

## ***Delegated Decisions by Cabinet Member for Adult Social Care***

***Tuesday, 27 February 2024 at 9.00 am  
Room 3 - County Hall, New Road, Oxford OX1 1ND***

If you wish to view proceedings, please click on this [Live Stream Link](#).  
However, that will not allow you to participate in the meeting.

### ***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 6 March 2024 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

**These proceedings are open to the public**



Martin Reeves  
Chief Executive

February 2024

*Committee Officer:*                    **Committee Services**  
*E-Mail:* [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@oxfordshire.gov.uk)

*Note:*    *Date of next meeting: 19 March 2024*

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

## Items for Decision

### 1. Declarations of Interest

See guidance below.

### 2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 3. Petitions and Public Address

*Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.*

*Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@oxfordshire.gov.uk).*

*If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.*

### 4. Financial and wellbeing advisory service (Pages 1 - 22)

*Cabinet Member: Adult Social Care*

*Forward Plan Ref: 2023/315*

*Contact: John Pearce, Social and Community Services,  
John.Pearce@oxfordshire.gov.uk*

Report by Corporate Director of Public Health .

**The Cabinet Member for Adult Social Care is RECOMMENDED to**

- (a) Approve the proposal for Adult Social Care and Public Health to jointly commission an advice service for adults in Oxfordshire via an open tender process, with a value of up to £1,820,000 over a period of up to 5 years (£364,000 per annum).
- (b) Delegate authority to the Director of Adult Social Care, the Director of Public Health, the Section 151 officer and the Head of Legal and Deputy Monitoring Officer to award and complete the contract for Provision of Adult Advice Services as referred to in this report following the conclusion of a procurement exercise pursuant to the Council's Contract Procedure Rules, to enable service delivery from 1<sup>st</sup> November 2024.

**5. Recommissioning Oxfordshire Social Care Partnership** (Pages 23 - 28)

*Cabinet Member:* Adult Social Care

*Forward Plan Ref:* 2023/350

*Contact:* Fulya Markham, Strategy Lead (Age Well & Live Well),  
fulya.markham@oxfordshire.gov.uk

Report by Corporate Director for Adult Social Care

The Cabinet Member is RECOMMENDED to:

- a) Approve the request for an exemption pursuant to Contract Procedure Rule 19.8 to waive the requirement to tender for the provision of services in relation to the development and support of adult social care services in Oxfordshire.

## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

### **Members Code – Other registrable interests**

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

### **Members Code – Non-registrable interests**

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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## **Divisions Affected - All**

### **Delegated Decision by Cabinet Member for Adult Social Care**

**27 February 2024**

**Budget approval for the Joint Commissioning of an Adult Advice Service in Oxfordshire, between Adult Social Care and Public Health**

**Report by Corporate Director for Adult Social Care and Corporate Director for Public Health and Community Safety**

## **RECOMMENDATION**

1. **The Cabinet Member for Adult Social Care is RECOMMENDED to**
  - (a) Approve the proposal for Adult Social Care and Public Health to jointly commission an advice service for adults in Oxfordshire via an open tender process, with a value of up to £1,820,000 over a period of up to 5 years (£364,000 per annum).
  - (b) Delegate authority to the Director of Adult Social Care, the Director of Public Health, the S151 officer and the Head of Legal and Deputy Monitoring Officer to award and complete the contract for Provision of Adult Advice Services as referred to in this report following the conclusion of a procurement exercise pursuant to the Council's Contract Procedure Rules, to enable service delivery from 1<sup>st</sup> November 2024.

## **Executive Summary**

2. Jointly commissioning a new advice service via a competitive tender process will support people to live their lives as independently, successfully and as safely as possible within their communities, to enhance wellbeing and improve people's choices. The service will aim to maximise income addressing underlying issues and health inequalities and taking a prevention approach to increase the wellbeing of residents using the service.
3. The proposed service will do this by providing free, independent and impartial advice to assist people with benefits, debt, budgeting and other financial and welfare issues, thereby maximising incomes and helping people to make the best use of the money available to them.
4. This approach supports the council's transformative ambitions to deliver innovative services with the experience of the user at the centre. Commissioning advice services as a long-term contract also provides more stability for the

sector, supporting our ambition to be a partner-of-choice for community organisations.

5. On 31<sup>st</sup> October 2024 two services funded by the council which provide advice for residents in Oxfordshire will reach the end of their contract/grant period. This includes the Oxfordshire Specialist Advice service (OSAS) funded by Adult Social Care and Benefits in Place (BiP) funded by Public Health.
6. In December 2023 Public Health DLT and in January 2024 Adult Social Care DLT agreed the proposal to combine the resources of Adult Social Care and Public Health to jointly commission a revised/reviewed co-designed adult advice service from 1<sup>st</sup> November 2024.
7. The Council intends to achieve this by commissioning a contract with a service provider via a competitive tender process. The total combined value of the proposed contract is £364,000 per annum, £1,820,000 over 5 years.
8. The contract value will be over £500,000 and therefore is required to be entered in the Forward Plan, in accordance with the Access to Information Rules. This is a key decision and one that is delegated to the Cabinet Member for Adult Social Care to take, consistent with overall Council policy to deliver agreed strategy/plans within the area of responsibility and within approved budgets.

## Background

9. The link between financial hardship and health and wellbeing can be a vicious cycle, with both effecting the other. Poor health can lead to financial hardship through reduced access to education and limiting employment opportunities, which can lead to unemployment or lower wage jobs. Living with the stress and anxiety of financial hardship and the stigma which can sometimes be attached to this, can have a damaging impact on long-term health and wellbeing.
10. Advice services can be crucial to support households to access the support they need to maximise income and manage debts and in turn help to reduce some of the stresses associated with financial worries.
11. Financially stable households are less likely to require specialist Adult Social Care and other services and are more able to cope with health and/or social care difficulties if they arise. A key strand to our Oxfordshire Way approach is to strengthen families and communities. The approach also matches the priorities in the new [Oxfordshire Health and Wellbeing Strategy 2024-2030](#), enabling residents to be more in control of their finances. Advice centres have proved an effective way to help protect the most vulnerable.
12. The current providers of the Oxfordshire Specialist Advice Service reported a £2.7 million annualised income gain from the Department of Work and Pensions (DWP) into the local economy which is designed to assist with costs of care.



13. However, not everyone is claiming what they are entitled to. For example in Oxfordshire, it is estimated that 4000 people are entitled to but not claiming pension credit, which amounts to potentially £8.2 million of unclaimed entitlement (<https://insight.oxfordshire.gov.uk>). Receipt of welfare benefits are a gateway for other types of support. Pension credit can give eligibility for free dental treatment, cold weather payments, and additional payments if you are a carer or have a disability.
14. Reasons for not claiming benefits include administrative complexity, lack of awareness, fragmentation of support, and stigma. These are all issues that can be addressed, fully or in part, by good benefits advice provision.
15. Two services funded by the council which provide advice for residents in Oxfordshire will reach the end of their contract/grant period on 31<sup>st</sup> October 2024:
- Oxfordshire Specialist Advice service (OSAS)
    - Contract with Age UK Oxfordshire and funded by Adult Social Care
  - Benefits in Place (BiP)
    - Grants to the four Citizens Advice offices in Oxfordshire and funded by Public Health (the current grant will end on 31<sup>st</sup> March and a 7-month extension will be put in place to bridge the gap before the newly commissioned service starts).
16. In December 2023 Public Health DLT and in January 2024 Adult Social Care DLT agreed the proposal to combine the resources of Adult Social Care and Public Health to jointly commission a revised/reviewed co-designed adult advice service from 1<sup>st</sup> November 2024.
17. A jointly re-commissioned Advice Service presents an opportunity for Public Health and Health, Education and Social Care (HESC) to combine resources to provide a longer term and more sustainable funding offer to the advice services sector through a procured contract with a particular focus on supporting people in our communities most likely to experience inequalities.
18. The proposed advice service would deal with issues of inequality, build resilient communities, address the demand for advice, provide prevention duty under the Care Act 2014, provide improvement of public health under s 12 of the Health and Social Care Act 2012, include the use of better technology and Artificial Intelligence (AI) and provide reliable advice for frontline staff and the people looking for support from care services.

## **Proposed New Service**

19. The overall aim of the proposed advice service is to support people to live their lives as independently, successfully and as safely as possible within their communities, to enhance wellbeing and improve people's choices. We want advice services which maximise income addressing underlying issues and health inequalities and taking a prevention approach to increase the wellbeing of residents using the service.

20. The proposed advice service will achieve this by providing free, independent and impartial advice to assist people with benefits, debt, budgeting and other financial and welfare issues, thereby maximising incomes and helping people to make the best use of the money available to them.
21. The new service will be open to residents of Oxfordshire with a focus on targeting aimed at older people, adults with learning disabilities, adults with mental health concerns, adults with physical and sensory impairments, adult and young carers, young people aged 16+ and families with young children (particularly those with disabled children), with a specific focus on supporting people in our communities most likely to experience inequalities as outlined in our community profile programme. [Community Insight Profiles | Oxfordshire Insight](#)
22. Features of the proposed new service model will include becoming a transformed service jointly commissioned within the council to improve efficiencies and enable smarter outcomes. The new service model will also offer opportunities to bring in districts part way through the contract to join up advice provision further. Digital pathways are required within the specification to help manage demand including opportunities to use Artificial Intelligence (AI). Further signposting from the Oxfordshire County Council Customer Service Centre will be encouraged to sources of self-help as well as to the commissioned service.

## Corporate Policies and Priorities

23. The proposed commission aligns with the councils following local priorities outlined in Oxfordshire County Councils **Strategic Plan 2023-2025**:
- Commitment to tackle inequalities in Oxfordshire
  - Prioritise the health and wellbeing of residents
  - Support carers and the social care system
24. The delivery of stronger, more resilient communities will address a portion of the demand on health and social care services as identified in the Councils Strategic Plan 2023-2025 priority of supporting carers and the social care system. The proposed interventions make a significant contribution to prevention work which seeks to strengthen health outcomes and build on individuals' strengths.
25. The new advice service model also aligns with the new **Oxfordshire Health and Wellbeing Strategy 2024-2030**, through enabling residents to be more in control with their finances.

## Financial Implications

26. The proposed budget for the annual Public Health contribution is £121,000 and the proposed budget for the annual Adult Social Care contribution is £243,000.
27. The total contract value is expected to be £364,000 per annum. This will be £1,820,00 over a three-plus-two-year contract arrangement. Artificial Intelligence (AI) developments will require an additional separate £20,000 for

the first year of the contract which will be sourced from the Adult Social Care budget. It is still to be decided whether this will be within the contract value or held as a separate council project budget.

28. It is expected that there may be efficiencies from joint working between services, in terms of staff time for procurement processes and contract management.
29. As the city and district councils also commission advice services across Oxfordshire, we will include flexibility in the contract for future potential collaboration and opportunities to consolidate our commissioning with city and district councils. This is an area that requires further exploration.

Comments checked by: Stephen Rowles, Strategic Finance Business Partner,  
[Stephen.rowles@oxfordshire.gov.uk](mailto:Stephen.rowles@oxfordshire.gov.uk)

## **Legal Implications**

30. The statutory power for the Council purchasing these services is set out at paragraph 18 of this report. It is intended that the services will be procured competitively in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015. Provided commissioners comply with such rules, there are no legal implications in the proposed course of action.

Comments checked by: Jonathan Pool, Solicitor (contracts),  
[Jonathan.pool@oxfordshire.gov.uk](mailto:Jonathan.pool@oxfordshire.gov.uk)

## **Staff Implications**

31. Further exploration is needed as to whether TUPE (Transfer of Undertakings Protection of Employment) could apply to the employees carrying out the activities presently provided by each service. TUPE information will be requested from the existing providers and will be reviewed for any OCC pensions or other financial risks. This information will be provided to bidders during the tendering process.

## **Equality & Inclusion Implications**

32. An Equalities Impact Assessment (EIA) was completed, and was authorised by David Munday, Deputy Director of Public Health on 12<sup>th</sup> February 2024.
33. The EIA summarised that people with protected characteristics are expected to be overrepresented in the new service. As such it is important that the procurement process ensures that potential providers set out how they will ensure equality of access to these groups. The full EIA can be found in annex 1.

## **Sustainability Implications**

34. A Climate Impact Assessment (CIA) was completed, and approved by David Munday, Deputy Director of Public Health on 13<sup>th</sup> February 2024.
35. The CIA generated the summary that the commission of a new advice service has very few direct impacts on climate action policies. Enabling progress towards net zero is not one of the key purposes of the service, nevertheless there are numerous co-benefits. Residents accessing the Adults Advice Service can receive referrals to the Better Housing Better Health Programme which supports the transition to more efficient energy use by retrofitting resident homes. This support will be targeted to low-income households, alleviating fuel poverty and improving wellbeing. We will also expect that the provider has flexible working practices in place, allowing their staff to work from home if necessary, and to provide residents with the possibility of accessing the service without travelling.

## **Risk Management**

36. The purpose of the proposed new advice service and increasing capacity is to minimise risk. Alternatives would be to not do anything and allow the contract and grants to end on 31<sup>st</sup> October 2024 or bring the service in-house. Bringing the service in-house was rejected due to a lack of in-house expertise and value in having the service being provided independently. Additionally, if services do not continue vulnerable people may find it difficult to access the appropriate support resulting in potential for loss of income, increase in debt and reductions in wellbeing. Consequently, there would also be increases in care costs for the council and workload/pressures on operational teams.
37. The key risks identified with this approach are:
- a) If there is no viable market to have a successful procurement, a delay in sourcing a provider may have potential reputational risk to the council. This will be mitigated by allowing sufficient time in the procurement plans to attract interested providers and creating a circulation list from the previous provider engagement event.
  - b) Disinvestment from the District/City Councils as a result of the new contract. We will involve districts/city in engagement discussions and explore opportunities for a county wide Advisory Services Charter.
  - c) Service Mobilisation as handover to a new provider may create delays and disruption in service provision. The Mobilisation Plan will be assessed at the procurement stage for robustness.
  - d) There are a range of different advice services in Oxfordshire, funded from a variety of sources, all key to local and accessible advice. There may be a perception that a large commission of this type will impact on the provision of smaller independent services. This will be mitigated with the requirement for the service provider awarded the contract to work in partnership across the advice services system.

## Consultations

38. In October 2023, we held an Oxfordshire advice services stakeholder event to look at what the advice sector currently offers, what the aims and outcomes of a future service should be and how this service should be set up.
39. An online survey was also devised, asking people who have used advice services in the last 12 months for their experiences and views on what the services did well and how they could be improved.
40. We also completed benchmarking with other local authorities to see how they are providing advice services in Berkshire Oxfordshire Buckinghamshire (BOB) and also in Kent.
41. We used these consultations described above to help us shape the business case and specification regarding the future requirements for the model of the new advice service.

Annex: Annex 1 – Equalities Impact Assessment (EIA)

Karen Fuller  
Corporate Director – Adult Social Care

Ansaf Azhar  
Corporate Director- Public Health and Community Safety

### **Contact Officers:**

John Pearce, Commissioning Manager, Oxfordshire County Council  
[john.pearce@oxfordshire.gov.uk](mailto:john.pearce@oxfordshire.gov.uk)

Kate Austin, Public Health Principal, Oxfordshire County Council  
[Kate.Austin@oxfordshire.gov.uk](mailto:Kate.Austin@oxfordshire.gov.uk)

**February 2024**

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**Oxfordshire County Council**  
**Equalities Impact Assessment**

Proposal for the Joint Commission of Adult Advice Service

6 February 2024

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## Section 1: Summary details

<b>Directorate and Service Area</b>	Adult Social Care and Public Health
<b>What is being assessed</b> (e.g. name of policy, procedure, project, service or proposed service change).	Proposal for the Joint Commission of an Adult Advice Service (Between Public Health and Adult Social Care) in Oxfordshire
<b>Is this a new or existing function or policy?</b>	Change to an existing function
<b>Summary of assessment</b> Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community?  (following completion of the assessment).	<p>The Council is proposing to amend the way it commissions advice services by combining two pre-existing arrangements into a single commission. The new advice service will support people to live their lives as independently, successfully and as safely as possible within their communities, to enhance wellbeing and improve people's choices. The service will aim to maximise income addressing underlying issues and health inequalities and taking a prevention approach to increase the wellbeing of residents using the service.</p> <p>Data from the legacy services, as well as national data sets on the provision of advice show that people with protected characteristics are over represented in users of advice services. As such the focus of equalities work in this area is to ensure that the most appropriate access routes are in place for these groups.</p>
<b>Completed By</b>	Paul Wilding (with further information from Kate Austin 9/2/24 and 10/2/24)
<b>Authorised By</b>	David Munday, Deputy Director of Public Health, 12th Feb 2024
<b>Date of Assessment</b>	February 6 <sup>th</sup> 2024

## Section 2: Detail of proposal

### Context / Background

Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.

Historically the council has commissioned two advice services. Adult Social Care commissions the Oxfordshire Specialist Advice Service (OSAS) via a contract and Public Health grant funds Benefits in Place (BiP). Combining resources will enable the Council to provide a longer term and more sustainable funding offer to the advice services sector through a procured contract which targets communities within the 10 most deprived wards in Oxfordshire and tackles health inequalities.

This approach supports the council's transformative ambitions to deliver innovative services with the experience of the user at the centre. Commissioning advice services as a long-term contract also provides more stability for the sector, supporting our ambition to be a partner-of-choice for community organisations

The target population of the current OSAS is primarily older people, adults with learning disabilities, adults with mental health concerns, adults with physical and sensory impairments, adult and young carers, young people aged 16+ and families with young children (particularly those with disabled children). Outreach is offered to people across the county who, because of health or disability issues, or the complexity of their situation, require this form of intervention and are unable to access a similar service such as in a local neighbourhood advice centre.

The aim of the BiP programme is to provide an advice service which aims to reduce the health inequalities of individuals suffering financial hardship, by maximising service user's income and improving their wellbeing and health. It offers a county-wide digital connector and referral system for Health Professionals, foodbanks, pharmacies, social prescribers, and other place-based organisations. Another key aim of the programme is to address inequalities and improve the wellbeing of individuals by supporting people to maximise their income, with a particular focus on people with, or at risk of, poor mental health, and communities within the 10 most deprived wards in Oxfordshire as was outlined in the Director of Public Health's 2019/20 Annual Report.

<p><b>Proposals</b></p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>The agreed proposal is for HESC and Public Health to jointly commission a revised, co-produced advice service with either one sole provider or one single lead provider, working in partnership with other organisations with the expertise in different areas of work.</p> <p>If in partnership, this leverages more of the council’s spending power through a collaborative approach. Partnerships rely on mature collaboration which is already in evidence in Oxfordshire and encourages innovation. Partnership sees the risk spread across the partnership group. Furthermore, participants at our stakeholder event cited partnership working as being key.</p> <p>If a sole provider, this allows potential streamlining of service provisions particularly back office.</p> <p>This approach allows the council to leverage supplier expertise in the design of the services. It is an opportunity to enhance partnership working within the advice sector while addressing inequalities.</p> <p>The approach also allows providers to work in partnership to maximise specialities to meet demand and avoid duplication across the sector to make best use of resources available.</p>
<p><b>Evidence / Intelligence</b></p> <p>List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.</p>	<p>Data from existing commissioned services and the other main advice providers in the county was used to build the picture of need across the county.</p> <p>In October 2023, we held an Oxfordshire advice services stakeholder event to look at what the advice sector currently offers, what the aims and outcomes of a future service should be and how this service should be set up. An online survey was also devised, asking people who have used advice services in the last 12 months for their experiences and views on what the services did well and how they could be improved. We also completed benchmarking with other local authorities to see how they are providing advice services in Berkshire Oxfordshire Buckinghamshire (BOB) and also in Kent.</p> <p>We used these consultations described above to help us shape the business case and specification regarding the future requirements for the model of the new advice service.</p>

<p><b>Alternatives considered / rejected</b></p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>The following options were also considered:</p> <p>Do nothing – This was rejected as threatening the ability to continue to deliver effective advice services in Oxfordshire.</p> <p>Bring service in-house – This was rejected to a lack of in-house expertise, and because there is value in having this service provided independently.</p> <p>A number of configurations of a re-procured service were considered. The chosen option was deemed to provide the best value for money.</p>
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**Section 3: Impact Assessment - Protected Characteristics**

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provision of good quality advice services can improve people's ability to remain independent in their own home as they get older, can reduce loneliness and give them more choice and control over their lives.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service. Services will be required to be accessible via multiple channels.	Project Team	Monitoring of equalities will form part of the monitoring approach for this contract.
<b>Disability</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The new service is aimed to support people with care and support needs.  From the BiP programme in 2023-24: In Q1 12% of the people supported stated that they had a disability, this was 12% again in Q2 and then this rose to 18% in Q3.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service. Services will be required to be accessible via multiple channels.	As above	As above
<b>Gender Reassignment</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above

<b>Marriage &amp; Civil Partnership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above
<b>Pregnancy &amp; Maternity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Some people will access this service as the birth of another child can create additional financial concerns due to the “2 child” benefits rule.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above
<b>Race</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above
<b>Sex</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above

<b>Sexual Orientation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above
<b>Religion or Belief</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with this characteristic would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will enable people with protected characteristics to access the service.	As above	As above



### Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
<b>Rural communities</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Advice services are available online and by phone. Outreach sessions are typically held in some locations, and if required a home visit can be undertaken.	The service specification will require prospective providers to show how they will deliver a service which is accessible in all parts of the county.	Project team	Monitoring of equalities will form part of the monitoring approach for this contract.
<b>Armed Forces</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People from this group would be expected to access this service, but it is not expected that there would be a significant positive or negative impact.	The service specification will require prospective providers to show how they will deliver a service which is accessible to this group.	As Above	As Above
<b>Carers</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is expected that many carers will access the service either for themselves, or the person they care for. Carers Allowance is one of the most under claimed benefits. The new service will be expected to support the uptake of for people who are entitled to it.	The service specification will require prospective providers to show how they will deliver support to people who are carers.	As Above	As Above

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
<b>Areas of deprivation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	For the current BiP programme 34 out of the 144 clients seen with new cases (23.6%) between Q1-Q3 in the 2023-24 programme lived within one of the 10 most deprived wards in Oxfordshire.	We would seek to ensure that the new service continued to support people living within our most deprived areas. The service specification will require prospective providers to show how they will provide support in our 10 most deprived wards.	As Above	As Above

### Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		N/A		
Other Council Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the procured service is delivered effectively there should be reduced demand on Adult social care teams.	Following procurement the contract will be monitored to ensuring it is delivering the envisaged benefits.	Project Team	Monitoring of equalities will form part of the monitoring approach for this contract.
Providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		N/A		
Social Value <sup>1</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Prospective providers will be required to demonstrate additional social value as part of the procurement exercise.	Following procurement the contract will be monitored to ensuring it is delivering the envisaged benefits.	Project Team	Monitoring of equalities will form part of the monitoring approach for this contract.

<sup>1</sup> If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

## Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review Date</b>	This assessment relates to a procurement exercise, so is a one off. There will be ongoing monitoring of the contract once procured, which will be responsible for ensuring the mitigating actions identified above are happening.
<b>Person Responsible for Review</b>	Karina Russell (9/2/24)
<b>Authorised By</b>	David Munday, Deputy Director of Public Health, 12 <sup>th</sup> Feb 2024

## Divisions Affected -

### **DELEGATED DECISIONS BY CABINET MEMBER FOR ADULT SOCIAL CARE**

**27 February 2024**

#### **Recommissioning Oxfordshire Social Care Partnership**

**Report by Karen Fuller – Corporate Director of Adult Social Care**

### **RECOMMENDATION**

1. The Cabinet Member is **RECOMMENDED** to
  - a) **Approve the request for an exemption pursuant to Contract Procedure Rule 19.8 to waive the requirement to tender for the provision of services in relation to the development and support of adult social care services in Oxfordshire.**

### **Executive Summary**

2. A strong, diverse and vibrant independent care sector in Oxfordshire is key to enabling the delivery of high-quality services which lead to excellent outcomes for the people who access them.
3. The [Care Act 2014](#) clarified duties and statutory responsibilities around market development and management across the DHSC, CQC and for local authorities. To meet its duties, the Council worked with the adult social care provider market to establish a Care Provider Association to support building and maintaining capacity and capability within the market.
4. Oxfordshire Association of Care Providers (OACP) was established in 2014 and was first funded by the Council via grant agreement. Subsequently the funding was provided via a service contract reflecting the development of our partnership.
5. A new three-year service contract is proposed for the continuation of our strategic partnership to enable further development of shared strategic priorities that will support our care market to deliver excellent services. The value of the contract falls under the 'light touch' regime of Schedule 3 of the Public Contract Regulations 2015, and as such there is no requirement to follow a particular procurement procedure.

## Background

6. A strong, diverse and vibrant independent care sector in Oxfordshire is key to enabling the delivery of high-quality services which lead to excellent outcomes for the people who access them.
7. The Care Act 2014 clarified duties and statutory responsibilities around market development and management across the DHSC, CQC and for local authorities. In particular, the Care Act's
  - Section 5 sets out duties on local authorities to facilitate a diverse, sustainable high-quality market for their whole local population, including those who pay for their own care and to promote efficient and effective operation of the adult care and support market as a whole,
  - Sections 48 to 56 cover local authorities' duties for ensuring continuity of care in the event of provider failure and service cessation.
8. To meet its duties, the Council worked with the adult social care provider market to establish a Care Provider Association to support building and maintaining capacity and capability within the market. Oxfordshire Association of Care Providers (OACP) was established in 2014 and was first funded by the Council via grant agreement. Subsequently the funding was provided via a service contract reflecting the development of our partnership.
9. In 2019, Oxfordshire Social Care Partnership (OSCP) was formed as a separate entity to enable impartial representation of all Oxfordshire providers of adult social care services by OACP within the responsibilities laid out in the contract whilst being majority funded by the local authority. OACP remains the commercial arm, generating income for OSCP for example via delivery of training as well as via membership fees.
10. This report sets out the case for recommending that a further three-year service contract is offered to OSCP to deliver continuity of service that will strengthen our partnership and enable further development of shared strategic priorities that will support our care market to deliver excellent services.
11. To deliver strong partnerships with the adult social care sector, it is proposed that OSCP will continue to work with the Council on the following core areas:
  - Communication and engagement with adult social care sector
  - Innovation
  - Workforce
  - Business continuity
12. These areas are key to supporting the adult social care sector in delivering a thriving and sustainable adult social care market, and to fulfil our statutory responsibilities whilst driving efficiencies. More detail on each of these areas will be included in the contract schedules.

## **OACP As Commercial Arm**

13. Oxfordshire Association of Care Providers (OACP) is a membership organisation for all providers of adult social care in Oxfordshire. Current members are from care homes, home care providers, community support service providers and voluntary sector providers.
14. OACP's principal aim is to help develop the adult social care market in Oxfordshire by working with the Council and the sector to contribute to commissioning strategy and practice to support the delivery of good quality services.
  - Acting as a representative body for adult social care providers in Oxfordshire, working closely with commissioners and being the voice of the providers,
  - Being a conduit to assist the County Council in building provider insights and intelligence to support adult social care workforce strategies and commissioning intentions,
  - Being a contact point for all adult social care providers,
  - Sharing and promoting good practice among providers,
  - Providing information and advice on funding and business opportunities,
  - Providing training and development opportunities for providers and their staff,
  - Activities to support building providers' capacity and capability to deliver adult social care services.
15. The Council has been providing financial support to OACP since its establishment in 2014. During this time, OACP has evolved to become an important strategic partner and a key part of the local infrastructure supporting our care market.
16. In 2020/21 significant resources were invested in developing the current and future working relationship between the Council and OACP, including senior officer time and financial investment. This approach resulted in the recognition and agreement that developing our partnership approach with the care provider organisation is fundamental to supporting a thriving adult social care sector in Oxfordshire.
17. It remains essential that the Council has in place, and maintains, strong means of communication with provider partners, has a framework for engagement, and shares the responsibility for sustainability and transformation with the sector. This will be enabled by our commitment to the partnership with Oxfordshire Strategic Care Partnership with Oxfordshire Association of Care Providers remaining as clearly separated and recognised as the operational delivery body.
18. Continuing the current three-year service agreement
  - Reflects the Council's commitment to this area,
  - Enables developing the good reputation and local standing that has developed over recent years further,
  - Allows OSCP/OACP certainty of funding to support their own organisational strategic development and investment.

- Strengthens our ongoing partnership established since 2014, our combined knowledge built over that time, stability of networks established, and specialist skills in engaging and consulting with providers.
- Enables improving the service specification and key performance indicators further to reflect the maturity of our partnership.
- Supports the long-term workforce development and strategy.

19. It is recommended that this is delivered by exemption because:

- The research and benchmarking exercise we took showed that most local authorities have a similar working relationship with a care provider association in their area. The similarity in the functions of these associations and information shared with us showed that a specialised and localised function is needed in adult social care in addition to organisations supporting providers at the national level.
- Our research also showed that no other organization is in a position to deliver all of the functions of a care provider association.
- Given the limited market for this and the value of the contract being below the required threshold for a competitive process, completing a full tendering process would require a disproportionate officer resource with no guarantee of alternative bidders outside of the current partner, which is likely to leave OCC in the same position with the same outcome but with additional resource commitments.

## **Corporate Policies and Priorities**

20. This proposal supports our strategic vision for adult social care in Oxfordshire and strategic priorities laid out in the Adult Social Care Workforce Strategy.

21. This proposal supports the County Council's Corporate strategic plan 2023-2025, specifically 'working in partnership to make Oxfordshire a healthier county, aligned to the following priorities

- Tackle inequalities in Oxfordshire
- Prioritise the health & wellbeing of residents
- Support carers and the social system
- Work with local businesses and partners for environmental, economic and social benefit

22. Through partnership working with OSCP, a more joined-up approach to delivering services is enabled; ensuring impartial representation of the whole adult social care provider market for the benefit of service users and the wider community.

## **Financial Implications**

23. Budget is available to support the ongoing contract, and the 10% saving proposed against the current budget reflects work with the provider to



understand where the greatest added value is and to ensure that this is the prioritised going forward.

Comments checked by:

Stephen Rowles  
Strategic Finance Business Partner  
[Stephen.rowles@oxfordshire.gov.uk](mailto:Stephen.rowles@oxfordshire.gov.uk)

## **Legal Implications**

24. Aside from the application of the Council's own Contract Procedure Rules, public bodies are also required to comply with the Public Contracts Regulations 2015 ("the Regulations"), which impose further procedural requirements in relation to contracts over a prescribed pecuniary threshold. The Procurement Team have classified the services as light touch since they fall under Schedule 3 of the Regulations (CPV 98130000-3 Miscellaneous membership organisations services).
25. The award of the Contract in relation to services will have a whole life contract costs of £477,000 (VAT exempt) and falls under the less rigorous "light touch" regime of Schedule 3 of the Regulations (CPV 98130000-3 Miscellaneous membership organisations services) as the prescribed pecuniary threshold of £663,540 (incl VAT) is not exceeded. As a below threshold, light touch procurement there is no requirement under the Regulations to advertise or follow any particular procedure. Additionally, the EU Treaty Principles do not apply to the conduct of below threshold procurements in the UK. Therefore, it is considered to be low risk

Comments checked by:

Jayne Pringle  
Head of Law and Legal Business Partner (Contracts & Conveyancing)  
[Jayne.Pringle@oxfordshire.gov.uk](mailto:Jayne.Pringle@oxfordshire.gov.uk)

## **Staff Implications**

26. There are no direct staffing implications for the Council.

## **Equality & Inclusion Implications**

27. There are no direct equality and inclusion implications.

## **Sustainability Implications**

28. There are no direct sustainability implications for the Council.

## Risk Management

29. As stated above, our research and benchmarking exercise showed a lack of local or national market to deliver all of the functions.
30. Approaching this limited market would require OCC officer time in preparing and running the tendering process, with a possibility of awarding the contract to the current provider due to the expected limited interest mainly caused by the way the care association network is set up.
31. This process would also require time (on average 6 months), and it would likely to leave a gap in provision of support for the provider market from 1<sup>st</sup> April 2024, until the new contract was awarded.
32. An important consideration is the negative impact this would have on the relationship with OACP and the social care providers that the organisation represents. There would also be a reputational risk to the Council.
33. It would also place additional pressures on partners in the adult social care sector to form an alternative provider association, prepare bids and be subject to a full tendering process. The pressure on the sector at present is intense, and it is unlikely that our provider partners would have capacity or willingness to respond to such a demand.

## Consultations

34. Not Applicable.

Report by: Karen Fuller  
Corporate Director, Adult Social Care

Annex: Nil

Contact Officer: Fulya Markham  
Strategy Lead – Live Well & Age Well  
[fulya.markham@oxfordshire.gov.uk](mailto:fulya.markham@oxfordshire.gov.uk)  
Mobile: 07776 997956

February 2024