

Amanda Jupp, Cabinet Member for Adults and Health	Ref No: AH03(18/19)
September 2018	Key Decision: Yes
Recommissioning of Carers' Short Break Services	Part I
Report by Executive Director of Children's', Adults' Families, Health and Education and Director Adult Services	Electoral Divisions: All
<p>Summary</p> <p>The current contractual arrangements for the provision of carer short breaks expire on 31 March 2019. Comprehensive analysis and stakeholder engagement has been undertaken into the current and future needs of carers in West Sussex to determine the type of support required going forward. This report sets out the recommendations for future arrangements for carer short break support.</p>	
<p>West Sussex Plan: Policy Impact and Context</p> <p>This proposal is in line with the West Sussex Plan priority: <i>'We will support you in later life to remain independent'</i></p>	
<p>Financial Impact</p> <p>All costs will be met within planned budget limits. The indicative annual budget is about £1m p.a. Once provision for future annual inflationary uplifts is included, the total contract sum over its maximum five year duration will be £5.547m. In addition providers will be advised that the County Council is willing to invest up to an extra £1m subject to the receipt of business cases that will demonstrate how benefits of at least equal value could be achieved.</p>	
<p>Recommendations</p> <p>The Cabinet Member for Adults and Health is asked to agree that:</p> <p>(1) a competitive tender process be commenced to commission a range of carer short breaks, to begin on 1 April 2019. To contract for a period of 3 years, with an option to extend for a period, or periods, of up to 2 years and;</p> <p>(2) authority is delegated to the Executive Director, Children's, Adults', Families, Health and Education to award the contracts to the bidders submitting the tenders that best meet the requirements set out in the report and to agree to future extensions of the contract up to a maximum of two years;</p> <p>(3) initial expenditure, allowing for an annual inflationary uplift, be a maximum of £5.547m with provision for up to an additional £1million to be invested over the lifetime of the contract in new and innovative services, subject to providers being able to demonstrate that this will secure benefits for the County Council at least equivalent to the increase in expenditure.</p>	

1. Background and Context

- 1.1 There are approximately 84,400 carers in West Sussex based on 2011 Census data.
- 1.2 Modelling work undertaken by the University of Leeds and updated as part of the 2013 West Sussex Carer Needs Assessment, highlighted that the replacement value of carers activity in West Sussex is estimated to be £1.5bn per annum. The preventative value of enabling carers to take a break and thus preserve their own wellbeing is also recognised by West Sussex County Council and local NHS partners. As such these services have an important role to play in delivering the West Sussex Plan priority around promoting independence in later life, because they enable 'the cared for' to live for longer without the need for formal social care to be provided. Consequently they are integral to making the adult social care budget more sustainable, which is the reason why the procurement will include the potential for an increase in investment, if providers are able to evidence that commensurate benefits will be the outcome.
- 1.3 Analysis for the West Sussex Joint Strategic Review of Carers Needs (2013) showed that short break respite services to carers were not well matched against geographical demand. Therefore in the autumn of 2014, short breaks services were recommissioned in a way that addressed the issues raised through:
 - some rebalancing of services by better targeting of high needs areas
 - encouragement of providers to review charging policies in order to make provision sustainable going forward.
- 1.4 The resulting carer respite and short break services have generally worked well with good commissioner/provider relationships and excellent carer outcomes identified. These contracts are due to expire on 31 March 2019.

The current short break services

- 1.5 There are currently 21,500 hours per year of subsidised 'at home' planned carer respite provided across the county (Lot 1). Over 150 older carers per annum receive regular respite breaks in this way. In addition, a carer emergency respite service exists to provide 1,800 hours per year of emergency domiciliary care provision in the event of a carer accident or sudden illness. Around 120 crises situations are managed each year as part of this scheme.
- 1.6 Carer 'Away from Home' respite services are also provided across the county by a range of different providers (Lot 2). Services include:
 - Day services
 - Outings
 - Dementia cafesTotal carer respite hours across all 'Away from Home' contracts amount to nearly 80,000 hours per annum. Over 300 carers are enabled to receive a regular break and their cared for has a positive experience outside of the home.

- 1.7 When accessing respite carers are invited to register, if they have not done so already, with the county-wide Carer Information, Advice & Support Service and they are able to make use of their services as well.
- 1.8 Providers have also, through the life of the current contracts, been encouraged to review and amend their delivery model as required in order to better meet demand as well as carer requirements. These include, for example, changing times of availability, venue and/or location on the basis of consultation with carers and referring professionals.

2. Proposal Details

- 2.1 To commence a competitive tender in the autumn of 2018 with a view to awarding new contracts in December 2018 and new arrangements beginning on 1 April 2019. Contracts will be for an initial period of 3 years with the option to extend for a further period or periods of up to 2 years, providing stability to both carers who rely on services and for the successful providers.
- 2.2 The services to be procured are deemed to be "social and other specific services" under the Public Contracts Regulations 2015 and therefore the County Council will be undertaking a competitive procurement process that is proportionate to the services and value of the contracts and that adheres to the principles of transparency and non-discrimination.
- 2.3 The procurement is to be achieved via an approach that presents all available bidding opportunities to the market. **This would enable:**
 - compliance with UK/EU procurement law, and
 - a positive response to carer and broader stakeholder consultation regarding the need for a greater variety of respite options.
- 2.4 To commission services that:
 - improve the lives of local unpaid carers and those that they care for,
 - support carers to stay mentally and physically well,
 - develop partnership arrangements, as necessary, to fill gaps and reduce duplication in provision across the county, and
 - ensure that local people have choice and control over the services they need and are treated with dignity and respect
- 2.5 Organisations will need to demonstrate their ability to meet specified outcomes for carers and provide a service to a significant number of individuals for a good value unit cost. Numbers will vary from contract to contract but suggested minimums in the specifications, of carer respite hours and number of carers supported, will be based on last year's KPIs. The discretion to reduce payments, in response to poor results will be built into the contractual arrangements.
- 2.6 The market will be expected to stipulate stretch targets over the life of the contract in their bids. This method of procurement was used previously and it encouraged co-operation between local small charities, innovation, co-design and unlocking of community assets.
- 2.7 Through careful procurement planning and specification development the anticipated outcome will be:

- a stronger short break respite offer for family and friends carers.
 - a doubling of emergency respite response capacity to avert avoidable residential/hospital admissions
- 2.8 By enabling carers to directly access preventative services to support them in their caring role we will be promoting carer wellbeing and enabling carers to care well and care for longer.
- 2.9 The commissioned outcomes will be designed to promote carer resilience and will include:
- carers feeling less isolated
 - carers being supported to stay mentally and physically well
 - carers being supported to have a life outside of the caring role
 - service users always treated with respect and dignity
 - the 'cared for' having a meaningful and positive experience
- 2.10 The Carer Home From Hospital Scheme, currently provided as part of the 'at home' offer, will be outside the scope of this planned competitive tender process. The commissioning of this will be as a single tender. This approach is with a view to joining with the Social Support Procurement run by Public Health as this includes other voluntary sector schemes designed to enable hospital discharge and support.

3. Consultation

- 3.1 The Carers Strategic Partnership Group, a large multi-agency partnership group, leading on the Joint Commitment to Carers 2015-2020, has been updated and consulted on the proposal. So too has the carer lead within the Clinical Commissioning Groups.
- 3.2 In June a Carer Respite Short Questionnaire went out to 1,500 registered carers on the Carers Support West Sussex database. There was a paper version, and an online survey. The survey was also publicised, by CSWS, through the media. Early 'messages' have been gleaned from this. Full analysis of the survey took place in August' and the results the results will inform the tender documentation and tender background information for bidders.
- 3.3 A number of voluntary organisations, providing short breaks for carers, have been consulted via the Short Breaks Provider Forum.
- 3.4 Stakeholder feedback on current provision has also been received from operational staff in Adult Services and the NHS, via the carer commissioning team writing to relevant teams throughout April and May requesting feedback.
- 3.5 The Joint Commissioning Strategy Group was advised of the proposed tender in July.

4. Financial (revenue and capital) and Resource Implications

- 4.1.1 Carers' short-breaks are a central part of the County Council's expenditure on preventative activities. The value for money that they deliver is

significant; for the approximate 600 carers who are supported by the services, the average weekly cost is little more than £30 per person per week. The benefit is that carers are able to undertake caring responsibilities for longer. This delays the point at which 'the cared for' will require formal social care, for which the cost of a typical non-residential package is around £200 per week.

4.1.2 The existing budget for these services is £0.96m, which is funded by a combination of the County Council, the West Sussex Clinical Commissioning Groups and the Better Care Fund. In view of the return that this spending produces, and its ability to help deliver adult social care in a way that is more financially sustainable, that commitment will increase to £1.066m from 2019/20. This figure incorporates an inflationary uplift of 2% together with growth of £0.087m, utilising some of the demand funding that is planned to be allocated to the portfolio in 2019/20. This makes the budget position for the initial three period as follows; if the contract is extended to its full five year term expenditure will rise to a maximum of £5.547m.

	Current Year 2018/19 £m	Year 1 2019/20 £m	Year 2 2020/21 £m	Year 3 2021/22 £m
Revenue budget	0.96	1.066	1.087	1.109
Change from Proposal	N/A	Nil	Nil	Nil
Remaining budget	N/A	Nil	Nil	Nil

Additionally the procurement will allow for the potential of a further £1m being spent across the lifetime of the contract. The reason for this is that the County Council is keen to explore with providers proposals for new and innovative services that will allow it to achieve even greater value for money. That funding will be offered on a conditional basis and any agreements will be subject to providers being able to demonstrate that this will secure benefits for the County Council commensurate with the increase in expenditure.

The effect of the proposal

4.2 This procurement will contribute to the following Council priorities:

- Maintaining and developing resilience to enable carers to carry on caring
- Improved health and wellbeing of the carer and, through enabling safe and better caring, improved health of 'the cared for'
- Improved independence for both carers and 'the cared for'

4.3 Innovation and efficiencies have been achieved during the life of the current contracts to ensure best value through the maximum numbers of carers benefitting from the service provided, thereby reducing unit cost; a similar approach will be followed with the new arrangements. Examples of innovation include, added value via charitable fund raising, providers

introducing realistic charges for services and shared training costs across organisations.

- 4.4 It is estimated based on current performance, that over 100,000 caring hours per annum will be provided across all of the contracts. The procurement will set a clear expectation around minimum number of carer respite hours. Throughout the life of the contracts quarterly KPI data will be collected and face to face reviews held with providers. This will ensure quality/best value and through proactive management of voids the maximum numbers of carers benefitting from the service provided.
- 4.5 An open and positive relationship with the current providers, all local charities, is in place and added value is provided, for example, through the promotion of the carers' digital offer and providing free venues for the Carers' Health Team. The planned procurement will build on this relationship and innovation will be encouraged in order to best meet the desired outcomes for as many carers as possible.
- 4.6 The market is again likely to be the charitable sector. In order to stimulate competition market engagement has started with some other local providers that hitherto have not tendered for carer short break funds.

Future transformation, savings/efficiencies being delivered

- 4.7 Census data trends suggest 1,300 extra carers per year living in the county. The trend is likely to continue throughout the life of the new contract and therefore the new contracting arrangements will aim to stretch the reach of the funding available. Although it is difficult to be certain about the size and timing of benefits, the procurement has obvious potential to contribute towards delivery of future savings targets from Focus on Prevention because of the knock-on effects it should enable in other areas of the budget.

Human Resources, IT and Assets Impact

- 4.8 There will be no increase in current requirements.

5. Legal Implications

- 5.1 The provision of short break respite is a key aspect of our mandated duty (Care Act 2014) to support carer wellbeing.
- 5.2 The procurement will be undertaken in accordance with Chapter 3, Section 7 of the Public Contract Regulations 2015 for awarding contracts for social and other specific services – complying by virtue of ensuring the principles of transparency and equal treatment are maintained, ensuring acceptable time limits are applied and details of the award procedure made clear in the tender documents

6. Risk Assessment Implications and Mitigations

- 6.1 There is an identified financial risk as some of the funding for this service is from the West Sussex Better Care Fund. The future of the Better Care Fund in the next Spending Review is not certain. Also the County Council and Health partners can agree on changes at the annual review of the Better Care

Fund plan. However the West Sussex Better Care Fund is managed via a Section 75 agreement that states funding for services should be seen by all parties as on-going.

- 6.2 In the unlikely event that one or more Clinical Commissioning Groups consider withdrawing funding, then this would be managed via the Section 75 process. The Better Care Fund Technical Guidance however makes it clear that Clinical Commissioning Groups funding for supporting carers, included within Better Care Fund, must be used for that purpose. In addition the County Council has been the lead commissioner for carers' services and has actively engaged the CCGs.
- 6.3 To mitigate the risks outlined in 6.1 and 6.2 above, appropriate flexibility will be built into the contract and adjustments would be made to enable the service to reflect any new arrangement and reduced funding.
- 6.4 The contracts will not be full cost recovery. The procurement process will encourage providers to implement realistic charging policies, pool costs where possible (e.g. staff training and publicity/promotion activity) and find alternative sources of funding to support the viability and sustainability of the short breaks services. The contracted funding will in effect 'facilitate the market' by providing a contribution to core costs. It is expected that carer charges will continue to form a significant part of the financial model. However, these will need to be at affordable levels because providers will have to work hard to keep high numbers attending, as they are carrying financial risk arising from low attendance.

7. Other Options Considered (and reasons for not proposing)

- 7.1 To roll on the current contractual arrangements. This would provide service stability but would mean:
 - reputational risk to the Council; in the event of legal challenge or other public investigation/scrutiny,
 - potential opportunities lost for co-production with current providers and any new providers in the market, and
 - the risk of poorer carer outcomes and poor value for money, as a result of not redesigning provision to meet developing needs.
- 7.2 To stop funding carer short breaks completely. This would mean:
 - non-compliance with statutory duties relating to carers (Care Act 2014), and
 - the well evidenced, preventative value of enabling carers to care well and stay well themselves, would not be realised.

8. Equality Duty and Human Rights Assessment

The County Council's obligations in relation to the public sector equality duty have been identified through an Equality Impact Assessment (EIA). The future operational oversight of the implementation of the procurement will have due regard to the issues raised in the EIA. No negative impacts on people, particularly those with protected characteristics, have been identified. Protected groups will be given robust consideration within the specification and there will be a method statement question, within the

tender process, about equality of access to service. Equality will remain a strong feature within any new contracts and associated performance monitoring. There will be specific key performance measurement of engagement with carers from both the BME and LGBT communities.

9. Social Value and Sustainability Assessment

- 9.1 The procurement process will seek to improve the capacity we have to meet emerging carer need across the County through recognising, valuing and building on our wealth of social capital. Consequently, whilst funding applications will still be evaluated against value for money and quality criteria they will also be critically measured in terms of the contribution they will make to building social capital in the County. The commissioning process will seek to bolster the voluntary sector and help to ensure that the market in West Sussex remains buoyant and stable. Local communities will benefit from services that have added social value.
- 9.2 Social capital will be defined in the tender documentation as the connections among people and their social networks and a willingness to do things for each other and a sense of trust coming from this. There will be an expectation that bidders demonstrate:
- local knowledge and experience of community engagement,
 - service user and/or carer-accountable structures (e.g. user-led organisations),
 - active network participation,
 - use of volunteers, and
 - acceptable access points and transport solutions.
- 9.3 There will also be a strong emphasis on:
- achieving the concept of 'communities around carers' at a localised level, and
 - building carer resilience, to enable people to live well and remain at home for as long as possible.
- 9.4 The use of the preventative Emergency Respite Scheme will be expanded. As well as helping to prevent the need for statutory intervention in times of emergency; the added value of this is that it encourages carers to identify their own network of support at an early stage.

10. Crime and Disorder Reduction Assessment

None

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Appendices: None

Background papers: None

