

OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:
AHWB/006/2018 Re-tender and award the contract for the delivery of Shared Lives Doncaster to start in April 2019

Box 1

DIRECTORATE: Adults Health and Wellbeing

DATE: 24th Jan 2018

Contact Name: Teresa Bainbridge

Tel. No.: 01302 862058

Subject Matter: Re-tender and award the contract for the delivery of Shared Lives Doncaster to start in April 2019

Box 2

DECISION TAKEN:

To re-tender and award the contract for the delivery of Shared Lives Service in Doncaster from 1st April 2019, for a period of five years, with the option to extend for a further 12 months on two occasions.

Box 3

REASON FOR THE DECISION:

The existing Shared Lives arrangements were tendered in 2013 with the successful bidder, Avalon starting to develop the service in Feb 2014. The contract was initially for three years with two 12 month extensions. The contract will end on 31 March 2019. The service offers Long Term, Respite and Day Opportunities to a diverse range of Service Users. There is an existing cohort of 12 long term service users, who will continue to require support in their Shared Lives setting following the end of the contracted period with Avalon.

Shared Lives offers excellent value for money with the average placement costing £1,849 per 4 week period, compared to £4,600 per 4 week period for other comparable residential placements. The least expensive package being £1,232 and the most costly being £2,710, for someone with very complex needs. The total estimated spend for Long Term support of 12 Service Users being £279k in 2017/18. The overall spend on the service (including Respite and Day Opportunities) for 2017/18 is estimated to be £345k, against a budget of £398k, thereby allowing for service growth.

The service on the whole is successful with a number of new Shared Lives arrangements set up over the period and some longer standing ones progressing into more independent living. Recent changes in Senior Management have led to some focus on the Shared Lives offer, and work is currently being undertaken to promote Social Workers' understanding of the service. It is hoped that this will lead to an increase in referrals to the service for the final year of the contract, resulting in an

increase in those in Long Term Support.

The Place Plan identifies Learning Disabilities as a key priority and Adults Social Work in Doncaster sees Shared Lives as being a core part of the offer available.

Box 4

OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:

If other options were considered, please specify and give reasons for recommended option

Option 1 – Re-tender and award for Shared Lives provision in Doncaster in line with DMBC contract procedure rules.

This is the recommended option as it will allow Commissioners to review the existing model and make any changes to the delivery/ pricing of the service. In addition through going through the tender process DMBC will be able to ensure the best quality/ price for the delivery of the service. It will also offer a longer term solution for up to seven years.

Option 2 – Do nothing

If we do nothing the contract will come to an end; there will be no Day Opportunities or Respite offer through Shared Lives and the existing cohort of Long Term users will be required to take a Direct Payment to sustain their arrangements. The DP process is not currently set up to enable this.

Box 5

LEGAL IMPLICATIONS:

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do.

Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

Section 2B of the National Health Service Act 2006 (as amended by Section 12 of the Health and Social Care Act 2012) introduced a new duty on Councils in England to take appropriate steps to improve the health of the people who live in their area.

The re tendering of the Shared Lives Service should be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

The Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") may apply to staff of the incumbent contractor upon the retendering of the Service.

Legal Services should be consulted at the earliest opportunity with regard to the application of TUPE and to provide the contractual documentation.

**Name: Paula Coleman Signature: By E-mail Date: 06.02.18
Signature of Assistant Director of Legal and Democratic Services (or representative)**

Box 6**FINANCIAL IMPLICATIONS:**

As detailed in Box 3, the average Shared Lives placement costs £1,849 per 4 week period compared to £4,600 for other comparable residential placements. This represents an average annual reduction in costs of £35k per client if placed within a Shared Lives setting as compared to residential.

The 2017/18 Shared Lives budget is £398,480 and estimated full year spend is forecast to be £345,480, making projected underspend of £53,000. With service transformation projects underway, there is budgetary headroom to allow the service to grow.

The Proposed 2018/19 Shared Lives budget is £410,430, therefore this will be the financial envelope to be included in the tender that the new contract will need to be contained within. Continued monitoring during 2018/19 will be required to track new client uptake and the impact upon the future cost of the new contract.

Name: Chris Cowan **Signature:** By email FM/AH&W **Date:** 08/02/18
Signature of Assistant Director of Finance
(or representative)

Box 7**HUMAN RESOURCE IMPLICATIONS:**

There are no Human Resources implications

Name: Paula Monk **Signature:** P Monk **Date:** 30/01/18
Signature of Assistant Director of Human Resources and Communications (or representative)

Box 8**PROCUREMENT IMPLICATIONS:**

The value of the contract is over 7 years (including potential extension periods) exceeds the light touch regime EU Threshold of £615,278. So an EU compliant procurement exercise will need to be conducted.

The Commissioning Manager should assure themselves, via the Legal Department, whether TUPE applies; this will also add time into the process.

As per the CPR's the tender process must be conducted in conjunction with the Strategic Procurement Team and via ProContract. Once awarded a Contract Award Notice must be completed and sent to the Strategic Procurement Team.

Name: Glyn Sparrow **Signature:** By email **Date:** 25/01/18
Signature of Assistant Director of Finance & Performance
(or representative)

Box 9**ICT IMPLICATIONS:**

In commissioning any new provider for the deliver of Shared Lives Service in Doncaster, due consideration needs to be given to:-

- How information is shared between the Council and the provider and
- Any IT systems requirements to support monitoring and tracking of performance.

The commissioning service should engage with ICT early in the process of identifying any new provider to consider any arising IT implications. The setup within the Case Management solution will require amending to reflect the new contract, where applicable.

Name: Peter Ward (Governance & Support Manager)

Signature: [redaction]

Date: 29/01/18

Signature of Assistant Director of Customers, Digital & ICT (or representative)

Box 10**ASSET IMPLICATIONS:**

There are no implications arising from the recommendations of this report that impact on the use of DMBC assets.

Name: Gillian Fairbrother (Principal Property Surveyor)

Signature: By email

Date: 25th January, 2018

**Signature of Assistant Director of Trading & Property Services
(or representative)**

Box 11**RISK IMPLICATIONS:**

There are a number of risks in not taking the decision to re-tender the Shared Lives Service. Risks include:

- No future support for the 12 Long Term Service Users
- There will be no opportunity to grow the Shared Lives offer
- There will reduced chance to offer people with more complex needs empowering support and community based support
- People requiring Long Term support will end up in more expensive placements

Box 12**EQUALITY IMPLICATIONS:**

There will be no negative impact on any of the protected characteristics in relation to the recommissioning of this service. The service will continue to be monitor client and carer gender, age, ethnicity, disability, religion and belief, and sexual orientation to ensure appropriate placing and no negative impact on individuals/ families.

Name: Teresa Bainbridge Signature: [redacted] _____ **Date: _25.01.18_**
(Report author)

Box 13**CONSULTATION****Officers**

(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)

Members

Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

Cllr Blake has been fully consulted on this decision

Box 14**INFORMATION NOT FOR PUBLICATION:**

In accordance with the Freedom of information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures.

Name: _Gillian Parker_ Signature: __by email____ **Date: _08/02/2018_**
Signature of FOI Lead Officer for service area where ODR originates

Box 15

Signed: _____ **Date:** 22/02/18
Denise Bann Assistant Director Commissioning & Contracts

Signed: _____ **Date:** _____
Additional Signature of Chief Financial Officer or nominated
representative for Capital decisions (if required)

Signed: _____ **Date:** _____
Signature of Mayor or relevant Cabinet Member consulted on the above
decision (if required).

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox