

Report to: **STRATEGIC COMMISSIONING BOARD**

Date: 20 June 2018

Officer of Single Commissioning Board Stephanie Butterworth – Director of Adult Services

Subject: **LIST OF APPROVED DAYTIME ACTIVITIES**

Report Summary: The report describes the rationale for an extension of the above contract for a period of two years where there this is provided for within the terms of the contract.

Recommendations: The Board are RECOMMENDED TO APPROVE a contract extension for two from 30 November 2018.

Financial Implications:

(Authorised by the statutory Section 151 Officer & Chief Finance Officer)

ICF Funding Stream	Section 75
Decision Required By	Strategic Commissioning Board
Organisation and Directorate	TMBC – Adult Services
Budget - £'000	£727

Comments

There is sufficient recurrent budget to support the contract value (£666k). It is essential that robust contract and performance monitoring arrangements remain in place to ensure expenditure is in line with the value of the contract during the extension period.

Members should be satisfied that the existing contract is demonstrating value for money before approving the proposed extension.



Legal Implications:

(Authorised by the Borough Solicitor)

F1 of the Council's Procurement Standing Orders applies in this instance. Where there is current provision in a contract for extension this must be approved.

The Board should be satisfied that this service is providing value for money, is being effectively monitored, and is compliant with the public law fiduciary duty, particularly given it's high monetary value, before agreeing to the extension.

It is not clear from the report as to whether this is the case, and why this provider is preferred over going to the market sooner, given a 2 year extension is requested and the only justification provided is to is required in order to enable continuity of Day Services to the people who use them. Clearly this is important, however, the Board are obliged to ensure this is delivered in the most cost effective and efficient way. It is therefore difficult to see how from the evidence before it the Board the Board can see that the contract is delivering value for money. There is no comparative data to show how it is competitive or a better outcome wouldn't be achieved from procurement, nor does it set out a reason why procurement not appropriate because a service redesign taking place etc.

How do proposals align with Health & Wellbeing Strategy?	The proposals align with the Developing Well, Living Well and Working Well programmes for action.
How do proposals align with Locality Plan?	<p>The service is consistent with the following priority transformation programmes:</p> <ul style="list-style-type: none"> • Enabling self-care • Locality-based services • Planned care services
How do proposals align with the Commissioning Strategy?	<p>The service contributes to the Commissioning Strategy by:</p> <ul style="list-style-type: none"> • Empowering citizens and communities • Commissioning for the 'whole person' • Creating a proactive and holistic population health system
Recommendations / views of the Professional Reference Group:	Reported directly to the Strategic Commissioning Board.
Public and Patient Implications:	None
Quality Implications:	Tameside Metropolitan Borough Council is subject to the duty of Best Value under the Local Government Act 1999, which requires it to achieve continuous improvement in the delivery of its functions, having regard to a combination of economy, efficiency and effectiveness.
How do the proposals help to reduce health inequalities?	Via Healthy Tameside, Supportive Tameside and Safe Tameside
What are the Equality and Diversity implications?	<p>The proposal will not affect protected characteristic group(s) within the Equality Act.</p> <p>The service will be available to Adults regardless of ethnicity, gender, sexual orientation, religious belief, gender re-assignment, pregnancy/maternity, marriage / civil and partnership.</p>
What are the safeguarding implications?	None
What are the Information Governance implications? Has a privacy impact assessment been conducted?	The necessary protocols for the safe transfer and keeping of confidential information are maintained at all times by both purchaser and provider. The purchasers Terms and Conditions for services contains relevant clauses regarding Data Management.
Risk Management:	The purchasers will work closely with the provider to manage and minimise any risk of provider failure consistent with the provider's contingency plan.
Access to Information :	<p>The background papers relating to this report can be inspected by contacting Linsey Bell – Contracts and Commissioning Officer, Adults Directorate by:</p> <p> Telephone: 0777323370</p> <p> e-mail: Linsey.bell@tameisde.gov.uk</p>

1. BACKGROUND

- 1.1 A Key Decision in February 2011, resulted in a review of the Council's in-house learning disabilities day services which, in turn, saw the closure of two day centres and the commencement, in the summer of 2013, of a list of approved daytime activities. It was hoped that this list would, in part, stimulate the market to deliver innovative, responsive, more cost effective models of provision that better meet individual outcomes.
- 1.2 Inclusion on the list of approved daytime activities was advertised initially on The Chest during May 2013 with a focus in the first instance on older people and people with learning disabilities, but taking where appropriate, a more generic approach.
- 1.3 Successful organisations were included on the list in August 2013. Organisations included a description of their service which included the times of the service, how it is delivered and price per person per day with a maximum contribution from the Council of £31.37 per person per day. This was included in the contract and is used by care-coordinators and service users to inform decisions. The list was subsequently left 'open' so that organisations with new daytime options could apply at any point.
- 1.5 Approval was gained to re-advertise the approved list and a tender exercise commenced in July 2016.
- 1.6 Financially, the list is based on those people eligible for services paying £31.37 (excluding HC-One) per day/activity from their personal budget. Provider organisations are at liberty to charge more and/or to have a 'menu' of prices for people depending on their circumstances, but Adult Services only pay the £31.37 daily rate. Usage and payment is facilitated via the Homecare Commissioning Team.
- 1.7 The unit cost per person per day for HC-One is £35.88, this has been agreed due to the service offering a breakfast and a lunch within the unit cost.
- 1.8 Inclusion on the list brings no guarantee of placements/business, but service users have access to the list of approved day services from which to choose. Indeed, from a service user perspective, the arrangement allows for a more personalised range of options to be purchased from 'trusted' providers that have had their economic standing and their proposed service evaluated by the Council.
- 1.9 Whilst there are a number of larger organisations on the framework, notably HC –One and Mencap, there is also a range of small micro enterprises and local 3rd sector organisations. To date, nine organisations in total are on the framework with all contracts running through to 30 November 2018, for further detail see list of Approved Day Services attached as Appendix 1.
- 1.10 As of week commencing 14 May 2018, there were 460 places per week commissioned for 203 people.
- 1.11 The key aims and objectives of the service are to provide day time support/activities for people who are eligible for publically funded care and support.

2 PROCUREMENT STANDING ORDER SEEKING TO WAIVE / AUTHORISATION TO PROCEED

- 2.1 Authorisation required under Procurement Standing Orders F1.3 to extend the contract for two years where there is provision to do so.

3 VALUE OF CONTRACT

- 3.1 The value of the contract for period 1 April 2017 to 31 March 2018 was £665,936.

4 GROUNDS UPON WHICH WAIVER/AUTHORISATION TO PROCEED SOUGHT

- 4.1 The current arrangement is due to expire on 30 November 2018. An extension for up to 2 years to 30 November, 2020 is required in order to enable continuity of Day Services to the people who use them.

5. REASONS WHY USUAL REQUIREMENTS OF PROCUREMENT STANDING ORDERS NEED NOT BE COMPLIED WITH BUT BEST VALUE AND PROBITY STILL ACHIEVED

- 5.1 Procurement Standing Order F1.3 permission must be sought to extend a contract where the provision to extend is included within the contract
- 5.2 Daytime activities for older people and people with disabilities can constitute a key part of the overall care and support that they require in terms of ensuring a degree of social inclusion, learning and retaining daily living skills and improving quality of life. Where carers and family are involved, involvement in daytime activities can provide an important level of respite, enabling people to remain living at home.
- 5.3 Provider organisations on the list will continue to deliver services to a range of vulnerable people who choose to use the services.

6 RECOMMENDATIONS

- 6.1 As set out on the front of the report.

LIST OF APPROVED DAY SERVICES

PROVIDER	LOCATION	HOURS
Mencap	Tameside Business Park, Denton	8 am – 3 pm Monday – Friday
HC-One	Fir Trees, Dukinfield Greatwood House, Denton	9 am – 4 pm Monday - Sunday
People First Tameside	St. Michaels Court, Ashton New Chapel, Denton	10 am – 3 pm Monday - Friday
Pure Innovations	Etherow Country Park, Compstall	10 am – 4 pm Monday - Friday
Tameside Arts	New Chapel, Denton The Jigsaw Centre. Hyde The Oasis, Denton Community College, Denton Astley Arms, Dukinfield	Monday 9 am – 3 pm (New Chapel) Tuesday, Wednesday, Thursday 9 am – 3 pm Friday 9 am – 3 pm The Oasis Tuesday Evening 6 pm – 8 pm (Community College) Wednesday Evening 6.45 pm – 8.45 pm (Astley Arms, Dukinfield)
Active Tameside	Medlock Sports Centre, Ashton	Monday – Friday 9.30 am – 3 pm
Tameside Countryside - Wildways	Lymefields Visitors Centre	Monday 9 am – 3 pm
Greenscape	Grange Road, Hyde	Monday – Friday 9 am – 3 pm
Noahs Art	Loxley House	Monday – Friday 10.00am-14.30pm