

**Divisions Affected – N/A**

**CABINET MEMBER FOR SEND IMPROVEMENT**

**18 October 2023**

**Recommissioning of the Overnight Residential Short Breaks for Disabled Children for 1<sup>st</sup> April 2024**

**Report by Corporate Director for Children's Services**

**RECOMMENDATION**

The Cabinet Member is **RECOMMENDED**

- a) To approve the award of contract to the preferred bidder following the completion of the procurement process for the recommissioning of the Overnight Residential Short Breaks for Disabled Children, to enable a new contract to be in place for 1st April 2024.
- b) To approve the budgetary commitment for a period of 5 years (including provision for annual review and uplift) with an option to extend by up to a further 2 years.

**Executive Summary**

1. The current contract for the Overnight Residential Short Breaks for Disabled Children will expire on the 31 March 2024. The contract has been running for 7 years and a new contract is required to be in place if Oxfordshire County Council (OCC) and the Integrated Care Board (ICB), are to provide this service to disabled children in Oxfordshire. The contract is jointly funded between OCC and the ICB; the contribution from the ICB is support the health care needs of the children whilst they access the service.
2. Through the commissioning of the Service, the Council seeks to ensure the local availability of overnight accommodation and support in Oxfordshire to meet the needs of disabled children in Oxfordshire. Overnights Residential Short Breaks will be available across two buildings, Sycamore Resource Centre and Viking House.
3. Approximately 57 disabled children have overnight residential short breaks identified in their Education Health Care Plans (EHCP's), which is a legal obligation to provide for these children. OCC are legally obliged to continue to meet this obligation subject to a reassessment of need, transition to adult services or moving from the area. If this contract is not awarded and overnight support not provided, the impact on families in Oxfordshire will be significant with families at risk of breakdown and children potentially being bought into care of the Local Authority.

4. Overnight residential Short Breaks will provide parents and carers with meaningful breaks from their caring responsibilities, so they are empowered to look after their own emotional and physical health and provide better and more sustainable care to their whole family and be co-designed with the child or young person and their family. It will enable improved outcomes for children, young people, and families through a range of person-centred activities offered during the break. These are to develop their independence, prepare for adulthood, learn life skills, form meaningful relationships, and socialise with their peers whilst providing a safe and secure environment for the overnight or daytime stay.

## Project Context

5. An increasing number of Disabled Children are living with complex disabilities and health conditions which significantly impact on their everyday lives and the lives of their families. Disabled Children with complex health needs may require nursing support with a high likelihood of hospital admissions which can significantly disrupt family life. It is the Buckinghamshire, Oxfordshire, and Berkshire West (BOB) Integrated Care Board (ICB) responsibility to meet the health needs of these young people.
6. OCC has a statutory duty to safeguard all children and we know that Disabled Children will be high users of health services, both in terms of planned care (such as outpatient appointments) and urgent care (such as A&E). Where possible the strategic aim is to maintain children at home and treat them as close to home as possible. Where hospital admission is necessary the drive is to provide as short length of stay as possible. The developed shared care protocols enable many children to be managed safely in community-based settings.
7. The current contract for the Overnight Residential Short Breaks will expire on the 31 March 2024. The contract has been running for 7 years with no uplift included. A consultation was completed with parent, carers and wider stakeholders on the future model of the service throughout Jan- March 2023. The key findings concluded of the importance and value parents and carers of disabled children, and stakeholders have for overnight residential service and of the invaluable support it provides families.

*“The overnight respite that my son currently receives at Sycamore House is a lifeline for my son and I and provides a break for both of us”*

*“The overnight breaks are possibly the most important help we receive as it gives us time to rest and recover as well as being able to spend time with our daughter doing activities, she enjoys which is not possible otherwise.”*

8. When exploring a different model of providing the service in one building, parents and carers were against closing any of the buildings and highlighted the negative impact this would have on children, young people and families.

*Our family is at breaking point. Sycamore house is the ONLY respite our family receives. To change it would be devastating.”*

*“My child has autism and learning disability and would find the change confusing and distressing. Families like ours have enough to struggle with already and when respite becomes something children are anxious about it is no longer respite.”*

9. Families have told us how important the overnight residential short breaks service is to them, and if this service was not provided, there is a risk of family breakdown and children potentially being bought into care of the Local Authority.

## **Service**

10. An increasing number of Disabled Children are living with complex disabilities and health conditions which significantly impact on their everyday lives and the lives of their families. Disabled Children with complex health needs may require nursing support with a high likelihood of hospital admissions which can significantly disrupt family life. It is the Buckinghamshire, Oxfordshire, and Berkshire West (BOB) and the ICB responsibility to meet the health needs of these young people.
11. The residential short breaks have been provided by the current provider since 2017 in Viking House in Headington and Sycamore Resource Centre in Banbury, to provide short term overnight care. The contract is funded jointly between OCC and the ICB; the contribution from the ICB is support the health care needs of the children when they access the service. There are 11 overnight beds per night available across the two sites (6 in Viking and 5 in Sycamore) and there are approximately 57 children using the service.
12. OCC has a statutory duty to safeguard all children and we know that Disabled Children will be high users of health services, both in terms of planned care (such as outpatient appointments) and urgent care (such as A&E). Where possible the strategic aim is to maintain children at home and treat them as close to home as possible. Where hospital admission is necessary the drive is to provide as short length of stay as possible. The developed shared care protocols enable many children to be managed safely in community-based settings.
13. To meet their responsibilities OCC and the ICB originally awarded a contract to the current provider to deliver overnight residential short breaks for an initial 5 years with the option to extend for a further 2 years. The contract value was £1,546,000 per annum, funded 50/50 by the LA (Local Authority) and the CCG (now the ICB), with each contributing £773,000 per annum to the service. During the original contract staffing and running costs have increased, and there has been no inflationary uplift since 2017. The contract value was increased for the last 24 months (April 22-March 24) of the contract to

£1.986,000 per annum. This was partly due to the increased complexity of the children supported, the loss of the provider voluntary contribution and the inflationary increases to the contract.

14. The current service operates over 7 nights of the week, and the utilisation of the available beds varies depending on the needs of the children and young people. One other consideration when overnight stays are planned include the general mix of the children staying, as their specific needs can sometime determine that some individuals do not get on well with other children. These factors can therefore limit the number of beds being used at any one time.
15. 57 Disabled Children have overnight residential short breaks identified in their Education Health Care Plans, (EHCP's) which is a legal obligation to provide for these children. OCC are legally obliged to continue to meet this obligation subject to a reassessment of need, transition to adult services or moving from the area.
16. For a new contract, a preferred bid has been submitted within budget, limiting the risk for both OCC and the ICB. The new block contract will provide the bed nights required for the service for at least five nights of the week for 52 weeks per year. For each building, at least one of the nights must be available on either a Saturday or Sunday and an overnight service will be available to Oxfordshire's children and young people across a minimum of 260 nights per year (520 nights in total).
17. The Provider will be able to determine how the remaining nights of the week are used and whether to close the building, and/or offer any available nights of the week to OCC and other Local Authorities for a pay per use basis. Outside of the block contract, the Provider will release any spare capacity in the first instance to OCC and if not required, then the capacity may be released to other Local Authorities.

## Strategic Outcomes

18. In the provision of this Service, the Provider will ensure individual outcomes for each child are available and is able to demonstrate the impact of the Service in delivering outcomes to improve the lives of disabled children, young people and their families.

**The Service will also meet the following outcomes: Oxfordshire Local Area Special Educational Needs and Disability Strategy 2022-2027**

<p><b>Strategic Objective 1</b> Improving outcomes for children with SEND</p>	<p>We want the Local Area to be equipped to effectively secure high-quality outcomes for children with SEND. High quality services that are accessed in a timely manner and at the earliest opportunity have a significant impact on outcomes for children and lay the foundations for better life chances.</p>
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<p><b>Strategic Objective 2</b> Developing a continuum of local provision to meet the requirements of children and young people with SEND</p>	<p>There is a range of provision for children with SEND in Oxfordshire. It is essential that we develop more local provision so that more children have their holistic needs met within their own communities.</p>
<p><b>Strategic Objective 3</b> Good physical and mental health and wellbeing</p>	<p>We want healthy, happy children and young people who enjoy life. We will work in partnership with children and young people and their families to improve access to both the universal and specialised services they need.</p>
<p><b>Strategic Objective 4</b> Improving post-16 education, learning, employment, and training</p>	<p>All young people will have access to high quality provision in education, training, work experience, apprenticeships and study programmes that support them into meaningful, paid employment and provide them with skills for independent or supported living.</p>
<p><b>Strategic Objective 5</b> Positive move into adulthood for young people with SEND</p>	<p>All young people with SEND and their families should have a positive experience of moving into adulthood. We want young people with SEND to develop the skills, knowledge and confidence to have choice and control over their adult lives</p>

## Financial Implications

19. The preferred bidder met all the evaluation criteria and provided costing of year one and two. (£1.7m each for years 1 & 2). If OCC is to provide overnight residential short breaks for disabled children, an increase in the existing budget is required.

## 20. Whole life costs

*The decision to award an uplift would be based on the providers demonstrating costs that are beyond the initial contract value*

Current budget re existing contract (excluding 22/23) (£)	Year 1 (£)	Year 2 (£)	Year 3 (£)	Year 4 (£)	Year 5 (£)	Total cost 5y (£)	Y5 vs current
Potential uplift (tbc)			3%	3%	3%		
1,546,000	1,700,000	1,700,000	1,751,000	1,803,530	1,857,636	<b>8,812,166</b>	311,636
OCC – 773,000	OCC- 850,000	OCC - 850,000	OCC - 875,500	OCC - 901,765	OCC - 928,818		OCC- 155,818
ICB – 773,000	ICB – 850,000	ICB - 850,000	ICB - 875,500	ICB - 901,765	ICB - 928,818		ICB - 155,818

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## Legal Implications

21. The procurement of the new service has followed a competitive tendering process in accordance with the Council's Contract Procedure Rules which themselves ensure that the Council is compliant with the Public Contracts Regulations 2015 (as amended). Legal Services has assisted with the preparation of the terms and conditions of the proposed contract.

There are no legal implications.

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## Staff Implications

22. There are no new or additional implications and staff resource is included in the project

## Equality & Inclusion Implication

23. As there are existing services, the recommissioning process and award of tender do not negatively impact on the disabled children and families in Oxfordshire.

## Risk Management

24. As part of the recommissioning process, see below a summary of the Risks and Mitigations in place.

	Risk	Impact 0-5	Likelihood	Mitigation
1	Budget restriction	5	High	Costed model against realistic forecasting, that includes budget pressures and service specification developed accordingly
2	Limited parent/carer engagement	3	low	Communication plan in place and OxPCF part of the working group
3	Performance monitoring of the current provider	3	low	Currently monitored and managed by Q&I
4	Tender documents not produced in a timely manner	5	low	Ensure resource is dedicated to the project and monitored in SB Board Meetings
5	No bids received	5	medium	Information provided on the South East Business Portal
6	TUPE risks	4	medium	Costed model included in the Tender documents and included TUPE implications
7	Redundancy costs	1	low	OCC does not have any redundancy liabilities
8	Reputational damage	4	medium	Communication plan in place
9	Length of contract and inflation pressures if inflation high	4	high	Uplift arrangements included during the lifetime of the contract

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Annex: Nil

Background papers: Nil.

[Other Documents:] Nil

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