

# Delegated Decision report



30 May 2023

## PERMISSION TO TENDER FOR DAY OPPORTUNITY SERVICES

Name of Cabinet Member	<b>Councillor Emily Darlington</b> Adults, Health, Community and Housing
Report sponsor	<b>Hannah Soetendal</b> Head of Commissioning
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Exempt / confidential / not for publication	<b>No</b>
Council Plan reference	<b>Commitment 6 – Supporting Vulnerable People</b>
Wards affected	<b>All wards</b>

### Executive Summary

This report is seeking approval to begin the procurement process to commission Day Opportunity services Framework for adults, in order to establish a wide range of social, education, leisure, employment, and skills development opportunities for adults in Milton Keynes City, including those with complex needs. These services support people to access activities outside of their home, enabling them to live as independent and fulfilling a life as possible.

1. Proposed Decisions
  - 1.1 That the commencement of a procurement exercise to commission a Day Opportunity services framework for people with learning disabilities, autism, mental health, and physical disability needs, be approved.
  - 1.2 That delegated authority be given to the Group Head of Commissioning to award the contracts called off from the framework.

## 2. Why is the Decision Needed?

- 2.1 Whilst people have been benefitting from the social side of the Day Opportunities service procured by Milton Keynes City Council (MKCC), it is evident that progression towards desired outcomes or supporting people to reach their potential has not been met
- 2.2 We are looking to focus our Day Opportunities on progression for individuals, with employability skills and the opportunity to undertake paid work.
- 2.3 A wider range of Day Opportunities will be available, with more services based in the community and outdoors.
- 2.4 The service may provide Day Opportunities for clients who are assessed as having complex needs.

## 3. Implications of the Decision

Financial	Y	Human rights, equalities, diversity	Y
Legal	Y	Policies or Council Plan	Y
Communication	N	Procurement	Y
Energy Efficiency	N	Workforce	N

### (a) Financial Implications

The budget has been agreed at £1.495m per annum. A fixed rate of £50 per session will apply. The Framework will be for a duration of four (4) years.

Currently, rates are paid between £38.00 to £44.00 per session. These rates are not reflective of the current market conditions and present a risk to the council to manage the market and ensure that quality support is delivered.

There is a cost pressure of £0.137m per annum to uplift the fees via a framework to £50 per session. The financial pressure for the year of 2024/25 will be funded from the Market Sustainability and Improvement Fund (MSIF).

The cost pressure for future years beyond 2024/25 will be reviewed and either counteracted by savings or a permanent pressure will be requested as part of the yearly financial planning process.

### (b) Legal Implications

The Council has a statutory duty under the Care Act 2014 to support people who have assessed care and support needs. Day Opportunities not only provides individuals who attend with meaningful activity during the day, but allow their carers a break, meaning they can cope better with their caring role.

To ensure the lawful procurement and management of the Framework Agreement and to mitigate any risk of legal challenge, full compliance with the Public Contract Regulations (PCR) 2015 and the Council's Contract Procedure Rules is required.

The term of a Framework Agreement must not exceed four years and any contracts called off from the Framework Agreement must be carried out in accordance with the rules of the Framework Agreement.

(c) Procurement Implications

The creation and operation of a Framework Agreement must be compliant with the provisions of the Public Contract Regulations and the Council's Contract Procedure Rules.

(d) Human Rights, Equalities and Diversity Implications

Any revision to the service specification for Day Opportunities services is to offer a wider service to more clients with a range of needs. This will assist more people to access services that increase independence and support progression to employment.

Coproduction has been carried out with service users at current providers, carers of those who attend, internal operational staff, and CHC colleagues. Carers commented that the provision of Day Opportunities supports them in their caring role, providing valuable respite for a few hours. Service users described how they would like a wider choice of activities; some suggestions included more theatre groups, animal care skills, volunteering opportunities, IT skills, hair and beauty, swimming and the opportunity to gain qualifications at college.

An Equality Impact Assessment has been carried out. Please refer to the attached **Annex**.

(e) Policies or Council Plan Implications

The recommissioning of Day Opportunities supports:

- (i) Council plan 2022-26 principle 6 - supporting vulnerable people, providing services that increase independence and improve the quality of life for people.
- (ii) ASCOF 1E - increasing the proportion of people with a Learning Disability in paid employment.

## 4. Alternatives

- 4.1 The Council replicates the existing arrangement with a range of mainly building based service, with less focus on progression and employment skills.

**This not recommended** for the following reasons:

- The recommissioning is a good opportunity to shape the market to provide, for those who are able, the opportunity to develop independence and access employment.
- Feedback from coproduction indicates a wider choice of services, including more outside activities, is required.

## 5. Timetable for Implementation

- 5.1 Commissioning activity commenced October 2022 and continues in order to procure a new Day Opportunities framework to meet a range of client needs.
- 5.2 Provider, service user and carer engagement began in November 2022 and will continue until July 2023.
- 5.3 The new services to commence in April 2024.

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### List of Annexes

Annex      Equity Impact Assessment

### List of Background Papers

None