

13 January 2016		ITEM: 14 (Decision 01104342)
Cabinet		
To Request Agreement to an Extension for the Day Opportunities Contract		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Barbara Rice – Portfolio Holder Adult Social Care and Health		
Accountable Head of Service: N/A		
Accountable Director: Roger Harris – Director Adults, Health and Commissioning		

Executive Summary

The purpose of this report is to ensure that Cabinet is aware of the proposals regarding Day Opportunity Services for adults with learning disabilities provided currently by Thurrock Lifestyle Solutions Community Interest Company, together with seeking agreement to an extension to the current contract to facilitate further work on the proposals.

The contract has been in place for 3 years and the service has developed into one which provides many opportunities for disabled adults to gain skills and to become full members of their own communities. From the start of the contract the whole ethos of Thurrock Lifestyle Solutions has been to offer choice and support individuals to have as much control over their daily lives as possible. Detailed planning with individuals and imaginative ways of working, outside of a traditional working week model has meant that people have been able to direct their own support.

The next step in this work is to facilitate the development of the use of Direct Payments and Personal Budgets to ensure that those who use the services are aware of the amount of money they have available to buy what they need and have choice about how that money is spent. Thurrock Lifestyle Solutions has always been supportive and a leader in this way of working and to facilitate this happening Thurrock Council and Thurrock Lifestyle Solutions will be working in partnership to implement more fully a direct payment and personal budget approach.

It is proposed that the contract will be extended for 14 months to ensure that it finishes at the end of the financial year in March 2017 giving the maximum amount of time possible for the new approach to be developed and aligning the contract with the financial cycle to support budget management and value for money.

1. Recommendation(s)

That Cabinet approve:

- 1.1 The extension of the current contract for a period of 14 months from 1st February 2016 until 31st March 2017.**
- 1.2 A further annual reduction to the contract price from £1,481,858 to £1,381,858 for the period of the 14 month extension. The saving on the current contract will be £116,678.30 during this period.**

2. Introduction and Background

- 2.1 In February 2013 a block contract for Learning Disabilities Day Opportunities was agreed under a 'single source' tender for three years, being awarded to Thurrock Lifestyle Solutions (TLS). TLS was established in 2007 as a Community Interest Company to develop and support activities which benefit the community and in particular to assist disabled people to become integral members of the community in which they live.
- 2.2 The purpose of the service is to support adults with a Learning Disability to gain new skills, achieve their personal outcomes and reduce isolation; also supporting carers to have a break. The current provider utilises four Thurrock Council buildings as bases from which to deliver the service. As part of the service and under the terms of the contract TLS delivers a maximum of 2500 hours of support per week. With people also using their Direct Payment to receive support from TLS for Day Opportunities, this equates to one provider supporting over 70% of the total number of people with learning disabilities utilising Day Opportunities support hours.
- 2.3 The current contract is due to end on the 31st January 2016. The Care Act 2014 directs that people should have choice over the services they receive and how they receive them. Every person who receives support from Social Care will have a Personal Budget, which means they will know how much their support costs. Each person will be encouraged and supported to take this money as a Direct Payment therefore managing their own support and care. However if they do not take this as a direct payment there is still a duty placed on Local Authorities to ensure that each person knows how much their service costs and understands how the money is spent this is a Personal Budget allocation. From July 2015 each person has been able to have a clear figure for their individual budget and it is hoped as this progresses, more people will choose to take up the option of having this as a direct payment. This will mean as time progresses that the individual will become the commissioner of their own support and therefore commissioning and organising support and care will be carried out predominantly between providers and the individual rather than providers and the local authority.
- 2.4 Thurrock Council's vision is to have a diverse market that enables individuals to attain their own goals and aspirations through choice. Adult Social Care in

partnership with Health and Housing has produced a Market Position Statement outlining planning assumptions based on the future needs of local people. As a result, work is being carried out to “grow” the market of providers who can respond to service users commissioning their own services through Direct Payments, this work is ongoing. The extension period gives considerable opportunity to develop the market, supporting new and existing providers to be able to meet the demand for day opportunities offering choice and tailored support to meet individual’s needs. The wider strategic view regarding direct payments and personal budgets is that over the next year further development will take place of the process including training for individuals receiving services, staff and providers. The work stream will also ensure that a strong infrastructure internally to the Council, including social work, finance and monitoring systems is further developed. Also that externally direct payment support is available to assist with recruiting carers, accessing services and paying for those services together with positive advocacy for people to understand and manage the processes will be further developed. Every eligible person will be given the opportunity and supported to receive a direct payment and purchase their own support. The work stream will explore other ways of delivering more choice and control including Individual Service Funds (ISF’s) which is money held by the provider but monitored with the full involvement of the person receiving services this will offer a further level of security for both providers and service users. Individuals who use services, families and carers will be integral to the shaping of the Day Opportunities offer and meaningful engagement will be continued.

- 2.5 As part of the current contract it was agreed that a 2.5% efficiency reduction would be made each year, as such the contract value has reduced over the 3 years from £1,558,825 per annum in 2012/2013 to £1,481,858 in 2014/2015. The contract value for 2016 /2017 will be £1,381,858 per annum; a further £0.100m reduction. The proposed extension of 14 months will total £1,612,156

3. Issues, Options and Analysis of Options

- 3.1 The Council could move over to personal budgets / direct payments at the end of the initial 3 year period or go out to tender for the day opportunities service. Both options are considered to be high risk as they may destabilise TLS who are a valuable local provider and the first in Thurrock to develop a Community Interest Company run by and for disabled people. A 14 month extension will allow officers of the Council to work more closely with TLS to ensure the company is ready for the move to a system where day services will be fully funded and supported through personal budgets.
- 3.2 For the financial year 2017/18 officers are of the view that a framework agreement offers the best way to deliver choice and encourage more providers into the market. This will be the subject of further discussions with

TLS and other providers and will be brought back to Cabinet with firm proposals.

4. Reasons for Recommendation

- 4.1 It is recommended that a 14 month extension to the TLS Day Opportunities contract be agreed to allow for development of the Market and to support the current provider, ensuring that they are able to continue to thrive and develop their service to prepare as fully as possible for the implementation of personal budgets.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Discussions have been held internally with social care staff to review current provision. Information has been received from regional colleagues in respect of services being offered within the Eastern region. A range of providers locally and within the surrounding area have been spoken with to ascertain what opportunities might be available to support an offer within Thurrock to also gauge the likely responses to any proposed Framework. Officers are meeting regularly with TLS around their day opportunities offer going forward and how this will be delivered. Further discussions with service users are required, especially those going through the transition from children to adult services

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Improve Health and Wellbeing

The social interaction, inclusion and activities people are involved in have a direct effect on their health and wellbeing. More choice in the market will allow individuals to meet their outcomes in a more personalised way.

- 6.2 Create a great place for learning and opportunity

People with disabilities and autism aspire to be able to work or to learn new meaningful skills so they require good levels of support to attain their individual goals. Through a Personal Budget, an individual will be able purchase a service from a wider range of resources, which could include support with training, further education or work.

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Financial Accountant

The savings associated with the reduction in the value contract have been factored into short and medium term financial planning of the service.

7.2 Legal

Implications verified by: **Paul O'Reilly**
Projects Lawyer

Under legal and procurement principles and good practice the contract is capable of the proposed extension, particularly in view of (a) the intended length of the extension and (b) the relative values of the extended portion of the contract when compared to the overall contract value. The fact of savings being generated also supports the Council's achievement of best value objectives

7.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

The work to be undertaken with TLS and the wider market must ensure that equality of opportunity is afforded to all people with Learning Disabilities. The proposals to offer and support more choice and control within day opportunities, the processes to introduce a wider range of services and changes to commissioning arrangements must deliver the statutory duty set out in the Equality Act 2010. This Statutory Duty is to promote equality of opportunity in the provision of services and employment, ensuring that all services are delivered in a non-discriminatory way, promoting equality. An Equality Impact Assessment should be undertaken as the work progresses to inform any decisions regarding suggested options

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

N/A

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

9. Appendices to the report

- N/A

Report Author:

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Adults, Health and Commissioning