

PART 2 – NOT FOR PUBLICATION – Exempt Information

- Financial/business affairs of a person or body

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**Decision Maker:** CARE SERVICES PORTFOLIO HOLDER

**PRE DECISION SCRUTINY BY CARE SERVICES POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE**

**Date:** Tuesday 11 March 2014

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** CONTRACT AWARD LEARNING DISABILITY DAY SERVICES

**Contact Officer:** Andrew Royle, Strategic Commissioner, Disabilities  
Tel: 020 8461 7612 E-mail: Andrew.royle@bromley.gov.uk

**Chief Officer:** Executive Director of Education, Care & Health Services

**Ward:** (All Wards);

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1. Reason for report

This report sets out the reasons for purchasing day opportunities from Burgess Autistic Trust at the Jubilee Centre for clients with autism and challenging behaviour and makes the recommendation for the award of a contract to Burgess Autistic Trust.

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2. Recommendation(s)

2.1 The Care Services Policy & Development Scrutiny Committee are requested to note and comment on the proposals outlined in this report.

2.2 The Care Services Portfolio Holder is asked to:

- i) Approve an exemption from tendering to award a contract to Burgess Autistic Trust for a period of two years from 1st April 2014 at the proposed cost set out in Section 5 of this report, for the provision of day opportunities at the Jubilee Centre on a spot purchase basis.
- ii) Agree the purchase of additional places at the Jubilee Centre under the terms set out in this report and agree that the purchase of the additional places to be agreed by the Executive Director of Education, Care & Health Services.

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Supporting Independence
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### Financial

1. Cost of proposal: Estimated Cost £157,359 per annum based on 8 clients attending the Centre
  2. Ongoing costs: Recurring Cost:
  3. Budget head/performance centre: 819900 3545
  4. Total current budget for this head: £389,290
  5. Source of funding: Learning Disability Day Services budget
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### Staff

1. Number of staff (current and additional): Not Applicable – staff employed by the Contractor
  2. If from existing staff resources, number of staff hours: Not Applicable
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### Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
  2. Call-in: Applicable:
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 8 currently
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### **3. COMMENTARY**

- 3.1 The Jubilee Centre is a specialist day provision for adults aged 19+ who have a diagnosis of Autistic Spectrum Condition (ASC) and may have characteristics consistent with challenging behaviour, which may require 1:1 support and may limit their access to other day activities. All clients funded by the Council meet the Council's eligibility criteria of substantial and/or critical need.
- 3.2 The Centre addresses the individual needs of each client and offers a range of activities both within the Centre as well as within the community. Each client agrees a care plan with Burgess Autistic Trust which meets their needs as assessed by the Council and which ensures their individuality is respected and they are supported to promote their personal choices.
- 3.3 In addition the Centre supports clients to improve social, communication and daily living skills to enable them to become as independent as possible and seeks to provide the outcomes set out in the Government's white paper "Our Health, Our Care, Our Say" framework of outcomes for social care services.
- 3.4 Burgess Autistic Trust is a specialist local provider of services for people with an Autistic Spectrum Condition; they are well known and trusted by clients and their families as well as the Council's Care Management Team. The Council commissions a range of services from Burgess Autistic Trust and monitors the delivery of these services. The performance of Burgess Autistic Trust in relation to the Jubilee Centre is deemed to be satisfactory for supporting clients to achieve the outcomes set out in their care plans.
- 3.5 There are currently eight clients attending the Centre. Seven of the clients live at home with their families while one is supported within the Shared Lives scheme. Attendance at the Jubilee Centre is designed to support families to continue caring for the clients in order to avoid more costly services or residential care placements. Individual spot contracts for four of these clients were agreed with Burgess Autistic Trust when each client commenced the service. However these are historic placements dating back prior to 2007/8 and were based on a daily rate for attending the Centre. With the increase in referrals to the Jubilee Centre a formal contract is required to regularise the arrangement with Burgess Autistic Trust under which both existing and future placements can be made where appropriate at an agreed rate and with an agreed specification. The proposed rate is set out in Section 5 of this report
- 3.6 The services delivered through the Jubilee Centre support clients with a wide range of complex autistic and behavioural support needs. If these clients were to attend mainstream day services then they would require additional one to one support that would put the cost in the region of £120 per day. Furthermore the small scale of the Jubilee Centre supports those with autism and their need for a structured physical environment.

For the families of the clients attending the Jubilee Centre the service provides a much needed break from supporting their sons and daughters in the family home, whilst providing a structured set of activities that meet their needs. Without access to this specialist service it could be extrapolated that the increased pressure on the families caring role could lead to a breakdown in their continued ability to support their child, maintain employment etc.

### **4. POLICY IMPLICATIONS**

- 4.1 The Centre provides an alternative to the Council's in-house day provision at the Astley Centre which helps to support client choice. In addition the Centre is consistent with the objectives within "Building a Better Bromley" to support vulnerable people to live independently and with national policy as set out in Valuing People Now.

4.2 The Centre also aims to provide the outcomes set out in the Governments white paper “Our Health, Our Care, Our Say” framework of outcomes for social care services.

## 5. FINANCIAL IMPLICATIONS

5.1 The daily rate for attending the Jubilee Centre is a fixed rate of £78. Payments are made every four weeks in arrears to ensure that the Council only pays for the service provided and to mitigate any financial risk to the Council.

5.2 A breakdown of the weekly cost payable to Burgess Autistic Trust for the existing clients attending the Jubilee Centre is set out below:

Client	Days Attending per week	Hourly Rate	Cost per day	Additional Support cost per week	Total Weekly Cost
Client 1	2	£11.14	£78	£0	£156
Client 2	5	£11.14	£78	£0	£390
Client 3	4	£11.14	£78	£0	£312
Client 4	5	£11.14	£78	£0	£390
Client 5	5	£11.14	£78	£0	£390
Client 6	5	£11.14	£78	£210	£600
Client 7	5	£11.14	£78	£0	£390
Client 8	5	£11.14	£78	£0	£390
<b>Total Weekly Cost</b>				<b>£210</b>	<b>£3,018</b>
<b>Cost Per Annum</b>				<b>£10,950</b>	<b>£157,359</b>

5.3 It is not possible to compare the unit cost per day for each client attending the Jubilee Centre to the unit cost of the Astley Centre as the Jubilee Centre is a specialist provision for clients with Autism and Challenging Behaviour. Activities take place both within the Centre and in the community whereas the service provided at the Astley Centre is more generic and activities are undertaken within Astley.

## 6. LEGAL IMPLICATIONS

6.1 The Service provided by Burgess Autistic Trust is a Part B Service for the purpose of Schedule 1 to the Public Contract Regulations 2006. This means that it is not essential to follow the OJEU processes, although in the interest of good practice the Regulations will be shadowed.

6.2 Rule 3.7 of the Council’s Contract Procedure Rules state “ Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Resources, can decide not to obtain competitive tenders or quotations provided that:

- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;
- The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
- The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

6.3 Approvals will be obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.

**7. PERSONNEL IMPLICATIONS**

7.1 There are no direct personnel implications for the Council as staff are employed by Burgess Autistic Trust.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	N/A