

**Report of:** Deputy Director, Integrated Commissioning, Adults and Health

**Report to:** Director of Adults and Health

**Date:** 16<sup>th</sup> January 2019

**Subject:** **To waive Contract Procedure Rules (CPR) 8.1 and 8.2 using the authority set out in CPR 1.3 to enter into a new contract with HFT for a period of 12 months for the provision of the Keeping in Touch project.**

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s): n/a		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4 (3)		
Appendix number:		

### Summary of main issues

1. HF Trust Limited (HFT) currently delivers Keeping in Touch for adults with Learning Disabilities. The project supports people with learning disabilities to maintain regular contact with the friends that are most important to them and to develop new friendships. Keeping in Touch provides much valued evening and weekend activities and represents value for money to the Council.
2. In April 2014, Leeds Adult Social Care (now Adults and Health) commissioned HFT to deliver Keeping in Touch. The length of the contract awarded was for 3 years, with the option to extend for two further 12 month extensions. The second 12 month extension to the contract was taken up from 1st April 2018, and the contract will expire on 31st March 2019. There are no further extensions available within the current contract terms after this date. As the contract is coming to an end, a new contract will be required with the existing provider to ensure continuity of service. A new contract of 12 months is proposed.

3. In the 2017/2018 financial year this contract was increased by £5,500 through a contract variation to deliver targeted work to people with learning disabilities from Black and Minority Ethnic (BME) communities who at the time were not accessing services. The variation increased HFT's Keeping in Touch contract from £75,394 to £80,894 per annum.
4. The majority of learning disability day opportunities under contracts will complete their final 12 month extension period on the 31<sup>st</sup> of March 2020. Officers in the Joint Commissioning Service are currently undertaking work with Procurement and Commercial Services to explore the possibility of putting all of the learning disability day opportunities out to competition in 2019/20 to reflect the priorities in the learning disability strategy and a move to asset based approaches.
5. Entering into a 12 month contract with HFT will bring Keeping in Touch in line with the other contracts. This new 12 month contract will ensure service continuity whilst allowing officers to determine future commissioning arrangements for all learning disability day opportunities across the city.
6. The value of this new 12 month contract is £80,894, which will continue to be funded by the learning disability pooled budget.

## **Recommendations**

1. The Director of Adults and Health is recommended to waive CPRs 8.1 and 8.2, using the authority set out in CPR 1.3, to enter into a new contract for 12 months with HFT for the provision of Keeping in Touch from 1st April 2019 to 31st March 2020 with a total value of £80,894.
2. The Head of Service Commissioning is the officer responsible for implementation of this new contract, and will liaise with Procurement and Commercial Services (PACS) to oversee the implementation of the new contract before the existing arrangement expires on 31st March 2019. PACS will be requested to issue the 12 month contract.

### **1. Purpose of this report**

- 1.1 The purpose of this report is to seek approval to waive CPRs 8.1 and 8.2 and award a contract direct to HFT for the delivery of Keeping in Touch, to support friendships and reduce isolation for people with learning disabilities, without seeking competition. CPR 8.1 requires competition for procurements between £10K and £100K and CPR 8.2 requires at least three written tenders.
- 1.2 If approval is given, CPRs 8.1 and 8.2 will be waived and a new contract will be awarded to HFT based largely on the existing terms and conditions for a period of 12 months from 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.

## **2. Background information**

- 2.1 Keeping in Touch provides a friendship service to enable people with a learning disability to stay in touch and socialise with their friends. The project is open to people with learning disabilities who have eligible needs, who wish to make new friends or be supported to maintain existing relationships. It supports people to meet up with friends and do things that they enjoy in the evenings and at weekends.
- 2.2 Keeping in Touch has reunited people who had lost touch with friends from a number of areas in their lives, including; schools, colleges, previous day centres, accommodation providers, clubs and employment. HFT maintains a large database recording all of these relationships and the service ensures that people are able to see their closest friends on a regular basis.
- 2.3 Keeping in Touch supports people to maintain their friendships in a non-obtrusive way, actively promoting well-being and reducing dependency. It reduces the need for much more costly one to one hours that are often put into place to reduce social isolation.
- 2.4 The service is delivered on evenings and weekends at any social venue in the Leeds area, as chosen by the members, for 48 weeks of the year. 268 places are available on events each week split between 65 members who attend through the contract. People can opt into outings according to their availability, preferred activities and friendship groups. Examples of popular events include; bowling, snooker, darts, sports matches, cinema, theatre, night clubs, gigs, karaoke, pub meals, museums and community events.

## **3. Main issues**

- 3.1 The service is unique within Leeds and is the result of extensive research and development by HFT. The complexity of running this ostensibly simple project should not be underestimated. At the project's conception, the staff team worked closely with Care Managers and people with learning disabilities to enable a thorough understanding of people's support needs, friendship groups and interests. They translated this information into a support service that works well, with the ambition of supporting people to meet and socialise independently where this is possible. It has proactively addressed many barriers to people accessing this service, including developing a database to ensure people can go out in their friendship groups and supplying transport to and from venues. The service is further enhanced by access to the tools, systems and general infrastructure provided HFT.
- 3.2 Keeping in Touch has a high level of satisfaction and is extremely valued by those who use it and their families. The project is full to capacity which reflects how happy people are with the support they receive.

- 3.3 The service offers good value for money to the Council, the unit cost for this service is £5.95 per hour, including the provision of transport. The service has extremely low overheads.
- 3.4 The recommendation to enter into a 12 month contract from 1<sup>st</sup> April 2019 under the existing terms and conditions will ensure that this service can continue to deliver high quality support to adults with learning disabilities before a wider procurement exercise is undertaken for all learning disability day opportunities in the city that will commence in 2019.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 Keeping in Touch was created following extensive consultation with key stakeholders and remains popular with these groups. Since this contract commenced, the service had been monitored through quarterly returns and Commissioning Officer's visits to the service and meeting with staff and the people with learning disabilities who attend the service.
- 4.1.2 Keeping in Touch carries out its own evaluation each year through a survey. This year every member was sent an evaluation form with an 88% return rate. The feedback showed a very high level of satisfaction across the board.
- 4.1.3 There has been no specific consultation regarding this 12 month contract as it does not involve a change to service delivery.

### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 Keeping in Touch has several members who use wheelchairs, walking frames and other aids. They make sure that a good proportion of their events are in accessible venues and publish information about the accessibility of each venue so members can choose appropriately.
- 4.2.2 Keeping in Touch provides a range of events that are suitable for people of different cultures and religions. Following a contract variation in the 2017/2018 financial year, the project has a specific focus on people with learning disabilities from BME communities. The contract specifies that the project will provide targeted provision for people with learning disabilities from BME communities. It offers activities that meet the social needs of people with learning disabilities from BME communities including male only, female only and mixed events at venues that are familiar and appropriate for people with learning disabilities from BME communities.
- 4.2.3 Keeping in Touch utilises staff members and volunteers that speak the language of customers from BME communities within the targeted provision. The project raises

awareness of the service within BME communities and service providers that have a BME client base.

### **4.3 Council policies and best council plan**

4.3.1 The updated Leeds Learning Disability Partnership Board Strategy 'Being Me' (2018 to 2021) is formed around three themes; Being Safe, Being Well and Being Connected. The provision of this service for adults with learning disabilities contributes to all of these themes.

4.3.2 The Leeds Health and Wellbeing Plan 2016 to 2021 sets out the vision for Leeds to be 'a healthy and caring city for all ages, where people who are the poorest will improve their health the fastest'. The Keeping in Touch service contributes to the outcomes of this plan, with particular contribution to the following priorities:

- *Strong, engaged and well-connected communities*
- *Get more people, more physically active, more often*
- *Support self-care, with more people managing their own conditions*
- *Promote mental health and physical health equally*

4.3.3 The vision contained within the Best Council Plan 2018/19 – 2020/21 for Leeds to be the best city for health and wellbeing is supported through the delivery of this contract. The service particularly contributes to the following 2018/19 – 2020/21 Health and Wellbeing priorities:

- *Reducing health inequalities and improving the health of the poorest the fastest*
- *Supporting healthy, physically active lifestyles*
- *Supporting self-care, with more people managing their own health conditions in the community*
- *Enabling people with care and support needs to have choice and control*

### **4.4 Resources and value for money**

4.4.1 The funding for the proposed 12 month contract equates to a total of £80,894. This funding will be provided from the Learning Disability Pooled Budget.

4.4.2 This service was brought into a contract in 2014 as part of the learning disabilities day services modernisation project. As part of this process, the service was evaluated on value for money.

4.4.3 As outlined in section 3, Keeping in Touch has been continuously assessed as delivering a service that is considered to be high quality.

### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 This is a Significant Operational Decision which is not subject to call-in. There are no grounds for treating the contents of this report as confidential under the Council's Access to Information Rules.
- 4.5.2 This contract is for social and other specific services as defined by section 7 of the Public Contracts Regulations 2015 (PCR). The financial value of this contracts is below the threshold for the application of the PCR. However, awarding a contract directly to HFT in this way could leave the Council open to a potential claim from other providers, to whom this contract could be of interest that it has not been wholly transparent as the opportunity is not being advertised and at least three written tenders invited. However, due to the comments set out in paragraphs 3.1 to 3.4 this risk appears low.
- 4.5.3 Due to the nature of the services being delivered, the relatively low contract value (which is below the PCR threshold) and the requirement to be physically located in Leeds, it is unlikely that the scope and nature of the services is such that it would be of interest to other providers, especially in other EU member states. The decision has been taken in the context of this service being subject to a full competitive re-procurement exercise undertaken in 2019/20 that will include learning disability day opportunities in the city.
- 4.5.4 Although there is no over-riding legal obstacle preventing the waiver of CPRs 8.1 and 8.2 using the authority set out in CPR 1.3, by awarding a direct contract without seeking competition, the contents of this report should be noted. In making the final decision, the Director of Adults and Health should be satisfied that the course of action chosen represents best value for money to the Council.

## **4.6 Risk management**

- 4.6.1 Aside from the risks highlighted in 4.5, there are no significant risks identified in awarding this 12 month contract, as it does not involve a change to service delivery.
- 4.6.2 If the service were not continued, the people with learning disabilities who rely on it for their social life would be at increased risk of social isolation. This service is key in contributing 'Being Connected' strand of the updated Leeds Learning Disability Strategy 'Being Me' 2018-2021.
- 4.6.3 If there were a break in the provision of service, it would be likely that friendships would be lost and social isolation would increase. There is a high level of satisfaction with Keeping in Touch. It is likely that many people with learning disabilities and carers would express concern at any break in the service prior to alternatives being identified.

## **5. Conclusions**

- 5.1 HFT delivers a valuable friendship service called Keeping in Touch supporting people with learning disabilities in Leeds to access community activities and maintain relationships that are important to them.
- 5.2 The purpose of this report is to seek approval to waive CPRs 8.1 and 8.2 and enter into a contract with HFT to deliver the Keeping in Touch project, to support friendships and reduce isolation for people with learning disabilities, without competition.
- 5.3 Officers in the Joint Commissioning Service are currently undertaking work with Procurement and Commercial Services to explore the possibility of putting all of the learning disability day opportunities out to competition in 2019/20. The majority of learning disability day opportunities on contracts will complete their final 12 month extension period on the 31st of March 2019.
- 5.4 Entering into a 12 month contract with HFT will bring Keeping in Touch in line with the other learning disability day contracts. The award of this 12 month contract will ensure service continuity whilst allowing officers to determine future commissioning arrangements for all learning disability day opportunities across the city.
- 5.5 The value of this contract is £80,894 per annum, which will continue to be funded by the learning disability pooled budget.

## **6. Recommendations**

- 6.1 The Director of Adults and Health is recommended to waive CPRs 8.1 and 8.2, using the authority set out in CPR 1.3, to enter into a new contract for 12 months with HFT for Keeping in Touch from 1st April 2019 to 31st March 2020 with a total value of £80,894.
- 6.2 The Head of Service Commissioning is the officer responsible for implementation of this new contract, and will liaise with Procurement and Commercial Services (PACS) to oversee the implementation of the new contract before the existing arrangement expires on 31st March 2019. PACS will be requested to issue the 12 month contract.

## **7. Background documents<sup>1</sup>**

- 7.1 None

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<sup>1</sup> 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.