

Cabinet – 16 December 2009

Improving services for disabled children – delegated authority to tender and accept contracts

Portfolio: Councillor R Walker, Children's services

Service: Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of report

The council will receive an 'Aiming High' grant from government, worth over £1 million in 2010-11, which is ring fenced to provide additional short breaks for disabled children. This report describes the new services this will secure and seeks authority to tender and then award contracts, as required by the Councils Constitution because the value of the contracts will be in excess of £500,000.

2. Recommendations

- 2.1 That a tender is issued to secure new services for disabled children funded by the ring fenced Aiming High grant.
- 2.2 That the contract period is for 3 years with a break clause after 1 year to avoid risk of grant ceasing.
- 2.3 That existing spot purchased services using mainstream budgets for disabled children are included as a lot within the tender in order to secure better value
- 2.4 That the authority to accept tenders and authorise the Council entering into contracts for this service is delegated to the Executive Director for Children's Services, in consultation with the relevant Portfolio holder.
- 2.5 That officers ensure an exit strategy is put in place before the commencement of the tendering process.

3. Background information

- 3.1 The transformation of short break services forms a central component of the wider Aiming High for Disabled Children (AHDC) change programme. By providing additional resources through a specific grant the Government requires local authorities to create a corresponding growth in short break provision.
- 3.2 Short breaks usually provide opportunities for disabled children and young people to spend time away from their primary carers. These include day, evening, overnight or weekend activities and can take place in the child's own home, the home of an approved carer, or a residential or community setting. Short breaks can however also be provided through a temporary carer relieving the primary carer of their caring responsibilities without their being separated from the disabled child or young person.
- 3.3 Children's Services are working closely with Walsall NHS, who have also committed budget to provide additional short breaks, and are jointly commissioning new services. In 2009-10 a range of short break services have been commissioned from this grant – so that over 120 disabled children have benefited from additional service – and delivered through a number of small grants and budget allocations. The Government monitor very closely our performance and will reduce the level of grant if we do not deliver the targets they have set with us. The proposed procurement process will ensure that we have sufficient capacity and contracts to deliver even more additional services commencing 01st April 2010.

4. Resource considerations

4.1 Financial:

The Aiming High Grant is £751,000 for 2010-11 and Walsall NHS has committed a further £350,000 for that year. In addition approximately £300,000 mainstream budget used currently for spot purchases for personal support services will be included to improve value for money. Because continuation of grant beyond next year is uncertain the contract will be for 3 years, but with a break after 1 year to allow termination if grant ceases or to amend the scope should the amount and scope of the grant be amended. This approach avoids the cost of re-tendering if the grant is continued or other budget is found.

The grant will be lost if our procurement process does not reassure government that it can secure capacity to deliver the increase in short breaks required by the agreed targets. While this is a 'part b' service, it is advisable to apply European Union Procurement rules, and an OJEU notice has already been issued (authorised by the Executive Director). This does not commit the council to continue with the procurement and the tender will only be issued following Cabinet approval.

4.2 Legal:

The council will act as lead commissioner and Walsall NHS will fund the contracts up to £350,000 in 2010-11. This will be through either a NHS Act 2006 section 256 or 75 agreement. The former is a simple transfer of money from Walsall NHS to the Council and the latter sets up a pooled budget with specific governance arrangements requiring more officer time to establish. Officers will assess and implement the 'best value' and legally compliant route.

4.3 Staffing:

The staff time to establish these contracts is funded from the Aiming High grant

5. Citizen impact

The new services will improve the quality of life of both the parents and the disabled children. The range of services to be tendered is shown in **appendix 1**.

6. Community safety

There is no impact on community safety.

7. Environmental impact

There is no direct environmental impact.

8. Performance and risk management issues

8.1 Risk:

The key risk is the duration of the grant; this is being managed by a contract term of 3 years with a break clause at 1 year to allow ceasing of contracts or avoid cost of re-procurement if further funding is identified. An additional risk is that if the contracts are terminated due to grant ending, parents and their disabled children will experience a substantial reduction in level of service. Not only will this adversely affect the quality of their lives it could result in additional cost to the council if the lack of support leads to increased demand for other budgets (such as Direct Payments) or even additional admissions to care. Sustainability is part of the process, for example small capital budget is included that is being used to make mainstream services more accessible.

8.2 Performance management:

The contract performance is closely monitored to ensure the council obtains value for money and the government monitor a wide range of performance measures through the LAIMP performance monitoring system.

9. Equality implications

The contracted services will allow disabled children to access a range of services, including mainstream services and enjoy a more fulfilling life and provide respite for parents to help them continue to care.

10. Consultation

Parents and disabled children have been fully consulted in the range of services to be contracted and will be involved in developing the service specification and evaluation of tenders

Background papers

None.

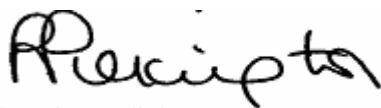
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Pauline Pilkington
Executive Director
3 December 2009



Councillor Rachel Walker
Portfolio holder
3 December 2009

AHDC Lot Descriptions

Lot 1 - A borough wide short breaks Buddy Service for children and young people with disabilities:

This service will employ a number of buddies who will accompany children/ young aged between 13 and 19 people to access facilities in the community, either on a 1:1 basis or within a group that may be the child's family or with a group of the child's friends. The buddy will accompany and support the child to take part in activities including, but not limited to, swimming, bowling, watching a film at the cinema or going to a local park. Providers are required to deliver a service to children with challenging behaviour (Group A), complex physical needs (Group B) or both of these groups.

Lot 2 – A borough wide short breaks service for care within the child's home:

This service will employ a number of support workers who will work in the family home to provide holistic care to the child/ young person with disabilities. The care provided will be in accordance to the child's care plan and will be agreed with the family. The care provided to the child may involve lifting and handling, support with feeding or medication regimes, washing and dressing. Providers are required to deliver a service to children with challenging behaviour (Group A), complex physical needs (Group B) or both of these groups.

Lot 3 - A borough wide short breaks service for children and young people with complex disabilities:

This is a short breaks service for children and young people with severely complex disabilities and severely challenging behavior. The purpose of the service is to provide support for the child/ young person, allowing the parent/ main carer a break from their caring responsibilities.

This service will employ a number of support workers and buddies who will be working with children and young people with complex disabilities, in the family home and in outside to access community/leisure facilities. The care provided will be in accordance with the child's specialized care plan. The children and young people accessing the service are likely to have high level needs relating to one or more of the following areas: challenging behaviour, communication, mobility, nutrition, continence, skin/tissue viability, breathing, medication, psychological needs or seizures. Providers are required to deliver a service to children with challenging behaviour (Group A), complex physical needs (Group B) or both of these groups.

Lot 4 - A borough wide service (not short breaks) for care within the child's home:

This service will employ a number of support workers who will work in the family home to provide holistic care to the child/ young person with disabilities. The care provided will be in accordance to the child's care plan and will be agreed with the family. The care provided to the child may involve lifting and handling, support with feeding or medication regimes, washing and dressing. Providers are required to deliver a service to children with challenging behaviour (Group A), complex physical needs (Group B) or both of these groups.

Definitions:

Group A: children & young people with Autistic Spectrum Disorder – who have severe learning disabilities or behaviour which is challenging OR those children & young people whose challenging behaviour is associated with other impairments such as severe learning disabilities.

Group B: children & young people with complex health needs including those with disability and life limiting conditions, and/or those who require palliative care and/or those with associated impairments such as cognitive or sensory impairments and/or have moving/handling needs and/or require special equipment/adaptations