
ADULT SOCIAL CARE CONTRACTS

**Responsible Cabinet Member - Councillor Veronica Copeland,
Adult Services Portfolio**

Responsible Director - Cliff Brown, Director of Community Services

SUMMARY REPORT

Purpose of the Report

1. This report seeks agreement of Council to waive Contract Procedure Rule 14 and renew the Contracts with the following three specialist providers: Earlston House, Innovations and Broadacres (Rockliffe Court). This is to enable current social care arrangements to be maintained until personalisation is fully embedded into these service areas.
2. Permission is also sought to waive Contract Procedure Rule 15 and renew the contract with the Home Equipment Loan Service (HELs) to enable current social care arrangements to be maintained whilst the service is jointly reviewed and options for future provision are developed with the Primary Care Trust and regional social care commissioners.

Summary

3. In accordance with advice from Legal Services and the Procurement Team, a number of Service Level Agreements have been reviewed. This report seeks approval to waive the Council's Contract Procedure Rules in relation to the services detailed in the report and specifies the reasons for this course of action. The Council's Contract Procedure Rules are found in part 4 (Rules of Procurement) of the Council's constitution. Details of the services which are being considered are as follows:-
 - (a) **Earlston House** is a specialist service established in partnership with Tees, Esk and Wear Valley NHS Trust (in-line with the National Service Framework for Mental Health) to provide two immediate support Mental Health respite beds to offer an effective alternative to acute hospital admission. The proposal is to make Earlston House a four year contract because of the specialist nature of this project. This will continue as long as the service meets assessed needs. There will be an annual review of the service and the price.
 - (b) **Innovations** is a day service providing intensive support for people with challenging behaviours, dual diagnosis, autism and services for people with additional physical and sensory needs. Day opportunities within Adult Social Care are currently under review. The proposal is to renew both services with four year contracts to allow continuity of care for named service users as long as the service provided meets their assessed needs.

Each individual agreement can be terminated with two weeks notice. There will be an annual review of the services and the price.

- (c) **Broadacres** have a purpose built facility at Rockcliffe Court, Hurworth which provides self contained accommodation, communal facilities and 24 hour support and care for people with physical disabilities. The service users currently accessing this service have lived at Rockcliffe Court for a number of years and have chosen to purchase their care provision from Broadacres on-site care staff.
- (d) **Home Equipment Loan Service** is currently provided by NHS County Durham and Darlington Community Health Services to enable people to live independently and safely in their own home. HELS is undergoing a joint service review and increased contract monitoring. Adult Social Care officers are investigating other options and there is work being undertaken regionally to look at the transformation of community equipment service.

Recommendation

4. It is recommended that :-

- (a) Council agree to waive Contract Procedure Rules as detailed in the report to allow contracts to be renewed for specialist Adult Social Care Services.
- (b) Earlston House - a four year contract is entered into for services because of the specialist nature of this project which will continue as long as the service meets assessed needs with termination on three months notice.
- (c) Four year contracts are entered into for services at Innovations and Broadacres to allow continuity of care for named service users provided the service meets assessed needs. Each individual agreement to be terminated with two weeks notice.
- (d) The HELS is renewed for one year plus an option for a one year extension to allow the full extent of options to be reviewed, outcome of the regional programme and subsequent procurement process to take place.

Reasons

5. The recommendations are supported by the following reasons :-

- (a) Due to the very specialist needs of the service users accessing these services, it is felt that it would be detrimental to their well being to end these long term specialist placements.
- (b) To enable continued delivery of specialist services for Adults with complex needs.
- (c) To promote continuity of service delivery for adults with a learning disability who find change distressing.
- (d) To continue with person centred approaches for adults with such complex needs whose needs cannot be met by in-house provision and framework providers.

- (e) To enable continued delivery of services to Adults who reside at Rockliffe Court, Hurworth.
- (f) To promote independent living for individuals and their carers.
- (g) To ensure continuity of maintenance contracts (LOLER).
- (h) To cover the transition period of Home Loans going through a partnership arrangement and develop a service that supports the new pathways, for example, early interventions, assistive technology and reablement.
- (i) To maintain positive current performance indicators and budget position.
- (j) To ensure that out of hours provision is maintained.

Cliff Brown
Director of Community Services

Background Papers

- (i) "Putting People First" DoH 2007
- (ii) "Valuing People Now" DoH, refresh 2009
- (iii) "Halfway Home" DH June 2009

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S17 Crime and Disorder	This decision will not have an impact on crime and Disorder
Health and Well Being	This decision will ensure that the current support service is in place to ensure people can continue to have choice and control over their social care support.
Sustainability	This decision will not have an impact on Sustainability.
Diversity	This decision will not have an impact on Diversity.
Wards Affected	The decision will not affect any wards
Groups Affected	This decision will not have an impact on any groups
Budget and Policy Framework	This decision is within the current framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	The services procured contribute to delivery of the Community Strategy.
Efficiency	Efficiencies savings will be made once the services have been reviewed.

MAIN REPORT

Information and Analysis

6. This report seeks approval to waive the Council's Contract Procedure Rules in relation to the current Contracts detailed in this report and specifies the reasons for the course of action recommended for each individual contract. These are highly specialised services or services provided jointly with the Primary Care Trust. The Council's Contract Procedure Rules are found in part 4 (Rules of Procurement) of the Council's constitution.

Background Information

Earlston House

7. Earlston House provides immediate support and respite beds and "day-guesting" facilities to provide crisis respite and planned respite for adults with mental health issues or adults with mental health issues whose carers need a break from their caring role. The service provides day respite and overnight stays to give carers a break whilst health provide therapeutic intervention including medical intervention and access to nurses, psychologists, occupational therapists and advocates thereby providing an alternative to acute hospital admission.
8. The service was established in 2001 and is jointly funded by Tees Esk and Wear Valley Mental Health Trust and Adult Social Care. The annual Adult Services contribution is £45,000 split between the Mental Health Budget of £25,000 and Carers Grant £20,000. This pays for day respite and access to two respite beds (24 hours a day, seven days a week). Whilst the overall value of the contract exceeds the Council's tendering threshold of £75,000 relevant considerations are:-
 - (a) This is a specialised unit providing a service within Darlington for individuals with complex mental health needs.
 - (b) This is a collaborative service in line with Mental Health Act, Community Care Act and Carers Act.
 - (c) There is no alternative provider for this service in the local area.
9. It is considered that this contract should not be tendered in accordance with Contract Procedure Rules and it is proposed that Council waive Contract Procedure Rules in accordance with rule 14 of the Contract Procedure Rules to allow direct negotiation with the provider. It is proposed that this will be a four year contract as long as it continues to meet commissioning needs and the needs of the service users group. There will be an annual review of the service and the price and the service will be reviewed if there is a change in need.

Innovations

10. Innovations is a specialist Day Service providing support to individuals with complex learning disabilities. The Council first contracted with this day service in 2004 and there are now eight service users accessing this service. Innovations have consistently demonstrated specialist skills in meeting the complex needs of these services users.

11. The individual cost per day for service users varies depending on their level of need from £39.25 to £98.48. The total value of all the individual contracts for a twelve month period including transport costs is £92k. Negotiations will take place to renew the contract following the approval of this report. Whilst the overall value of the contract exceeds the Council's tendering threshold of £75,000 it is relevant that:-
 - (a) This is a specialist service providing day care for individuals with complex needs.
 - (b) No other existing contracted provider is able or willing to provide the support needed for the individuals receiving this service.
 - (c) The needs of these particular clients have a high level of co-morbidity and as such change is stressful and counterproductive, these clients are benefiting from improved outcomes and they are at crucial stages in terms of their development in relation to social models.
12. It is considered that this contract should not be tendered in accordance with Contract Procedure Rules and it is proposed that Council waive contract procedure rules in accordance with rule 14 of the Contract Procedure Rules to allow direct negotiation with the provider rather than in accordance with section 3 of the Contract Procedure rules. The continued stability of this particular client group will support the growth of personalisation for a group of hard to reach people which will ultimately benefit the clients and their carers with regards to increase choice and control.
13. It is further proposed that these will be individual four year contracts and services will continue as long as they are suitable to meet the assessed needs of the service users. There will be an annual review of the service and the price and the service will also be reviewed if there is a change in need. Extensive work is being undertaken with regards to the modernisation of day and employment opportunities and as such this will constitute a significant proportion of the forthcoming Learning Disability Strategy. This particular service provider will be part of a larger strategic vision and will be expected to develop their business in terms of the allocation of Personal Budgets.

Broadacres / Rockliffe Court

14. Rockliffe Court is a purpose built unit in Hurworth and the aim of Broadacres, the service provider, is to work alongside people who have a range of needs, supporting them to achieve their individual potential by empowering them to be respected as people, living an ordinary life in the community. The Council first contracted with this service in 2004 and there are now 12 service users accessing this service. There is also a separate agreement for sleepover provision for two carers to enable 24 hour care to be provided on-site.
15. The cost per hour is £13.32 and the sleepover provision costs £63.22 per carer. The total annual value of the individual contracts is £212,000 although negotiations will take place to review the contract price following the approval of this report. Whilst the overall value of the contract exceeds the Council's tendering threshold of £75,000 it is relevant that:-
 - (a) Rockliffe Court is a specialist purpose built unit providing full support to service users.
 - (b) The service users have chosen to purchase their care provision from Rockliffe Court and this provision is currently meeting their assessed needs.

16. It is proposed that this contract should not be tendered in accordance with Contract Procedure Rules and that Council waive Contract Procedure Rules in accordance with rule 14 to allow direct negotiation with the provider. It is proposed that these will be individual four year contracts as long as it continues to meet commissioning needs and the needs of the service users group. There will be an annual review of the service and the price and the service will also be reviewed if there is a change in need.

Home Equipment Loans Service

17. The Home Equipment Loans Service (HELs) is currently provided by NHS County Durham and Darlington Community Health Services on behalf of Darlington Adult Social Care and Housing, County Durham and Darlington Primary Care Trust, County Durham Adult Social Care. The function of HELs is to:-
- (a) Purchase, deliver and collect equipment;
 - (b) Repair and maintain equipment;
 - (c) Recycling and decontamination of equipment;
 - (d) Provide information regarding finance, quality and performance to the partners.
18. The equipment provided is to enable a person to live independently and safely in their own home.
19. The cost of the agreement for is £87,000 per annum. Whilst the overall value of the contract exceeds the Council's tendering threshold of £75,000 it is relevant that:-
- (a) The Council needs to continue to purchase the provision from the current supplier to cover the transition period of the service going through a partnership arrangement.
 - (b) The Council continue to receive a service until regional decisions are made about the transformation of community equipment services so that the recommendations can form part of a new service specification.
20. It is proposed that this contract should not be tendered in accordance with Contract Procedure Rules and that Council waive contract procedure rules in accordance with rule 15 of the Contract Procedure Rules to allow direct negotiation with the provider. The Contract will be renewed for one year.

Consultation

21. No consultation has been carried out in relation to the content of this report.