

WIRRAL COUNCIL

CABINET

13TH OCTOBER 2011

SUBJECT:	<i>SUPPORTING PEOPLE CONTRACTS</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>KEVIN ADDERLEY, INTERIM DIRECTOR OF CORPORATE SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>CLLR GEORGE DAVIES</i>
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 The Supporting People (SP) Programme aims to enable vulnerable people to live independently through the provision of front-line housing-related support services and to prevent individuals experiencing crises and requiring more costly interventions through Wirral Health Authority, Department of Adult Social Services (DASS), Children and Young People Department or the Criminal Justice System.
- 1.2 Whilst the majority of Supporting People contracts have been renegotiated or tendered, there remains a number of negotiations still to take place, specifically with regard to those services provided to clients with Learning Disabilities.
- 1.3 This is the second report which seeks to inform Members' of the decision of the Interim Director of Corporate Services to further extend Supporting People Contracts for services for people with Learning Disabilities, The initial report submitted to Cabinet on the 14th April 2011. The reasons for this further extension are set out in paragraphs 4.4 to 4.7.
- 1.4 The extension to the contracts will allow sufficient time for a joint review by DASS and Corporate Services of service delivery, expenditure and contracting arrangements. Ultimately the aim is to achieve efficiency savings for the Council, whilst continuing to support a number of the Councils key corporate priorities and also improving outcomes for the most vulnerable Wirral residents.

2.0 RECOMMENDATION/S

- 2.1 That Members endorse the decision of the Interim Director of Corporate Services to extend the Supporting People contracts as set out in Appendix 1.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 In endorsing the decision to extend these contracts Members will:

- Ensure continuity of support for vulnerable residents with learning disabilities who are currently in receipt of services.
- Reduce calls for further care and financial assistance funded by DASS.
- Avoid potential challenges that may arise from the expiration of contracts without formal notice being given and the subsequent withdrawal of Supporting People funded support services.
- Ensure that SP services are effectively aligned with the supported living services commissioned by DASS.
- Enable the conclusion of the negotiation process which aims to realise efficiencies for the council, which will assist with the financial pressures on DASS statutory responsibilities.

4.0 BACKGROUND AND KEY ISSUES

4.1 The majority of Supporting People contracts have been either negotiated or tendered within the last 3 years but there remain a number of negotiations still to take place, in particular for all services provided to clients with Learning Disabilities.

4.2 There have been influencing factors that have inhibited progress including: significant changes within partner departments; the requirement to ensure that further financial burden is not transferred to DASS; the need to carry out a comprehensive evaluation of the appropriateness of the use of Supporting People funding for clients with Learning Disabilities in order to align with the re-tendering of services commissioned by the DASS and the out sourcing of supported housing services which were delivered directly by DASS.

4.3 An earlier report was presented to and endorsed by Cabinet on 14th April 2011. That report sought approval to extend Supporting People contracts for Learning Disability clients for the period April 2011 to October 2011. It was anticipated that this would allow sufficient time to conduct a comprehensive consultation and analysis of services with a view to negotiating or tendering for new contracts.

4.4 The Interim Director of Corporate Services and Interim Director of Adult Social Services established a cross departmental Task and Finish group to consider how to re-assign Supporting People funding for learning disability services including the level of contribution required towards the outsourced DASS services.

4.5 It was intended that during this period DASS would conduct an analysis of the clients community care and support needs in order to determine the individuals level of independence and the appropriateness and level of Supporting People funding based upon the SP Eligibility Criteria.

4.6 The outcomes of the Task and Finish Group and the client analysis would then:

- Identify those clients for whom Supporting People funding could validly be used for the purpose for which it is intended, whilst limiting the impact on the resources of DASS.
- Inform negotiations with existing providers
- Identify potential efficiencies to alleviate some of the financial burden on DASS.
- assist in the development of service specifications
- Identify opportunities for tendering.
- Provide an opportunity to realign services, improve joint working and commissioning whilst also delivering cost savings.
- If possible identify opportunities for re-investment in preventive services for those clients determined as moderate and low under DASS Fair Access Care criteria.

4.7 Due to the complex nature of the task and the volume of the work necessary, it has not been possible to conclude the process within the anticipated six month timescale as a result of the resources available within DASS as backroom staffing numbers have reduced over this time. The clients support needs have now been determined by DASS, however, this process was only concluded in September 2011. This has meant that there has not been sufficient time to allow the Supporting People Team to renegotiate contracts with service providers.

4.8 In view of the imminent expiration of the contracts, it has been necessary for the Interim Director of Corporate Services, under his delegated powers of authority, (paragraph 23 of the Scheme of Delegation) to further extend the contracts for four months, with an option to extend for a further three to six months, to allow for all negotiations to be concluded and new contracts to be entered into. Where possible, and with the mutual consent of the service providers, negotiations will be concluded and new contracts issued prior to the expiration of the current contracts.

4.9 The Interim Director of Corporate Services was also required to extend the Service Level Agreement (SLA) with DASS for the directly managed supported living schemes which have now been outsourced. The extension to these SLA was from 30th April 2011 to 30th June 2011. Supporting Peoples contribution to the outsourced services is currently being negotiated.

4.10 Appendix 1 lists those Learning Disabilities contracts yet to be negotiated or tendered. There are 13 contracts for Learning Disability Services with a total annual value of £1,400,000 (based on expenditure during 2010/11). In addition there are 4 SLA's now expired with an annual value of approximately £920,000(based on 2010/11 expenditure).

4.11 This process and the use of the Interim Directors delegated authority has been agreed with the Director of Finance and the Director of HR, Law and Asset Management.

5.0 **RELEVANT RISKS**

5.1 The risk associated with the failure to extend these contracts would be:

- A loss of services to vulnerable people.
- Potential litigation arising from the expiration of contracts without formal notice being given.
- Potential financial implications for other Departmental budgets.

6.0 **OTHER OPTIONS CONSIDERED**

6.1 It has been determined that there are no other feasible options.

7.0 **CONSULTATION**

7.1 The Supported and Special Needs Housing Section Commissioning Strategy 2008-2011 (including a procurement methodology) outlined the basis for which future contracting and commissioning of services were to be negotiated. The Strategy was developed after full consultation with Service Users, Provider Organisations, and other relevant stakeholders.

7.2 Consultation has taken place with the Department of Adult Social Services which is supportive of the proposal set out in this report

7.3 As part of the re-contracting process, we will conduct Service User consultation in order to ensure that the re-provision meets their support needs.

8.0 **IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 A number of Voluntary, Community and Faith groups deliver support to vulnerable people via existing contracts and we will ensure that all re-tendered contracts will reflect the Councils emerging policy on assisting voluntary, community and faith groups to tender for these services.

9.0 **RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

9.1 The current budget will continue to pay for these contracts.

10.0 **LEGAL IMPLICATIONS**

10.1 Contract Procedural rule 5.1.2 says that Cabinet can approve an extension to a contract, if satisfied that the extension will provide value for money. In this instance, it is not proposed to increase any of the prices in return for the Contractor agreeing to the extension of the contract.

11.0 **EQUALITIES IMPLICATIONS**

11.1 The services provided through the continuation of these contracts promote social inclusion and involvement.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 Wherever feasible, the use of web-based and other IT solutions will be incorporated into subsequent negotiation and tendering exercises.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no specific planning implications arising from this report.

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APPENDICES

Appendix 1: Table of contracts and extension dates.

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet: Wirral's Supported and Special Needs Housing Strategy 2008-2011	10th December 2008
Cabinet: Wirral's Supported and Special Needs Housing Contracts Report	25th June 2009
Cabinet: Wirral's Supported and Special Needs Housing Tendered Contracts – Floating Support	4th February 2010
Cabinet: Wirral's Supported and Special Needs Housing Negotiated Contracts	4th February 2010
Cabinet: Supporting People Contracts	14th April 2011

APPENDIX ONE

The following table shows the individual services yet to be negotiated, their respective contract values, their original contract expirations and new expiration dates.

The contract values are approximations, they vary depending on the level of utilisation / occupancy. For the purposes of this table funding estimates are based on levels of service utilisation during 2010/11.

Service Provider	Service Name	Capacity	Annual Contract Value	Original Expiration Date	New Expiration Date
Alternative Futures	58 Borrowdale Road	3	40,914	02.10.11	29.01.2012
	614 New Chester Road	4	23,050	02.10.11	29.01.2012
	87 Park Road West	4	20,206	02.10.11	29.01.2012
	99 Hoylake Road	5	38,025	02.10.11	29.01.2012
	Chestnut Lodge	3	21,666	02.10.11	29.01.2012
	Nursery House	3	19,620	02.10.11	29.01.2012
	Saxondale	3	26,008	02.10.11	29.01.2012
	The Spinney	2	12,776	02.10.11	29.01.2012

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Autism Initiatives	New Chester Road	2	19485	02.10.11	29.01.2012
	St Peter's Court	2	11,225	02.10.11	29.01.2012
European Lifestyles	European Lifestyles Floating Support	1	13,312	02.10.11	29.01.2012
Harbour Supported Living Services Limited	Rake Lane Service	4	18,310	02.10.11	29.01.2012
Hft (HF Trust Limited)	Allport Lane	3	22,538	02.10.11	29.01.2012
	Mark Rake	3	35,586	02.10.11	29.01.2012
Local Solutions	Cearns Lodge	7	73,347	02.10.11	29.01.2012
Learning Disability Contracts on extension	Service Name	Capacity	Annual Contract Value	Original Expiration Date	New Expiration Date
Macintyre Care	25 Shrewsbury Road	6	65,208	02.10.11	29.01.2012
	Macintyre Floating Support	1	3680	02.10.11	29.01.2012
	St James	6	65,860	02.10.11	29.01.2012
Northwest Community Services (Access Employment) Limited	Learning Disability Service	5	85,967	02.10.11	29.01.2012
Options for Supported Living	Options for Supported Living Floating Support	9	136,223	02.10.11	29.01.2012
Potensial	Grange Mount	4	10,675	02.10.11	29.01.2012

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	Hertford Drive	7	58,144	02.10.11	29.01.2012
	Osborne Road	10	73,708	02.10.11	29.01.2012
PSS	PSS Wirral Adult Placements AP75	23	395,078	02.10.11	29.01.2012
Royal Mencap Society	Grosvenor Road	5	65,054	02.10.11	29.01.2012
	Supported Living Scheme	1	6,332	02.10.11	29.01.2012
	Westbank Road	5	32,059	02.10.11	29.01.2012
WILL	WILL Floating Support	1	10,028	02.10.11	29.01.2012
The following details the total SP contribution towards the in house services which have now been outsourced by DASS, and are currently being negotiated with Colleagues in DASS and the new service providers.					
Social Services (Service Level Agreement)	Birkenhead Learning Disabilities Supported Housing	28	302,315.00	30/04/2011	30/06/2011
Social Services (SLA)	Livingstone Gardens	21	197,739.36	30/04/2011	30/06/2011
Social Services (SLA)	Wallasey Area LD Service	20	231,646.48	30/04/2011	30/06/2011
Social Services (SLA)	West Wirral Learning Disabilities Supported Housing	18	190,476.00	30/04/2011	30/06/2011