of the information service (including the data curation, quality management, marketing and promotion) in-house and to utilise an existing contract with the Public Consulting Group (PCG) to provide the IT element (the website and supporting database for hosting the information service online). This option scored the highest as it offered the most cost effective solution that would meet current and future needs.

2.6 Following the conclusion of the options appraisal a report was taken to the Directorate Leadership team in February 2018 where approval was given to pursue the preferred option.

3. Main issues

3.1 Following the decision regarding the preferred option for putting in place the new service, a detailed implementation plan has been drawn up for bringing the Leeds Directory Service in-house from 1st April 2019 when the current contract expires. The plan has four key work streams:

- Product development
- Commissioning and contracting
- Consultation and engagement
- People plan

3.2 To support delivery of the service there will be two key elements: a website and database which holds information on services, groups and activities for people who have care and support needs, or are managing a long term health condition, as well as more broadly supporting people to improve their wellbeing, their carers and health and social care professionals; and a data quality, curation and provider monitoring team which oversees the quality of the information as well as providing a telephone helpline service for those without access to the internet.

- 3.3 The staffing implications and the implementation of the replacement website and database to ensure that the new service is operational by 1st April 2019, when the current contract comes to an end, are outlined in more detail below.

Staff implications for the new service

- 3.4 As a result of the decision taken regarding the future delivery of the Leeds Directory Information Service discussions have commenced with the current contracted provider of the service to understand the number of staff in scope under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 (and amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) Regulations 2014) to transfer across to the council when the current contract ends.
- 3.5 Information provided by the current contracted provider of the service shows that a total of four staff (equating to 3.1 FTE) are in scope to TUPE across to the council. As the service will continue to operate in a similar manner it is envisaged that the structure of the team will remain the same, with a business development/team manager, provider monitoring officer, a marketing and development officer and an customer service administrator. In line with the TUPE regulations the staff will transfer to the council on their own terms and conditions.
- 3.6 The proposed location for the Leeds Directory team on the Adults and Health directorate structure is the Embedding Change Team within the Area Social Work area of the directorate. The Leeds Directory Information team will report to the Service Delivery Manager who manages the Embedding Change Team.
- 3.7 The Embedding Change Team leads on transformation programmes within Adults and Health. The Leeds Directory Information Service is an important tool in supporting area social work teams to take a strengths based approach. Additionally, by placing the service within the area social work structure it will strengthen the links to neighbourhood teams and health and other partners working within the newly forming Local Care Partnerships based in localities with the aim of improving the quality of locality information on the directory and support people to be better connected, leading to an increase in health and wellbeing.
- 3.8 A detailed TUPE plan has been drawn up with HR to support the transfer of staff to the council, with a transfer date of 1st April 2019.

Replacement website

- 3.9 A critical element of the Leeds Directory Information Service is the website, which holds information of a range of services, groups and activities. The key elements of the website are a searchable directory of services, an events and activities calendar and a micro tender noticeboard for use by social workers putting in place support for Personal Budget holders.
- 3.10 The replacement Leeds Directory website and database will be provided through a regional contract held by Leeds City Council, in partnership with the 14 other local authorities in the Yorkshire and Humber, to deliver a regional e-marketplace called Connect to Support. The development of Connect Support was originally funded by ADASS. The provider of the Connect to Support website is Public Consulting Group (PCG). The contract has been in existence since 2013, and is managed through a regional partnership board. The Leeds Connect to Support site has been dormant

since the contract inception due to Leeds already having the Leeds Directory Information Service in place.

- 3.11 The Hosting and Support Agreement signed between the council and Public Consulting Group has the facility for participating authorities to request an enhancement or upgrade to the Connect to Support site. An update to 'Type 4 functionality', as set out in the Hosting and Support Agreement would provide the additional website functionality which will enable the site to meet both the existing and the new functional and technical requirements developed in response to the consultation results. The upgrade requires the payment of an annual maintenance fee of £25,000, plus an annual charge of £10,000 for the development of 'app' versions of the website. These additional charges are set out in the Hosting and Support Agreement signed by Leeds City Council in 2013.
- 3.12 Contract variations are allowed under CPR 21.6, as long as they are within the scope of the original contract and do not materially affect or change the scope of the original contract.
- 3.13 In addition, as the core elements of the Connect to Support website and database are already in existence (and tried and tested by the regional partners) it will enable the new solution to be in place as a test site within a three month timeframe. This will enable enough time for the new functionality to be developed, the transfer of data from the existing site to the new site and full user testing to be carried out before the new service becomes operational on 1st April 2019.
- 3.14 As an existing partner in the regional Connect to Support board the Council will also benefit from shared learning and the opportunity for developing new solutions to shared problems, thus providing value for money through reduced development costs.

Revenue costs for the new service

- 3.15 The revenue budget for the first year of operation of the new service from 1st April 2019 will be £148,742. The proposed budget is detailed in Appendix A and includes the staffing (including employer on costs), equipment, marketing and communications and the maintenance fee for the new website and database.
- 3.16 A total of £131,899 is already allocated in the Adults and Health directorate budget for the service as this is the value of the current contract for delivery of the service. Permission is now sought for the additional £16,843 required to deliver the new service in the first year of operation.
- 3.17 Subsequent years operational costs will be secured based on demonstrating the value and impact of the new service in supporting Strengths Based Social Care. Prior to agreement of the 2020/21 operational budget a further report will be presented to the Director for consideration and approval.

4. Corporate considerations

Consultation and engagement

- 4.1 In preparation for the re-commissioning of the Leeds Directory service, in spring 2017, members of the public, health and social care professionals, and providers that were listed on the Leeds Directory were invited to take part in consultation regarding how they find and share information, their views on online directories in general, and the Leeds Directory in particular.

- 4.2 The consultation, which took place between April-June 2017, elicited responses from 522 people who either completed a questionnaire or participated in a focus group. The majority 58% (302) completed a questionnaire while 220 adults shared their views via focus groups.
- 4.3 The focus groups were representative of users of Adults & Health's services and included carers, deaf adults, older people, BAME people, adults with long term conditions and Health Champions.
- 4.4 Additionally, engagement took place with professionals such as clinical care co-ordinators, call centre staff and managers, and social workers.
- 4.5 The results of the consultation showed that although the current directory had many useful functions, some elements were not always easy to use for both professionals and members of the public. Also, some functions that respondents had identified as being useful to have, were not available on the Leeds Directory.
- 4.6 Tasks that many people found difficult when using the Leeds Directory included; printing from the site, using filters, navigating the site. The consultation also showed that a smart phone 'App' would be beneficial to users and those accessing the directory on others' behalf.
- 4.7 The results of the consultation were used to inform the market sounding exercise and options appraisal that took place in autumn 2017.
- 4.8 Consultation has taken place with council Trade Union representatives regarding the proposed TUPE of staff into the council at a meeting on the 25th June 2018 and no issues have been raised regarding the proposals.
- 4.9 Consultation will be undertaken with the Executive Member for Adults and Health at a briefing to be held on 9th August 2018.

Equality and diversity / cohesion and integration

- 4.10 An Equality, Diversity, Cohesion and Integration Screening Tool has been completed (Appendix B). The screening showed that a full Equality and Diversity Impact Assessment was not required as equality and diversity issues have already been considered as part of the process.
- 4.11 The outcome of the screening has been taken into account when developing plans for the implementation of the new service.
- 4.12 The new website element of the service will meet industry standard accessibility and usability features such as WCAG v2 (Web Content Accessibility Guide) and will support desktop tools such as JAWS (screen reader for visually impaired), Dragon Naturally Speaking (speech recognition) TextHelp (literacy and dyslexia software) and ZoomText (magnifier). An online translation facility will also be embedded in the site.
- 4.13 The new service, apart from providing access to the website 365 days of the year, will also include a telephone helpline for users without access to IT or who are not confident in using technology. The telephone helpline will be managed by the Leeds Directory team within the council and will be available Monday to Friday, between 9-5, with voicemail facility available during evenings and weekends.

Council policies and best council plan

- 4.14 This proposal supports the delivery of the Best Council Plan 18/19-20/21 Health and Wellbeing Priority of enabling people with care and support needs to have choice and control.
- 4.15 The service will contribute to the delivery of the Better Lives Strategy 2017-2021, specifically supporting the Better Lives through Better Living and Better Connections themes as citizens will be able access information on services and activities that will help them maintain their independence and reduce social isolation and loneliness.
- 4.16 The service contributes to the City Priority Plan and its Best City for Health and Wellbeing priority through giving people choice and control over their health and social care services, and, by increasing the proportion of people with long term conditions feeling supported to be independent and manage their own condition.
- 4.17 At a cross directorate level, the service contributes to the 'Making Leeds the Best Place to Grow Old' Breakthrough Project by providing information on services and activities that help older people live the life they want to live.
- 4.18 The service contributes to the Leeds Health and Wellbeing Strategy 2016-2021 with the aim of reducing health inequalities through access to good quality information.
- 4.19 The project will also contribute to Adult Social Care's Information and Advice Strategy for Leeds 2015-2020.
- 4.20 The Care Act (2014) outlines the importance of providing information and advice to people with care and support needs, including both people who are eligible for support from Adult Social Care and people who fund their own care. The Leeds Directory service contributes significantly to this.
- 4.21 The Leeds Inclusive Growth Strategy 2018-21 aims to make Leeds the best city for health and wellbeing, enabling more people to manage their health in the community and workplace, working with people to promote prevention and self-management. The Leeds Directory Information service is a key tool in supporting self-management, helping people to find out about local support and services which can help them to be proactive in managing their health and wellbeing.

Resources and value for money

- 4.22 The current annual contract value for the Leeds Directory service is £131,899 per annum. In order to deliver a service that meets current and future needs, additional investment is required. The annual cost of providing the service is £148,742 plus an additional one off estimated cost of £75,500 for initial setup of the website and database.
- 4.23 Funding resources of £131,899 are already provided for within the within Adults & Health base budget and will be rolled forward into 2019/20. The additional funding will be addressed as a part of the 2019/20 financial planning process.
- 4.24 During the first year of operation the impact of the new service will be closely monitored to demonstrate the anticipated efficiencies in relation to supporting the strengths based approach to social care delivery.
- 4.25 To note that the initial one-off development costs to be incurred for the website and database that the Leeds Directory data will transfer on to will be funded separately through a capital development budget. These one-off costs will be incurred in 2018/19 and approval for the costs will be considered by the Asset Management Board on 9th August 2018 and will be signed off separately through a delegated decision.

- 4.26 Although the annual operation costs for the new service are higher than the current contract value, it is recognised that because of the required investment to ensure the website and database supporting the information service is able to meet future requirements, the proposals still provide value for money as this was best option identified as part of the options appraisal when determining the way forward for providing the service from 1st April 2019.

Legal implications, access to information, and call-in

- 4.27 The decision maker's authority falls under Part 3 of the Constitution, Official Delegation Scheme (Executive Functions) Director of Adults and Health.
- 4.28 The value of the new service means this is a Significant Operational Decision and does not require inclusion on the Forward Plan. The decision is not subject to call in.
- 4.29 Contract Procedure Rule 21.6 allows the variation of contracts as long as the variation is within the scope of the original Contract. Contract variations that materially affect or change the scope of the original Contract are not allowed. All Contract variations must be in writing and signed by both parties.
- 4.30 The Director, Adults and Health, should note that by varying an existing Contract rather than carrying out a new procurement exercise that the Council could be open to a potential claim from other providers to whom this contract could be of interest.
- 4.31 Although there is no overriding legal obstacle preventing variation of the Hosting and Support Agreement under CPR 21.6, the content of the report should be noted. In making their final decision, the Director of Adults and Health, should be satisfied that the approved course of action represents best value for the council.

Risk management

- 4.32 The project team responsible for implementation of the new service are using the council's Delivering Successful Change project methodology. A project risk register has been established and is being used to identify and then take action to mitigate the identified risks. Risks are reported to and reviewed by the Project Board on a monthly basis.
- 4.33 There are potential liability risks in relation to any transfer of staff under the TUPE process. However, under the TUPE Regulations the outgoing employer is required to provide information on the transferring employees to the incoming employer (in this case the Council) which includes disclosure of any employee liability information. A TUPE process plan has been developed with HR to manage the process and ensure that all the key steps required under the TUPE Regulations are implemented at the appropriate time. This will help to minimise any potential risks to the Council.

5. Conclusions

- 5.1 An options appraisal held in November 2017 to consider the best method for replacing the Leeds Directory Information service, when the current contract expires on 31st March 2019, concluded that the best value option was to bring the service in-house and utilising an existing contract to provide the replacement website and database.

- 5.2 Since agreement on the preferred option detailed implementation plans have been drawn up to ensure the new service is operational from 1st April 2019, providing service continuity.
- 5.3 To progress to the next stage in the implementation plans, decisions regarding the new operational budget, location of the staff in scope to TUPE into the council on the directorate's structure and proposed variation of an existing agreement with Public Consulting Group for provision of the replacement website and database are now required.

6. Recommendations

7. The Director of Adults and Health is recommended to approve:

7.1 The variation, under CPR21.6, of the Hosting and Support Agreement signed with Public Consulting Group (formally Shop4Support) to upgrade to Type 4 functionality at an annual cost of £35,000, from 1st April 2019 for a period of 12 months, to provide the new Leeds Directory website and database.

7.2 The plans for the location of the staff, in scope to TUPE across to the Council, on the Adults and Health Directorate structure to provide the information element of the service.

7.3 An additional £16,843 of funding to cover the operational budget required for the first 12 months of operation from 1st April 2019.

8. To note:

8.1 the plans for TUPE of staff employed through the current service contract;

8.2 the progress made to date in developing the plans for the new service; and

8.3 that implementation of the new service will be supported by the Leeds Directory project team, with the new service to be operational by 1st April 2019.

9. Background documents¹

9.1 No background documents.

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.