

DERBYSHIRE COUNTY COUNCIL

CABINET

26 May 2015

Report of the Strategic Director for Adult Care

DAY CARE AND SUPPORT SERVICE FRAMEWORK AGREEMENT

ADULT SOCIAL CARE

1. Purpose of Report

To seek approval to undertake a procurement exercise to establish a multi-supplier framework agreement for the provision of day care and community based support service for adults.

2. Information and Analysis

The Care Act 2014 introduces new duties on local authorities to facilitate a vibrant, diverse and sustainable market for high quality care and support in their area.

When shaping markets for services, local authorities must encourage a variety of different providers and different types of services. This is important in order to facilitate genuine choice to meet the needs of local people who need day care and community based support services. This will include in house, independent private providers, third sector and voluntary and community based organisations, including user-led organisations, mutual and small businesses recognising that the different underpinning philosophies and style of service of these organisations may be more suited to some people with care and support needs.

2.1 Current Day Care and Support Services

Currently, day services are provided in-house by the Council and by the independent and voluntary sectors in either day care centres or through community based activities. These services tend to be segregated into service user groups, for instance services for older people, people with a learning

disability, and people with a physical disability.

With a focus on personalisation, the Care Act requires the Council to ensure that services are more flexible, of high quality offer choice and control, and are easily available for personal budget holders to choose. In the future, day services for the majority of people will not necessarily be focussed on providing activities but enabling/facilitating people, either by themselves or with support to access their local community facilities, and making the facilities accessible to them.

Clients in receipt of a personal budget have requested the opportunity to take advantage of services local to where they live, which provide choice and control. Their choice is often limited to the building-based day care provision provided by in-house services or under block contract with independent sector providers. A number of the block contracts are within the last year of their contract term and are subject to strategic review to confirm their long term requirement. Providers of these block contracted services will be encouraged to apply to join the framework agreement to facilitate greater choice and flexibility in the market.

2.2 Choice

It is proposed to tender a multi-supplier framework agreement for the provision of day care and community-based support services to enable the Council to purchase services on behalf of clients from a broad list of providers. Providers, including those the Council currently contract with, will be invited to submit tenders and meet certain criteria in order to be appointed onto the framework.

It is the intention that potential providers will need to evidence the type of service they offer, for instance whether it is building based or not, the client group they support and the geographical area that they cover. There is no obligation on the Council to purchase any services through the framework agreement, which means that the Council is not tied to the framework and can use it where it provides value for money and the requisite standard of support, but use alternative contract arrangements if required. As day services are currently not regulated, this tender exercise and subsequent contract monitoring will offer the opportunity to require certain service standards to be met. The same standards will be applied to in-house service provision as well.

It is proposed that the framework agreement term is for up to four years and that there is no restriction on the number of providers who can be on it provided they meet the minimum required standards as set out in the tender documentation. It is considered that this mechanism provides the largest marketplace possible from which clients of adult care can select their activities. Individuals will then be able to purchase services via their personal budgets.

3. Financial Considerations

The projected actual spend on day care and community based support services by Adult Care for 2014/15 is £3.738m on block contracts and £1.716m on individual placement agreements. It is expected that some of this current funding commitment will be switched over to providers on this proposed multi-supplier framework. The level of funding to be committed over the proposed four years of this framework multi-supplier agreement is likely to increase year on year as clients make choices to attend services that match their preferences. This funding will be met from individual's allocated personal budgets.

4. Legal Considerations

Section 5 of the Care Act 2014, which came into force on 1 April 2015, places the Council under a new statutory duty to promote diversity and quality in the provision of services for meeting care and support needs.

The framework agreement will establish contracts with providers which set out terms and conditions under which specific purchases (call-offs) can be made for day care and community based support services, which can be used when required throughout the term of the contract.

5. Equality and Diversity Considerations

The use of the framework agreement for the provision of day care and support services for adults will promote dignity, choice, respect and inclusion. The procurement process and service specifications will be used to assess and monitor the values and practices of providers in relation to equality and diversity.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered: human resources, health, environmental, transport, and crime and disorder considerations.

7. Key Decision

No

8. Is it necessary to waive the call-in period?

No

9. Officer's Recommendation

That Cabinet approves a procurement exercise to establish a multi-supplier framework agreement for the provision of day care and community based support service for adults.

Mary McElvaney
Strategic Director – Adult Care