

PART 1 - PUBLIC

Decision Maker: ADULT AND COMMUNITY PORTFOLIO HOLDER

Date: Pre-decision scrutiny by Adult and Community Policy Development and Scrutiny Committee on 25th January 2011

Decision Type: Non-Urgent Executive Key

Title: COMMISSIONING ARRANGEMENTS FOR SUPPORT SERVICES FOR PEOPLE WITH LEARNING DISABILITIES: SCHEME B

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Chief Officer: Terry Rich, Director of Adult and Community Services

Ward: Boroughwide

1. Reason for report

The Council's Contract with Elizabeth Fitzroy Support to provide a support service to people with learning disabilities at two locations in Bromley ends on 31st March 2011. This report outlines the provision of support services for people with learning disabilities by Elizabeth Fitzroy Support and requests a waiver of Contract Procedure Rule 13.1 to enable the Council to enter into a further Contract with Elizabeth Fitzroy Support. The full financial implications of the proposals are set out in a report on Part 2 of this agenda.

2. **RECOMMENDATION(S)**

- 2.1 The Portfolio Holder is asked to grant a waiver under Contract Procedure Rule 13.1 for the need for competitive tendering to allow officers to award a contract for support services for people with learning disabilities to Elizabeth Fitzroy Support with effect from 1st April 2011.
- 2.2 The proposed length of the Contract is one year with the potential to extend for a further period up to but not exceeding one year. The extension to be agreed by the Director of Adult and Community services in consultation with the Adult and Community Portfolio Holder.
- 2.3 The Contract will include a break clause which will enable the Council to withdraw from the Contract earlier should a review of funding become necessary.

Corporate Policy

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

1. Cost of proposal: Estimated cost Set out in report on Part 2 of this agenda
 2. Ongoing costs: Recurring cost. If option to extend is implemented+
 3. Budget head/performance centre: Supporting People Services
 4. Total current budget for this head: £5.4m
 5. Source of funding: LBB ACS budget
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Staff

1. Number of staff (current and additional): Support staff are employed by the Contracted Organisation to provide the Support Services. A Contract Compliance Officer will monitor the Contract.
 2. If from existing staff resources, number of staff hours: Regular contract monitoring takes place - estimated annual hours 30.
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Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 12 service users at any one time are supported by the Contracted Organisation
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Supporting People programme funds housing related support to people who need assistance to continue to live independently and to enable them to acquire the skills to move into their own accommodation and sustain their tenancies. The programme covers a wide range of client groups, the majority of whom are adults, and is therefore managed through Adult and Community services.
- 3.2 This contract benefits single adults with learning disabilities. They are supported whilst living in one of two houses sited in Derwent Road, Penge. The Contract provides short term accommodation based housing related support to the service users to assist them with the skills needed to move on to other accommodation suitable to their needs, live independently in the community, obtain and manage welfare benefits and to support them towards education, training or employment. The contract within these two schemes is based on a standard supporting living contract as the service users have much lower level needs than those in schemes such as Padua Road (elsewhere on this agenda).
- 3.3 The service has been delivered in partnership with Elizabeth Fitzroy Support since 2003. During this time Elizabeth Fitzroy has gained good specialist and local knowledge, effective links with other providers and local learning disability services. They have built up significant knowledge of the people who are receiving the service and have demonstrated their ability to support people to live more independently. During the last Quality Assessment Framework (QAF) report, Elizabeth Fitzroy Support showed that they were very strong in the area of service user involvement including the following activities:
- There has been full service user involvement in the recent staff recruitment from advert production to interviewing.
 - service users are now involved with disability awareness training.
 - Participation in the local forum is ongoing and one service user attends the National Forum.
 - One matter addressed was service user feedback they were unhappy about the performance of some agency staff. They then worked with Elizabeth Fitzroy Support Director to create an evaluation form to feedback on staff performance. All concerned are going to meet in the future to review the effectiveness of the form.
 - A new booklet promoting the service has been produced with assistance from a service User and it includes interviews from other residents to show the role of Elizabeth Fitzroy Support.
- 3.5 The service has the capacity for 12 service users sited over the two houses. The majority of service users stay in the service for less than two years before they move on to accommodation more suited to their needs.
- 3.6 The Supporting People Team has closely monitored the service provided by Elizabeth Fitzroy Support at the two schemes since the programme commenced and has noted continuous improvement across all areas of the Quality Assessment Framework (QAF) and there is every expectation that these improvements will continue. Overall Officers consider that the quality of service delivered by Elizabeth Fitzroy Support is high and sufficient to hold a contract. The most recent validated QAF score is shown in the table below:

Quality Assessment Framework Objective	Grade
Assessment & Support Planning	B
Security, Health & Safety	B
Safeguarding & Protection from Abuse	A
Fair Access, Diversity & Inclusion	B
Client Involvement & Empowerment	B
Overall Score	B

- 3.7 The current contract with Elizabeth Fitzroy Support expires on 31st March 2011.
- 3.8 The Joint Local Authority Framework Agreement has provided partner boroughs with bench marking data on costs and quality for Supporting People services. Elizabeth Fitzroy Support was not accepted onto the Framework as a provider for accommodation based services. The reason for the exclusion was a high hourly rate, which was higher than the current rate charged to the London Borough of Bromley.
- 3.9 The expected outcome from using the Framework to award a new contract is to ensure that value for money could be achieved. The current hourly rate for providing the service is very competitive and when compared to the prices quoted by other providers for the Framework it shows that if the Council were to tender the service via the Framework, there would be a significant increase in cost. A comparison between the Framework prices and the current hourly rate charged by Elizabeth Fitzroy Support for the service are shown in the report on Part 2 of this agenda.
- 3.10 Officers held detailed discussions with Elizabeth Fitzroy Support who agreed that they would be willing to enter into a new contract to provide the service at substantially the same terms and conditions as the current contract.
- 3.11 Elizabeth Fitzroy also held a minimal contract to deliver floating support to one user who lives in an RSL property with an assured tenancy. This contract ends on 31st January 2011. Elizabeth Fitzroy confirmed that they would be willing to absorb the 5 hours floating support currently provided to a service user resident in a property in Thicket Road within the supported accommodation service. This will result in a small efficiency saving.

4. POLICY IMPLICATIONS

The service to be delivered through this contract will support the priority outcomes in the Commissioning Plan for Supporting Independence 2010/11, the Learning Disability Strategy Delivery Plan 2009/2011, the Government's Valuing People Now – A 3 Year Strategy for People with Learning Disabilities, published in January 2009 and is designed to meet the Council's objective to support independence, especially for people with learning disabilities.

5. FINANCIAL IMPLICATIONS

- 5.1 The financial implications of the proposals outlined in this report are set out in the report on Part 2 of this agenda.

6. LEGAL IMPLICATIONS

- 6.1 The Council's procurement rules allow for formal tendering requirements to be waived subject to compliance with the Regulations. Rule 13.1 states that a Chief Officer may exercise such Exemption or Waiver subject to the following:

Chief Officer in agreement with the Director of Legal, Democratic and Customer services and Director of Resources and following approval of the relevant Portfolio Holder, with a report of the use made of this exemption being made to Audit Sub Committee on a bi-annual basis.

7. PERSONNEL IMPLICATIONS

There are no personnel implications for the Council arising out of this recommendation.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]