

Report seeking approval to utilise the second 12-month extension on the existing contract with Aspire Community Benefit Society Ltd (Aspire)

Date: 23 March 2022

Report of: Deputy Director Integrated Commissioning

Report to: Director of Adults and Health

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- Aspire support just under 1000 adults with a learning disability (and their family carers) through day services, supported living services, respite and crisis services.
- This report seeks approval to utilise the second 12-month extension on the existing contract with Aspire Community Benefit Society Ltd (Aspire) to ensure much valued support to adults with learning disabilities continues to be delivered. The extension period will run from 1st August 2022 to 31st July 2023.
- These services contribute to a number of the priorities specified in the 2020-2025 Best Council Plan: Tackling poverty and reducing inequalities, including:
 - Inclusive Growth: helping people into paid employment
 - Health & Wellbeing: supporting self-care, with more people managing their own health conditions in the community; supporting healthy, physically active lifestyles; working as a system to ensure people get the right care, from the right people in the right place
 - Housing: Providing the right housing options to support older and vulnerable residents to remain active and independent
 - Safe, Strong Communities: keeping people safe from harm, protecting the most vulnerable; Being responsive to local needs, building thriving, resilient communities.
- The Aspire services make significant contributions to a range of the City Priority Plans, but particularly the Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030. This is achieved through supporting people to make healthy lifestyle choices and to live safely.

Recommendations

- a) The Director of Adults and Health is recommended to utilise the 12-month extension on the existing contract with Aspire in accordance with Contracts Procedure Rules (CPRs) 21, at a

maximum cost of £21,038,000 per annum. The extension period will run from 1st August 2022 to 31st July 2023.

Why is the proposal being put forward?

- 1 A review of Aspire services was undertaken during 2019/20 resulting in a series of recommendations being presented to the Council's Executive Board on 21st October 2020. Executive Board approved these proposals and recommendations regarding the longer-term commissioning arrangements for the Aspire learning disability services. Recommendations included consultation with customers and key stakeholders on a change from a block contract arrangement to individual arrangements, in order to give parity with the rest of the Leeds learning disability market, and to ensure that prices for service users' care and support packages are fully individualised in a person-centred way.
- 2 In March 2021, a Key Decision was taken by the Director of Adults and Health to approve a variation to the contract awarded to Aspire for a further 12 + 12 month period through the modification of the contract during their term under Regulation 72 (1b) (i) & (ii) of the Public Contract Regulations 2015, commencing 1st August 2021.
- 3 The extension was included in this decision to enable sufficient time to implement the steps which were approved by the council's Executive Board in October 2020. This would allow time to gradually move Aspire provision onto individual arrangements, in a person-centred way. This decision is therefore made as a consequence of the Key Decision taken on 17th March 2021 and is made as a Significant Operational Decision.
- 4 During the first 12-month period of the contract award, the complex negotiations regarding the individualised prices have been progressing at pace with the provider. Extensive and detailed work has been undertaken to analyse information submitted by the provider. This has involved regular meetings with Aspire to work through different aspects of the overall financial scenario for the three different types of services of supported living, day opportunities and respite. The granular detail of how the block spend is proportioned per individual has been interrogated and understood. Financial information pertaining to the current 'block' has been carefully analysed as well as the additional support commissioned from Aspire, so that the full financial impact is understood.
- 5 In addition, new pricing arrangements are being worked through and the process of moving to the new individual arrangements is being planned out with support and resource from Social Work colleagues. Through the ongoing renegotiation of larger costs within the block contract there has been an overall reduction of approximately 5% since the award of the contract in 2015. Aspire and the Council operate a 'contract change log' which reflects in detail any deviation from the above pre-agreed contract prices since the original spin out.
- 6 Work is ongoing to ensure that the workforce make up will be transparent and reconciled with the Council at regular intervals. This will include detailing and tracking staff turnover (when retained historical Council staff leave and new staff are recruited on different terms and conditions).
- 7 Due to the complexity of the work being undertaken, the negotiations have not been able to be completed during the initial extension period, with utilisation of the additional extension period now required. Within the 12-months of the extension period, the practical implementation of the new approach will be delivered by commissioning and social work colleagues in partnership with Aspire, moving from the block contract to individual arrangements in a person-centred way. This work will ensure there are the appropriate contractual and financial control mechanisms in place for the robust commissioning relationship with the provider in the new individualised arrangements. Furthermore, it will

ensure that individual's support plans are fully accurate and up-to-date and that appropriate contractual documentation for the three service areas (supported living, respite and day opportunities) are in place.

- 8 The recommendation to utilise the second 12-month extension on this contract will ensure that Aspire can continue to deliver much valued support to adults with learning disabilities while the work described above is finalised and delivered.

What impact will this proposal have?

Wards Affected: All

Have ward members been consulted? Yes No

- 9 The head office for Aspire is based in Lower Wortley, Leeds, however, the vast majority of the staff work in numerous locations across the whole of Leeds from where they directly deliver care and support services.
- 10 An Equality, Diversity, Cohesion and Integration (EIA) Screening Assessment was completed for the Key Decision, see Appendix 1. The screening tool shows that it is highly unlikely that any protected group will be adversely impacted by the decision to extend the current contract, given that this involves a continuation of existing service arrangements. An EIA screening was also undertaken in relation to the proposed move to individualised arrangements.
- 11 Aspire as an organisation are proactive with their efforts to promote equality and diversity within their services and the wider community. A number of day opportunities are run from leisure centre sites which supports service users to play a more active role in their local community. The organisation operates regular cultural awareness days for service users and staff have supported individuals to attend the annual LGBTQ+ Pride parade in previous years. Aspire also worked with Hamara to deliver a six-week cultural history course via Zoom for service users.
- 12 Aspire publish and send out an Equality & Diversity calendar to all services, this includes all the religious events alongside world days. They now have 9 vehicles that are available for supported living customers to book, 5 of these are wheelchair accessible supporting many customers that had previously relied on very expensive wheelchair accessible taxis. Aspire are the lead organisation in Leeds for the successful Safer Places and Changing Spaces schemes.

What consultation and engagement has taken place?

- 13 Extensive consultation and engagement with Aspire, their service users and family members has taken place as part of best practice.
- 14 During 2019/20 a full review of Aspire's service provision was undertaken by officers in Working Age Adults (WAA) Commissioning, which included analysis of the provider's performance and outcomes data, consultation with key stakeholders including Social Work colleagues, a review of customer feedback and a full review of the contract price.
- 15 Advonet conducted a detailed consultation project on behalf of the Council to seek the views of service users and family carers on individualised arrangements. The outcome found that people are very much in favour of this approach.

- 16 Detailed negotiations are taking place between WAA Commissioning and Aspire in order to agree the prices for the individualised arrangements. This work is progressing and Aspire are working very positively and collaboratively towards a mutually agreeable price structure.

What are the resource implications?

- 17 The services are commissioned by Adults and Health and funding for this extension is being provided by Adults and Health.
- 18 Adults and Health funding will be a maximum of £21,038,000 per annum and will reduce or 'taper off' as individualised arrangements are implemented in a staged way.
- 19 Resources have been identified across both WAA Commissioning and Social Work to undertake any care plan reviews and the administrative implications of the new arrangements, including setting up payment systems.

What are the legal implications?

- 20 This is a Significant Operational Decision which is not subject to call-in.
- 21 This report does not contain any exempt or confidential information under the Access to Information Rules.
- 22 CPRs 21 permits the extension of a contract where it is in accordance with the contract terms, is made before the expiry date of the contract and will deliver Best Value. Due to the matters set out in this report above it is considered that these requirements have been met.

What are the key risks and how are they being managed?

- 23 If the contract were not extended, the individualisation would have to take place without appropriate controls being in place. This would mean the individualisation would not be able to be done in as detailed or person-centred way as it should be. It would also impact the future financial negotiations and monitoring of price with the provider as the appropriate foundational work detailed above would not be able to be completed to the standard required.
- 24 Project risks will be reviewed on a regular basis and the project team will report on these to the Integrated Commissioning Oversight Group as appropriate.
- 25 If this proposal is not approved, there is a risk that the agreement of individualised costings and the gradual move to these arrangements will not be able to be achieved within the remaining contract period. In addition, this would likely put additional burden on Social Work colleagues who are required to support this transition work, and who are already under significant increased pressure due to the ongoing pandemic.
- 26 In the event that the individualisation work is completed before the contract extension commences on 1st August 2022, then the available contract extension will not be utilised.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 27 These services contribute to a number of the priorities specified in the 2020-2025 Best Council Plan: Tackling poverty and reducing inequalities, including:
- Inclusive Growth: helping people into paid employment

- Health & Wellbeing: supporting self-care, with more people managing their own health conditions in the community; supporting healthy, physically active lifestyles; working as a system to ensure people get the right care, from the right people in the right place
- Housing: Providing the right housing options to support older and vulnerable residents to remain active and independent
- Safe, Strong Communities: keeping people safe from harm, protecting the most vulnerable; Being responsive to local needs, building thriving, resilient communities.

- 28 Aspire services make significant contributions to a range of the City Priority Plans, but particularly the Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030. This is achieved through supporting people to make healthy lifestyle choices and to live safely.
- 29 In order to support the Council stated ambition of working towards a carbon neutral city by 2030, the impact on the climate should be considered across all officer work. Through ongoing contract management, the provider will be encouraged to actively engage with the climate change agenda. Examples could include adhering to and working within the values of Council policy and guidance in relation to climate change, a reduction in carbon emissions through, for instance, decreasing private vehicle usage, using and/or investing in 'eco-friendly' resources.
- 30 The locality based, city wide nature of Aspire provision allows individuals to receive services locally, within their own communities and close to family/carers. This provision directly contributes to maintaining independence and keeping individuals out of more expensive and restrictive environments, i.e. in-patient services. Furthermore supporting individuals at home reduces carbon emissions through a reduction in family travel time to out of area placements to see loved ones.

Options, timescales and measuring success

a) What other options were considered?

- 31 The other option considered was not taking up the 12 month extension. As outlined in the risks section of this report, this outcome was discounted given the importance of undertaking the financial and individualisation work thoroughly. This is important to ensure there is the appropriate contractual and financial control mechanisms in place for the robust commissioning relationship with the provider in the new individualised arrangements. It will also ensure that individual's support plans are fully accurate and up-to-date and that appropriate contractual documentation for the three service areas (supported living, respite and day opportunities) is in place.

b) How will success be measured?

The service is subject to a robust service specification including key service delivery outcomes. Ongoing contract management meetings and individualisation meetings will be held between the provider and WAA Commissioning colleagues to ensure continued quality and financial governance. The meetings will cover topics such as service delivery and development, performance, finance, safeguarding, contract issues, and compliments and complaints.

c) What is the timetable for implementation?

32 The Head of Service Commissioning is the officer responsible for implementation of this contract extension and will liaise with Procurement and Commercial Services (PACS) to oversee the implementation of the extension before the existing arrangement expires on 31st July 2022. PACS will be requested to issue the 12-month extension for this contract.

Appendices

33 Equality, Diversity, Cohesion and Integration (EIA) Screening Assessment as completed for the Key Decision.

Background papers