
SERVICE LEVEL AGREEMENT REPORT

Responsible Cabinet Member –Councillor Chris McEwan, Children’s Services Portfolio

Responsible Director –Murray Rose, Director of Children’s Services

Purpose of Report

1. To provide details of an existing Service Level Agreement (SLA) with an Independent Sector Provider and to seek agreement for its renewal.
2. To seek agreement to the waiving of the Council’s Contracts Procedure Rules to enable current social care arrangements to be maintained.

Summary

3. The Council’s current scheme of delegation to officers state that the Director of Children’s Services has delegated powers to enter into contracts up to the value of £75,000. Contracts exceeding this amount would normally be subject to a tendering process. With regard to social care arrangements it will often be necessary to exceed this limit to ensure continuity and meet social care needs. In many instances, to meet these needs, arrangements need to be entered into with organisations that have particular expertise and knowledge. Therefore, this report seeks agreement to waive the Council’s Contracts Procedure Rules with respect to the SLA detailed in the report and specifies the reason for this course of action. The Council’s Contracts Procedure Rules are found in Part 4 (Rules of Procedure) of the Council’s Constitution.

Information and Analysis

Barnardos Shared Care

4. Barnardos is a national charity which offers a number of services to children, young people and their carers. The organisation has operated in Darlington since 1986.
5. The Shared Care Project offers Short Break overnight Foster Care, Sitting and Befriending services to children with a variety of disabilities in Darlington which enhance the services provided by the Department at Harewood Lodge and by other organisations.
6. The service provides 7630 hours of care per year. It has dedicated Foster Carers, Sitters and Befrienders who are carefully selected, trained and supported by Barnardos.
7. The current Service Level Agreement comes to an end on 31 March 2007 and discussions will begin with Barnardos to secure a one year extension to the agreement. The service provided by Barnardos is of a very specialised nature and there are a very limited number of organisations that would have the skills to provide the service. Previously, Barnardos made a

contribution to the overall cost of the project from their own funds but Darlington Borough Council now have to assume the full contribution of the agreement.

8. The gross cost of the agreement for 2006/2007 was £79,607. The new funding agreement would be for this amount with an inflationary increase added.
9. On the basis of the proposed arrangements the total value of the agreement with Barnardos will exceed £ 75,000. However for the reasons outlined below it is deemed appropriate to negotiate a new agreement. The reasons are:
 - (a) Barnardos has an established reputation within Darlington as a service provider in this area of work which was confirmed in a survey carried out by the Improvement and Development Agency (I&DEA);
 - (b) We would not be able to provide the short break or befriending service currently from our own resources; and
 - (c) The children who receive this service have, by definition, complex needs and many of them do not respond well to change. We would wish to maintain this specialist provision for them.

Outcome of Consultation

10. No consultation was required to complete this report.

Legal Implications

11. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

12. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

13. The issues contained within this report are required to be considered by Council.

Conclusion

14. This report details a service provision that best meets the needs of service users. It is considered that the use of a SLA should continue and that agreement be given to that outlined in this report and the waiving of the Council's Contracts Procedure Rules.
15. This report has been presented to Cabinet requesting the waiving of the Council's Contracts Procedure Rules, to enable the Children's Services Department to develop contractual relationships with partner agencies and organisations, which are beneficial to service users

and offer stability to independent sector providers. It is recognised that, although it is important to develop appropriate partnerships and to offer stability to providers and security of service to service users, it is equally important to ensure that the Council achieves value for money and the Department works within a framework recognised and approved by Cabinet.

Recommendation

16. Members are requested to delegate power to the Director of Children's Services to negotiate a suitable SLA with the existing supplier of the service detailed in the report and that the Council's Contract Procedure Rules be waived accordingly.

Reasons

17. The recommendation is supported by the following reasons:

- (a) The organisation is committed to the principles of partnership working and is developing services to ensure positive outcomes for service users; and
- (b) There are significant benefits arising from relationships developed between provider organisation and service users as a result of the continuity of services

Murray Rose
Director of Children's Services

Background Papers

Survey undertaken by the Improvement and Development Agency (I&DEA)

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