

## **CABINET MEMBER FOR ADULT SERVICES – 2 MARCH 2010**

### **REQUEST FOR AN EXEMPTION FROM THE TENDERING REQUIREMENTS UNDER THE CONTRACT PROCEDURE RULES IN RESPECT TO OXFORDSHIRE CARERS CENTRES**

#### **Report by Director for Social & Community Services**

#### **Background**

1. Social & Community Services have supported the development of support for carers for many years. Support available through the County took on a more formal nature with the inception of the carer's grant in 1999.
2. Service contracts were let for the provision of support for carers, and then extended until April 2010. These services had not been formally reviewed or market tested.
3. Following a review, issues concerning the under identification of carers, the duplication of overheads (and services) and the inconsistent provision of services was highlighted.
4. The current Carers Support Specification was developed in consultation with carers and providers following a review of services. It requires the delivery of services that achieved the following outcomes for carers in line with the national carer's strategy.

#### **Outcomes**

- Carers will be respected as expert care partners and will have access to the integrated and personalised services
  - Carers will be able to have a life of their own alongside their caring role
  - Carers will be supported so they are not forced into financial hardship
  - Carers will be supported to stay mentally and physically well and treated with dignity;
5. To achieve these outcomes we specified that bidders demonstrate how they would deliver services against the following broad areas:
    - Information, advice and support including outcome planning for carers.
    - Access, sign posting and system navigation
    - Administration of carers funding (Small direct grants)
    - Organised trips and activities
    - Volunteer befriending Service
    - Carers Support Groups
    - Raising awareness of Carers' issues:
    - Identifying new and hidden carers

6. Further to the requirements of the Council's Contract Procedure Rules the current procurement was established in March 2009.

### **Further Developments that have Impacted on the Procurement**

7. These specific services let in the advertised manner under this procurement are now significantly affected by the following subsequent decisions. These actual decisions give rise to new structures and options. These new options were not developed at the time the Carers support Service needed to go through a sign off of the specification for the Invitation to tender in October 2009.

### **Corporate Call Centre**

8. Strategic development agreed December 2009. Phase one from July 2010. The Social & Community Services (S&CS) Access Team may provide enhanced services to carers. The full business specification is still to be agreed. Carers will have access to information and advice within this universal Call centre.

#### **Impact on current specification:**

The Carers Support Service specification is currently specified to deliver Information and Advice to carers in Oxfordshire. This aspect could potentially be delivered more strategically through a corporate call centre with some dedicated support functions for carers. This would represent good value for money and ensure that carers have access to information, which is relevant to their whole lives such as housing, transport and leisure etc.

### **Brokerage Service**

9. Developed under Transforming Adult Social Care. The business case for the current procurement was agreed in September 2009. It was agreed then to go out to tender for between 22k – 58k hours of brokerage. The invitation to tender for this specification has yet to be sent out.

#### **Impact on current specification:**

Information and advice and low level benefits advice service to carers. The brokerage specification offers this support to carers who are arranging care for their cared for person. This is duplication of provision for the FACS eligible carers.

### **Centre for Independent Living (CIL)**

10. A development grant was secured in August 2009. When the service specification for the Carers Support Service was developed there was at that point not a final decision on the priority being given to this development

**Impact on current specification:**

The Carers Support Service specification is currently specified to deliver information and advice to all carers. This is identified as a service that a Centre for Independent Living can deliver. This is a duplication of provision for carers of Non FACS eligible carers

**Good Neighbourhood Schemes**

11. The development of the Good Neighbourhood Schemes under the Community and Capacity Building Strategy currently rests with the Community Development Team. These schemes recruit and train volunteers, who deliver small repairs, help to get to appointments (GP, hospitals etc.), picking up prescriptions, shopping, and short breaks to carers. The volunteers do however not deliver personal care. During the past six months the developments of these schemes has taken off and there are now a number schemes across Oxfordshire, which deliver low level support to Oxfordshire residents.
12. During the consultation on the service Specification meetings were held with the Community Development Team and we were advised at that time that the Good Neighbourhood Schemes were not at that point developed enough to take on this aspect

**Impact on current specification:**

The current specification has the delivery of short breaks built in through the Befriending Sitting Service. This is a duplication of services and no longer good value for money as this is also being delivered by the Good Neighbourhood schemes. Linking the delivery of short breaks (where no personal care is required) with the Good Neighbourhood Schemes would ensure that carers would have access to a much broader range of support from volunteers and greater opportunities for volunteering options could be developed. Carers would receive support from their local communities rather than having to go to carers centres to receive this support. This proposed change would also be in line with our strategic direction of travel both under the Prevention Strategy and the emerging Ageing Successfully Strategy.

**Reasons for Request for Exemption from Tendering and Ceasing Procurement Process**

***Current Specification Limitations***

13. The initial Specification offered to the market did not segment out and offer a breakdown of different options to bidders. This has limited the field of possible providers. Few bidders were interested to provide these services this exercise has not produced a strong market response. Any new specification needs to be offered in a way to allow bidding for different parts of the service to provide:

## CMDAS4

- Outreach to a significant majority of carers in Oxfordshire by raising awareness
  - Information and sign posting
  - Face to face support to the most vulnerable carers
  - Administration of small direct payments
14. Consultation on the approach and actual specification, whilst extensive with providers and some carers didn't engage sufficiently with carers.

### ***Future Procurement Strategy - New Specification Required***

15. We adjust the services on offer to avoid duplication of services.
16. We determine if it would be better to offer a number of options (Lots) to procure rather than just one. Our future specification will split the elements so that we get a broad range of providers expressing an interest in delivering services.
17. We ensure greater involvement from carers.
18. A new Carers Support Service specification would have a much stronger emphasis on prevention and would primarily be to deliver support to carers who are not Fair Access to Care Services (FACS) eligible.
19. The New Specification should fulfil the gaps where the other service specifications are not delivering necessary services as identified in the Oxfordshire Carers Strategy, such as:
- Fulfil our duties under s.2 of the Carers Equal Opportunities Act in identifying hidden carers
  - Raising Awareness of carers issues to Oxfordshire's general population and local employers
  - Provide low level emotional support and training for carers
  - Deliver short breaks and Carers Services to non FACS eligible carers
  - Form close working relationships with GP practices, hospitals and Case Managers working in GP consortias to identify hidden carers
  - Signpost Carers to Information and Advice givers, Brokerage where appropriate and universal services.
20. In the medium term it is envisaged that there will still be a discrete carers support service delivering the above, but it will be a smaller service as many aspects of the current service specification can be delivered through the above named strategic developments.
21. In the longer term a further review will need to take place. This will establish the need for a dedicated carers support service or whether all aspects of the identified carers' priorities can be delivered by the major strategic developments within Transforming Adult Social Care such as Self Directed

Care, Brokerage, Information and Advice work stream, and the Community and Capacity Building strategy.

### **Specific Exemptions Requested**

22. Award of a one-year contract extension to the existing providers (North & West Carers Centre, Oxford City Carers Centre and South and Vale Carers Centre) to continue the existing level of service allowing a new service specification to be developed, consulted on and procured.

### **Reason why the Annexes are Exempt**

The public should be excluded during consideration of the annexes to this report because discussion of them in public would be likely to lead to the disclosure to members of the public present of information in the following categories as prescribed by Part 1 of Schedule 12A to the Local Government Act 1972 (as amended):

3. *Information relating to the financial and business affairs of any particular person including the authority withholding that information*

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would prejudice the commercial position of the parties involved and would prejudice the position of the authority's investments to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

### **Consequences If Proposed Action Not Approved**

23. Absence of these services to Carers in Oxfordshire will have a serious impact on support available to carers. The current contracts support in the region of 6000 carers per year and are considered the main services to carers and a crucial part of prevention services the County Council invests in. The services delivered by these contracts can not be delivered by any of our other contracts currently.
24. The current contracts support the County Council in its duties under the Carers Equal Opportunities Act 2004 of promoting Carers Rights and reaching out to hidden and difficult to reach carers. The Council's ability to fulfil our duties would be significantly impaired if the Oxfordshire Carers Centres ceased to exist.
25. Support to Carers is identified as a key priority both to the County Council and in the Oxfordshire Local Area Agreement 2 and the absence of these services would have a major impact on our performance against agreed targets.

## **Legal Appraisal and Financial Appraisal**

A legal appraisal (Annex 2E) and Financial Appraisal (Annex 3E) have been undertaken and have been given limited circulation.

### **RECOMMENDATION**

**The Cabinet Member for Adult Services is RECOMMENDED to approve an exemption from the tendering requirements of the County Council's Contract Procedure Rules, to enable the Council to award a one-year extension of existing contracts to North & West Carers Centre, Oxford City Carers Centre and South and Vale Carers Centre, to 31 March 2011, in order to ensure service continuity, subject to a full tender process being carried out within the 1 year period of the interim contract.**

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Background Papers

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