

EAST AYRSHIRE COUNCIL

CABINET : 23 MARCH 2011

COMMUNITY CARE CONTRACTING 2011-2012

Report by Executive Director of Educational and Social Services

1. PURPOSE

- 1.1 To outline Community Care commissioning and Contracting priorities and proposals for 2011/12 and to seek Cabinet approval for these proposals.

2. BACKGROUND

- 2.1 The Council's Standing Orders Relating to Contracts stipulate at section 20 (2) that where a Head of Service wishes to extend an existing contract with the incumbent provider or wishes to negotiate a contract with one specific provider in terms of section 20 (1) approval must be sought from Cabinet for the authority to do this.
- 2.2 The Scottish procurement Policy Note 10 dated August 2008 states that there are a number of circumstances whereby Part B social care services may not require to be subject to open competition and it states that contracting authorities do not have to open up all services to competitive tender at the same time. The purpose of the proposals contained within this report is to safeguard the interests of service users, the Council and Providers whilst working towards opening up many of the services to competitive tender in the future through development of an appropriate commodity strategy for this area of service delivery.
- 2.3 The approach that Social Work is proposing within this report is one that takes account of the needs of the Council to secure best value and to have robust contracts in place while also achieving consistency of care/support for vulnerable service users.
- 2.4 At both a national and local level there are significant developments in models of social care supports with a direction of travel towards self directed supports. East Ayrshire Council is a test site for the Integrated Resource Framework initiative. Through this programme during 2010/11 the Council and NHS Ayrshire and Arran have mapped out the investment that is made for adults with learning disabilities. We have also entered into discussion with neighbouring Councils about opportunities to develop joint or aligned arrangements in respect of social care contracts. Over 2011/12 the aim is to streamline future investments and develop more integrated models of care

- 2.5 At the same time we will bring forward proposals to implement revised models of social care interventions that empower people to take more control over their own lives through use of individualised budgets and self directed services. This will have an impact on future contract models with statutory services moving towards a role of enablers and facilitators rather than commissioners.
- 2.6 The Social Work Service is also aware that there is national debate going on surrounding procurement practice and its compatibility with the commissioning of Social Care Services. A number of interest groups and campaigning groups have formed around this issue due to the impact which re-tendering has on people's lives and the proposed strategy will also seek to address their particular interests and concerns within the context of our own local communities.
- 2.7 Against this background, within this report approval is sought to extend the various existing contractual arrangements by one year in order to facilitate completion of the ongoing development and implementation of the future contracting model.

3. CURRENT POSITION

- 3.1 A number of Community Care Contracts are scheduled for renewal or extension throughout 2011. The following action will be taken in respect of these contracts:

Table 1 *These are framework contracts with spend determined by individual need and choice.

SERVICE	CONTRACT SPEND IN 2009/10	CONTRACT END DATE	ACTION
Alzheimer's Scotland	£161,860	March 2011	Extend negotiated contract by a 1 year
Thorntoun Thomson Court Witch Road	£267,000	March 2011	Extend negotiated contract by 1 year
Helping Hands	£65,000	March 2011	Extend negotiated contract by 1 year
Hansel	*£374,000	March 2011	Extend negotiated contract by 1 year
Break The Silence	£45,000	March 2011	Extend negotiated contract by 1 year
Ramp Contract-Morrison Facilities Services Ltd	*£119,000	March 2014	Competitive tender completed contract awarded 3 years plus 2 year option
National Care Home Contract	*£13,100,000	March 2011	COSLA are drafting new Contract for 2011/12
Lifeways	*£1,853,000	June 2011	Contract will be extended for 12 months as per extension clause in contract
Richmond Fellowship (Mental Health and Learning Disability contract)	*£1,146,000	June 2011	Contract will be extended for 12 months as per extension clause in contract

SERVICE	CONTRACT SPEND IN 2009/10	CONTRACT END DATE	ACTION
Quarriers	*£1,150,000	June 2011	Contract will be extended for 12 months as per extension clause in contract
Partners for Inclusion	*£537,000	June 2011	Contract will be extended for 12 months as per extension clause in contract
Enable	*£2,352,000	June 2011	Contract will be extended for 12 months as per extension clause in contract

4 ACTIONS

- 4.1 With respect to Alzheimer's Scotland permission is being sought to extend this contract by 12 months from April 2011 – 2012 to allow for this service to go through a process of redesign in line with the implementation of Reshaping Care for Older people and the Dementia strategy. In terms of the quality of the service, the current Care Commission grade for the quality of care and support provided is a grade 4, good.
- 4.2 It is the intention to contract with Thorntoun at Thomson Court/Witch Road for one further year while the Integrated Resource Framework action plan is implemented. The current Care Commission grade for quality of care and support for this service is 4, good.
- 4.3 With respect to Helping Hands, which is a community-based maintenance service for older people, permission is sought to extend the contract for a further year to allow for the implementation of Reshaping Older people's strategy. This service is not subject to Care Commission inspection but the Council has regular monitoring meetings with this provider and has no concerns about the quality of service provided. During 2011/12 we will work with the provider to extend provision to a wider geographic area within existing resources.
- 4.4 With regards to Hansel, permission is sought to extend this for one year while the Integrated Resource Framework action plan is implemented. The current Care Commission grade for quality of care and support for this service is 4, good.
- 4.5 With regard to Break The Silence permission is sought to negotiate a further one year contract through the Choose Life partnership for the continuation of counselling services to survivors of sexual abuse. The range of services available from this organisation is not available from any other provider locally. The one year period will allow the recently established East Ayrshire Violence against Women Partnership over 2011/12 to review commissioning and contractual arrangements across services in this function. This service is not subject to Care Commission inspection but the Council has regular monitoring

meetings with this provider and has no concerns about the quality of service provided.

- 4.6 With respect to the Ramp Contract, following competitive tender this has been awarded for 3 years plus option of 2 year extension.
- 4.7 In terms of the Care Home services within East Ayrshire that the Council will be contracting with in 2011/12, the average quality of care and support grade across all 20 Care Homes in East Ayrshire is Grade 4, good. There is however significant variance across the sector. As a consequence of the introduction of the Regulation of Care (Scotland) Act 2001 responsibility for the registration and inspection of care services transferred from Councils and Health Authorities to the "Scottish Commission for the Regulation of Care" (Care Commission) from period 2002/2003, this includes a general duty of furthering improvement in the quality of care services provided in Scotland. The Council contract with providers to deliver services to individuals with identified care and support needs. Through our procurement and contract processes we stipulate the quality of care we require and the arrangements in place to monitor this. Where there are Homes that are performing at grades less than 4 enhanced monitoring is taking place with those Care Homes to seek improvement.
- 4.8 With regards to Adult Service Contracts with Richmond Fellowship, Lifeways, Quarriers, Partners for Inclusion and Enable these contracts have already been extended as allowed by the extension clause in the current contracts. The average Care Commission grade for Quality of Care and Support across all these services is grade 4, good.

5. FINANCIAL IMPLICATIONS

- 5.1 That through robust contracting Social Work Service will be achieving best value in contracting while working towards subjecting services that require it to competitive tender. The proposed programme will be integral to the work being undertaken to deliver a sustainable Social Work service in East Ayrshire.

6 POLICY/LEGAL IMPLICATIONS

- 6.1 This report has implications for the Council in terms of procurement procedures as permission is being sought not to subject all services at this time to competitive tender.
- 6.2 By negotiating and extending existing contracts it is recognised that this will in effect close the market place to other companies. However, the benefits of completing these reviews are seen as outweighing the closure in the short term and thus defensible against challenge.
- 6.3 The paper also sets out a work programme for colleagues in Legal & Procurement Services and Social Work Services to progress the contracts described in the report.

7. COMMUNITY PLANNING IMPLICATIONS

- 7.1 These proposed Commissioning arrangements will help deliver efficient and effective Social Work services and in so doing promote the Health and Wellbeing and Community Safety elements of the Community Plan.

8. RISK IMPLICATIONS

- 8.1 The proposals within this report address risk for Service Users, the Council and Commissioned providers by setting out through robust contractual arrangements the requirements of East Ayrshire Council in terms of values, quality and cost of services.

9. RECOMMENDATIONS

- 9.1 Members of Cabinet are asked to:

- (i) approve the proposals contained in paragraphs 4.1 to 4.5 of this report; and
- (ii) otherwise note the content of the report

Graham Short
Executive Director of Educational and Social Services
11 March 2011

LIST OF BACKGROUND PAPERS

Anyone wishing further information should contact: Eddie Fraser, Head of Service: Community Care, telephone number 01563 576920.

IMPLEMENTATION OFFICER: EDDIE FRASER, HEAD OF SERVICE: COMMUNITY CARE