

Delegated Decisions report



23 March 2021

PROPOSAL TO EXTEND THE CONTRACT TERM FOR THE CARE AND SUPPORT OPTIONS SERVICE

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Exempt / confidential / not for publication	No
Council Plan reference	Council Plan Commitment 7 – COVID-19 Recovery
Wards affected	All wards

Executive Summary

This report requests a decision on the proposal to extend the current contract for the Care and Support Options service until July 2023. This is a service to support adult and children who are in receipt of a direct payments. The current contract with Connection Support is due to expire on 2 July 2021, although it has the provision to allow for a two-year extension.

Permission to utilise this extension is requested for the following reasons:

- Connection Support have been performing well, which is demonstrated through their quarterly reporting data. Feedback has also been sought from different parts of Milton Keynes Council who utilise their services. Their input about Connection Support has been positive, reporting that they provide a supportive and helpful service.
- The COVID-19 pandemic has resulted in major disruption to the market, severely impacting on service providers. It has also disrupted the normal commissioning processes that Milton Keynes Council employs to procure new services. This makes it extremely difficult to carry out provider and service user engagement to inform the development of the specification and to input into the whole commissioning process. This could result in a poorer service outcome post award.

1. Decision to be Made

1.1 That the extension of the current contract for Care and Support Options for an additional two years from 3 July 2021 to 2 July 2023, be approved.

2. Why is the Decision Needed?

2.1 At a Delegated Decision in 2017, permission was sought to commission a service to provide Care and Support Options for those in receipt of direct payments. Milton Keynes Council contracted with the current provider, Connection Support to deliver the service for three years with a possible two-year extension. The three-year contract ends on 2 July 2021.

2.2 The contract for the Care and Support Options benefits both adults and children who receive support with their direct payments. This service can also be useful for Milton Keynes Council social workers and people looking to be employed as a Personal Assistants (PAs.) The provider assists with a variety of tasks which include a helpline for Direct Payments and Employer Information, Advice and Support for Direct Payments, Employment Advice and Support, a Payroll Service, a Holding Account Service and lastly Support with Completing Direct Payment Monitoring Returns.

2.3 The authority is in the third year of the arrangement, and provider reporting from the second quarter of this year (July 2020 - September 2020) demonstrates its benefits - for example:

- Nearly 750 calls were taken from the Milton Keynes area by the helpline offering guidance around using a direct payment or employment related issues.
- 16 interactions were provided giving advice for those having difficulties managing their direct payment responsibilities or who were in conflict with their service providers.
- 16 interactions took place to advise them around becoming an employer.
- Nearly 40 clients (both adults and children) are supported on average each quarter to employ a PA.
- 185 clients use the payroll service with an increasing amount of PAs in receipt of auto enrolment pension (currently just under 70).
- Nearly 400 payments were made from holding accounts. This number is slowly increasing.
- 5 people are supported to complete DP monitoring returns.

2.4 Input has been sought by commissioners from both adult and children's social care teams and the feedback on the service received has been positive.

Comments were received about the service that they are helpful and responsive; they interacted well, are detailed in explaining things, and are very supportive to families. Unfortunately, engagement with service users has not been possible due to the COVID-19 pandemic and lockdown situation. Government policy to stop the spread of the virus, has made it impossible to deliver this safely and without risk to participants and partners in the commissioning process.

3. Implications of the Decision

Financial	✓	Human Rights, Equalities, Diversity	✓
Legal	✓	Policies or Council Plan	
Communication	✓	Procurement	✓
Energy Efficiency		Workforce	

(a) Financial Implications

The current cost of the service for Care and Support Options is £246,304 per annum, which is funded from the commissioning budget. The cost to Milton Keynes Council of an additional two years would be £492,608, and this has already been budgeted for. If agreed, services will continue as they are, to offer support to people in receipt of direct payments until 2 July 2023.

By using the provision to extend the current contract, Adults and Children's are saving on the cost, time and resource of recommissioning and avoiding the risk of disruption and an ineffective market exercise given the current uncertainty due to COVID-19. The extension enables an established contract which is being delivered cost effectively to continue.

(b) Legal Implications

The Care Act 2014 requires local authorities to enable individuals to choose from a variety of providers and have sufficient information to make an informed decision about how services can meet their needs. Having the service for Care and Support Options assists people to choose who they employ by opening other innovative care options to individuals. More importantly, it also provides them with information and guidance to make informed decisions when using direct payments and helps them navigate the complex area of employment law.

The current contract was established following a proper procurement exercise and makes provision for Milton Keynes Council to extend the current arrangement.

(c) Communication Implications

This service is far reaching, working across both adult and children's social care making the communication exercise quite extensive to both staff and clients. Extending the current contract, rather than recommissioning it, delays the difficulties of informing social teams and those in receipt of direct payments that a new provider is in place. Referral processes can remain the same and maintaining existing provider relationships for both Milton Keynes Council staff and clients supports smooth running of services, particularly when the lockdown restrictions are in place and communication is harder.

(d) Human Rights, Equalities and Diversity

Clients with learning disabilities are frequent users of direct payments. Having Care and Support Options in place enables them to gain assistance, enabling them to utilise a direct payment and access services that they may not be able to manage alone. This will promote independence and look to improve their quality of life.

(e) Policies or Council Plan

The Milton Keynes Council Plan 2016-2022 was agreed by full Council at the meeting on 17 June 2020. COVID-19 Recovery is a key priority and the Council must ensure that services reflect and adapt to quickly changing circumstances, providing flexibility while always maintaining safety. Milton Keynes Council has committed to supporting its social care and health care partners to ensure older and vulnerable people still receive good services. It supports the view that every person in Milton Keynes has the opportunity to achieve their ambitions. The Council Plan also states Milton Keynes Council will provide support, so every child has the opportunity to succeed. This delegated decision is consistent with these objectives in the Council Plan.

(f) Procurement Implications

Retendering the service would have a financial implication, in addition to potential set-up costs of a new provider. Due to the social care current market instability, and reduced staffing levels in most organisations, there is a risk that a re-procurement process would result in less providers bidding, as this is a time-consuming and resource-intensive process that is difficult to do while the COVID-19 outbreak is ongoing. Service user engagement would be problematic to deliver safely and without risk to participants. The current service is good value for money and is delivering satisfactorily. Extending the contract is the recommended option.

4. Alternatives

- 4.1 The Care and Support Options contract terminates on 2 July 2021, and the service is not delivered

This is not recommended. Ending the service would result in support not being offered to adults and children who receive direct payments. This would leave Milton Keynes Council clients to agree contractual employment arrangements unsupported, which could result in some vulnerable clients being exploited, and safeguarding concerns. The discontinuation of the service may also discourage a number of clients from taking direct payments and preferring to have managed packages of care (arranged by the council). This would reduce the number of clients benefitting from this option to take control of their care delivery and personalised care.

- 4.2 To re-tender the contract for Care and Support Options, taking effect from 3 July 2021.

This is also not recommended as:

- Social Care providers have been impacted by COVID-19 and may not be able to participate in a formal tender process at this time. This has been a challenging time for social care providers and the requirements of a procurement process would place them under significant pressure. It may result in them not submitting tenders at all which would have an adverse impact on the quality of the Council's commissioned services. Service user engagement would be problematic to deliver safely and without risk to participants. Feedback would be limited.
- The current provider run an effective, well performing service which is evidenced by the quarterly reporting.

5. Timetable for Implementation

- 5.1 If the recommendation is approved, the current provider will be notified, and paperwork will be prepared and agreed to extend the contract.
- 5.2 The current service will continue from 3 July 2021 - 2 July 2023.
- 5.3 A commissioning process will commence in July 2022 to secure a new service provider to deliver the contract from 3 July 2023.

List of Annexes

None.

List of Background Papers

None.