
SERVICE LEVEL AGREEMENT REPORT

Responsible Cabinet Member(s) – Councillor Bryan Thistlethwaite, Adult Services Portfolio

Responsible Director(s) – Cliff Brown, Director of Community Services

Purpose of Report

1. To provide Members with 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 Community 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.
4. With regard to social care arrangements it is often 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.
5. 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

6. Community Services, as part of its Purchasing Framework enters into SLAs with a number of Independent Sector and Voluntary Providers of social care. These are often partnership arrangements to develop services to meet specific needs of service users and rely upon the organisation's specialist knowledge and expertise.
7. The following SLA is considered to meet this criteria.

Thornbeck College

8. Thornbeck College is a specialist residential unit based in Sunderland and operated by Tyne and Wear Autistic Society which opened in 1984 to provide residential accommodation and a range of specialist materials and resources specifically adapted for people with Autism.
9. One of the department's service users began his academic placement at Thornbeck College in September 2003, followed by a residential placement in October 2004. The funding for his placement has been shared between Adult Social Services and Children's Services. However, this funding ceased in July 2006 and the cost of the placement was then transferred fully to Adult Social Services, as the service user is now an adult.
10. The total value of the placement is £98,000 for the period 1st August 2006 to 31 July 2007.
11. A full assessment has been undertaken to ensure that the placement meets the service user's needs and for the reasons identified in paragraph 14, it is recommended that the placement should continue.
12. Thornbeck College are not an accredited provider with City of Sunderland and an accreditation was, therefore, undertaken by members of the Contracts Section to ensure that the provider had satisfactory policies and procedures in place. This also included a financial check and a health and safety check. Thornbeck College scored 78%, which is above the 70% minimum pass level required.
13. An interim Service Level Agreement was completed whilst the assessments and accreditation were undertaken and this is due to expire on 31 December 2006.
14. On the basis of the proposed arrangements, the total value of the agreement will exceed £75,000. However, for the reasons below, it is deemed appropriate to negotiate a new agreement. The reasons are:
 - (a) A re-assessment has recently been undertaken and it is felt by the service user, his parents, Thornbeck College staff and the Care Co-ordinator that the placement is meeting his current needs, in relation to support needs, education, independent living, personal and self development and behaviour.
 - (b) The tailored programme provides the required specialised care, which enables him to live a fulfilled life in a secure and appropriate environment.
 - (c) There are only a handful of specialist colleges throughout the country and there are no alternative specialised colleges within the local area that can meet James' needs.

Outcome of Consultation

15. No consultation was required to complete this report.

Legal Implications

16. 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

17. 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

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

Conclusion

19. This report details the service provision to best meet the needs of the service user. It is considered that the use of an SLA should continue and that agreement be given to the provider outlined in this report and the waiving of the Council's Contracts Procedure Rules.

Recommendations

20. Council are recommended to:

- (a) Agree that the Director of Community Services be given delegated power 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

21. The recommendations are supported by the following reasons:

- (a) The placement is meeting the client's needs.
- (b) There is currently no alternative provider.

Cliff Brown
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