

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 09 September 2019</b>
Relevant Scrutiny Committee:	Healthy Living and Social Care
Report Title:	Providing a Direct Payments Support Service
Purpose of Report:	To seek authority to retender the contract relating to the provision of Direct Payments Support Service
Report Owner:	Cabinet Member, Social Care and Health
Responsible Officer:	Director of Social Services
Elected Member and Officer Consultation:	Operational Manager, Commissioning and Information Head of Finance / Section 151 Officer Monitoring Officer / Head of Legal & Democratic Services
Policy Framework:	This is a matter for Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• This report outlines the need to retender the Direct Payments contract that will expire in February 2020.</li> <li>• Direct Payments are payments made by the Council to people who would usually receive a service from Social Services. They assist people who want to manage their own support to improve their quality of life. They promote independence, social inclusion and enhance self-esteem by enabling people to live in their own homes, be fully involved in family and community life and to participate actively in work, education and leisure opportunities.</li> <li>• The current contract consists of a support scheme to ensure that appropriate advice, information and support is available to all Service User groups and to encourage confidence for Service Users to undertake the complexities of using Direct Payments to meet their support needs legally and efficiently.</li> </ul>	

## **Recommendations**

1. That Cabinet authorises the Director of Social Services and the Head of Finance / Section 151 Officer (in consultation with the Cabinet Member for Social Care and Health, the Leader or Deputy Leader) to commence tendering procedures for the services outlined in this report.
2. That Cabinet authorises the Director of Social Services and the Head of Finance / Section 151 Officer (in consultation with the Cabinet Member for Social Care and Health, the Leader or Deputy Leader) to accept and award the tender for this service in accordance with the Council's Contract Procedure Rules.
3. That Cabinet authorises the Monitoring Officer / Head of Legal and Democratic Services to execute the Contract for 3 years, with an option to extend for a further 2.

## **Reasons for Recommendations**

1. To ensure that the Council Provides a Direct Payment Support Service in a cost effective way and meets the assessed needs of service users.
2. Fulfils the responsibilities set out under regulations made under Sections 50-53 of the Social Services and Wellbeing (Wales) Act (2014); Local Authorities have powers to provide Direct Payments to meet the care and support needs of an individual.
3. Meets the requirements of its Financial Procedural Rules and Contract Procedure Rules.

## **1. Background**

- 1.1 The Social Services and Wellbeing (Wales) Act 2014 states that Direct Payments are an essential tool for the Council in meeting the Welsh Government's strategic aim of supporting people who require support and care to achieve their wellbeing outcomes and also to support carers who require support in achieving their wellbeing outcomes.
- 1.2 Direct Payments are payments made by the Council to people who would usually receive a service from Social Services. They assist people who want to manage their own support to improve their quality of life. They promote independence, social inclusion and enhance self-esteem by enabling people to live in their own homes, be fully involved in family and community life and to participate actively in work, education and leisure opportunities.
- 1.3 To support recipients of Direct Payments and to achieve the requirements of the Welsh Government's guidance, a contract for providing support services was awarded to Dewis Centre for Independent Living (CIL) in December 2008 for a period of 3 years, with an option to extend by up to 2 periods of 12 months each. The contract extension periods were taken up in 2011 and 2012, with the expiry date of contract being 30th November 2013. Once this contract lapsed, it was

retendered and following the tender process, it was awarded anew to Dewis CIL. This contract was awarded for 5 years in total (3 years with an option to extend by up to 2 years). The current contract will expire on 29th February 2020.

**1.4** Under the current contract, the level of service provided is as follows:

The Provider will:

- Offer support, information, advice and training to people considering Direct Payments.
- Offer a service that facilitates independent living and will embody the ethos of independent living.
- Offer appropriate levels of support to people who use Direct Payments and help them develop the skills to manage their Direct Payments independently of the support service but with assistance if required.
- Support the Council with the development, promotion and implementation of Direct Payments both internally and externally.
- Provide a payroll service and account support.
- Provide managed banking to Service Users identified as requiring this service.
- Partake in the induction of new social care staff.
- Provide a recruitment support service for Service Users.

## **2. Key Issues for Consideration**

- 2.1** As part of their individual care plan, adults and parents of children with a disability can be provided with Direct Payments, which enables them to exercise control over their own life by providing an alternative to social care services provided by a local authority. Direct Payments gives the person flexibility and control to look beyond Local Authority service solutions for personal assistance to meet their assessed social care needs. This will help increase opportunities for independence, social inclusion and enhanced self-esteem.
- 2.2** Dewis CIL currently provides support to 283 Direct Payment recipients; of these 56 are in Children's Services, 227 are in Adult Services, 1 being a carer.
- 2.3** A new contract for the support service will have to be in place by 1st March 2020. The Authority's Contract Procedure Rules require that contracts with an estimated value of £75,000 or higher should be subject to an appropriate procurement process that ensures value for money, compliance with legislation governing the spending of public money and protect individuals from undue criticism or allegation of wrongdoing. The re-tendering of the Direct Payments support service will be designed to ensure that these three principles are fulfilled.
- 2.4** The Council's Project Management methodology will be used in this procurement process. Evaluations will be via a price and quality split (40%/60% respectively). Evaluations of the quality elements will be based on due diligence

questions, service specific questions, presentation by potential providers and interview panels.

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** In the short term, Vale residents will be able to manage their own support to improve their quality of life. Enabling people to live in their own homes, be fully involved in family and community life and to participate actively in work, education and leisure opportunities will promote independence, social inclusion and enhanced self-esteem in the long term.
- 3.2** Direct Payments will prevent demand on adult care services by enabling citizens to live independently in their own homes and promoting their empowerment, thus ensuring prevention by early intervention. In addition, the service will assist the Council to raise awareness of and provide access to Direct Payments including 'hard to reach' groups, thus increasing preventative services within the community to minimise the escalation of critical need.
- 3.3** The definition of the service is to reflect the collaborative approach between the Citizen, the Provider, the Council and other partners. Co-production - encouraging individuals to become more involved in the design and delivery of their support is at the heart of the service.
- 3.4** The service has and will continue to take an integrated approach to ensuring the well-being outcome 'An Active and Healthy Vale', and in particular work being undertaken to deliver the objective 'Safeguarding those who are vulnerable and promoting independent living'.
- 3.5** We are collating Service User data gleaned from Service User satisfaction questionnaires in order to gauge opinion on the current contract. There will be a panel of Service Users at the evaluation stage of the procurement process, ensuring stakeholder engagement and involvement.

### **4. Resources and Legal Considerations**

#### **Financial**

- 4.1** The funding for this service will be within existing budgets. The duration of the Contract will be 3 years with the option to extend by up to 2 years. The contract will allow for some expansion of direct payments without further cost to the council. The cost of significant growth in the number of direct payments, should this occur, will form part of the evaluation of tenders. This cost would be offset by reduced costs in other services as Direct Payments remain a cost effective way of providing care.
- 4.2** The process for tendering the service will be undertaken by staff within the Directorate, making appropriate use of corporate expertise and processes in areas such as Procurement, Finance and HR.

#### **Employment**

- 4.3** There are no employment implications for the Council. Staff employed to deliver the service are currently and will be employed directly by the commissioned provider.

**Legal (Including Equalities)**

- 4.4** There are no direct legal implications associated with this report.

**5. Background Papers**