

Report to:	Cabinet	Date of Meeting:	24 June 2021
Subject:	Adult Social Care - Day Services Vision, Commissioning and Procurement		
Report of:	Executive Director of Adult Social Care and Health	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Adult Social Care		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of the report is to set out the long-term vision and commissioning approach for Day Services in Sefton building on the model previously agreed by Cabinet in 2015 and taking account of the subsequent impact of the COVID 19 pandemic and the changing aspirations of young adults transitioning to Adult Social Care on these services.

In addition to ensure that the market is responsive to the needs of our communities to recommend to Council that a procurement process is undertaken to establish a purchasing arrangement in Sefton which will secure a range of suitable, quality and diverse services to meet the needs of people who meet Care Act Eligibility.

Recommendation(s):

Cabinet is recommended to

(1) approve the commencement of an engagement and consultation process with stakeholders with regards to the vision and strategic commissioning of day services including the impact of any changes to the current delivery model.

(2) in order to manage quality and cost ahead of the completion of the consultation process approve the Direct Award of contracts to current day service providers on a temporary basis for a period of 12 months, based upon current values and spot purchasing arrangements.

(3) approve the commencement of a procurement process in line with Public Procurement Regulations which will secure a suitable purchasing system to be used to source day service placements from August 2022.

(4) delegate the awarding of the contracts to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member for Adult Social Care.

(5) delegate decisions for the authorisation of call off from the contracts for individual places to senior managers within Adult Social Care, based upon the scheme of

delegation.

Reasons for the Recommendation(s):

To ensure that the commissioning approach and strategic vision is available and adopted to meet the needs of vulnerable and disabled people in our communities.

To create a sustainable and innovative market which supports the ambitions of our communities including those of our young people who are seeking more creative solutions for support during the day and services which can respond to these developing needs.

To ensure that services are delivered to an agreed specification which aligns to the approved model for day opportunities.

To ensure that quality standards are monitored.

There is a need to ensure that provision established can respond to the aspirations of people who use services including young people in transition to adult services. The recommended approach to existing contractual arrangements will enable the Council to ensure that current provision is being delivered in accord with the approved model for day opportunities, is aligned to an agreed specification and contractual terms.

To ensure that services are commissioned appropriately in compliance to the Contract Procurement Regulations and that there is a legally complaint process in place to secure places. The approach described will enable a systematic review of related contracts.

Alternative Options Considered and Rejected: (including any Risk Implications)

To do nothing, this option was considered however it would have implications with regards to the current commissioning, contractual and procurement arrangements and future sufficiency and sustainability of provision given the impact of the Covid 19 pandemic on these services.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no additional cost arising from this report. Existing costs will be met from existing Adult Social Care budgets

(B) Capital Costs

There are no capital costs associated with this report, however in establishing possible approaches to create more sustainable solutions for people accessing day opportunities capital resources may be a consideration. Where this is the case details will be presented through formal governance processes to approve.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

The overall cost of day service provision for 2021/22 for day services (including New Directions provision) is around £4.7 million excluding Direct Payment clients and transport costs

The cost of provision is currently within the ASC baseline budget, with no predicted impact on the budget.

Legal Implications:

Care Act 2014

The Public Procurement (Amendment etc Regulations) (EU Exit) 2020 introduced to amend Public Contract Regulations 2015.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

Whilst the recommissioning of services will not in itself have a climate impact, the resultant services will. The type of services being provided to some of our most vulnerable citizens have potential to reduce climate impacts but also deliver health and wellbeing outputs, for example specifying low emission vehicles will help to improve local air quality. Environmental consideration will be taken into account when specific projects are designed and commissioned – which will help to mitigate negative impacts, capture positive outcomes and send a signal to providers of our low carbon ambitions.

Equality Implications:

The equality implications will be assessed as the activity progresses and any changes are made to provision. Cabinet Member will be kept informed of all equality implications, risks and mitigations.

Contribution to the Council’s Core Purpose:

Protect the most vulnerable:

Vulnerable people will be supported through having a range of both universal and commissioned provision available to them.

Facilitate confident and resilient communities:

The programmes in place will support people to become more confident and resilient by enabling them to develop their skills, widen their friendship circles, access volunteering

opportunities and for some equip them to access employment opportunities.
<p>Commission, broker and provide core services: The proposed approach will seek to ensure sufficient capacity in the market which will offer Value for Money and good quality.</p> <p>The Vision and proposed commissioning approach are needs based, outcome focused and supportive of flexibility around an individual's needs. Services will support ongoing development and/or facilitate access to development, training and where possible employment options.</p>
<p>Place – leadership and influencer: This work aims to encourage more diverse provider markets operating locally in order to stimulate quality, choice and greater value for money.</p> <p>The Council is seeking to work with others to develop services, commissioned and universal.</p>
<p>Drivers of change and reform: The Council will be looking for innovation and flexibility within the market place in order to improve opportunities to access training and employment, increase people's networks/social circles and for some reduce dependency on models of care.</p>
<p>Facilitate sustainable economic prosperity: This model will enable providers to encourage greater independence by supporting and encouraging people to enhance opportunities for ongoing learning and development including employment opportunities.</p>
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6403/21) and the Chief Legal and Democratic Officer (LD.4604/21) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Extensive engagement has been undertaken with young people and their carers as part of the Special Educational Needs and Disability review (SEND), during 2019-20-21. This has captured the aspirations of young people with regards to how they wish to spend their days, leading to fulfilling lives. This has identified that many young people are keen to access universal provision which promotes independence, and which can lead to meaningful activities and employment. There is less reliance upon traditional models of support and building based purposes which segregate young people from the wider community. This includes the co-production of [Sefton's Preparing for Adulthood Guide](#)

As the outcome of this report seeks to refresh the model in light of the impact of the pandemic it is proposed that formal consultation is undertaken with those attending day services and their carers. Plans will be submitted to the Consultation and Engagement Panel in July 2020 for approval and comment. This consultation will also advise and inform the way in which we co-design those services and inform the purchasing arrangements proposed to secure services in accord with the Council's Contract Procedure Rules.

Implementation Date for the Decision

Immediately following the Cabinet meeting.

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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Introduction

- 1.1 Day services are places and opportunities for supporting people with an assessed need during the day, they can be offered within a building-based location or within the community. Prior to the Covid 19 Pandemic there were 648 people accessing day services in Sefton, numbers have reduced due to the Covid 19 Pandemic and providers applying social distancing, however it is anticipated that people will begin to access provision once restrictions are reduced or lifted. Services are accessed through a Care Act Assessment to meet social care outcomes and can support people with very complex physical, mental health and learning disability. Sefton commissions from 21 providers who deliver these services with a spend of approximately £4.7 million (excluding Direct Payment clients and transport costs per annum). The Clinical Commissioning Groups also fund day services for people eligible for Continuing Health Care and so it is proposed that recommendations will be adopted by the Clinical Commissioning Groups once finalised.
- 1.2 Policy - In 2007 the Social Care Institute for Excellence (SCIE) published 'Having a Good Day' which was a knowledge review of community-based day activities and remains relevant to this day. The review of policy and practice highlighted work, education, training and volunteering, participating in leisure, arts, hobbies and socialising, as essential elements of successful day opportunity services. It goes on to say that irrespective of the support people need activities should have a purpose, be undertaken in ordinary places, do things members of the wider community would do and ensure friendships, connections and a sense of belonging develop in the process.
- 1.3 Day Opportunities are activities/services that help people to have a fulfilling life: they provide the opportunity to take part in various interests and activities, make friends, develop relationships, gain new skills and enable people to make a positive contribution to the community. Day opportunities also provide support to carers by means of creating respite so that they can pursue their own interests outside of their caring role.
- 1.4 Since the 2007 report was published Councils across England have adopted different approaches to meeting Care Act eligibility and mostly building day services are provided to those with the most complex needs with a community offer to ensure that principles of accessing the community, engaging with friends and participating in work opportunity is facilitated through community and voluntary sector, direct payments and social enterprise models.
- 1.5 The Care Act 2014 which came into effect on the 1st of April 2015, represents the most significant reform of care and support in more than 60 years, putting people and their carers in control of their care and support. The Act is particularly pertinent to how day opportunity provision is commissioned. Importantly the Care Act changes many aspects of how support is arranged and aims to give greater control and influence to those in need of support.

2 Local background and overview

- 2.1 In 2015 Cabinet approved the model for day opportunities and the three models approved by Cabinet which reflected assessed eligible needs and person-centred support.
- 2.2 The model sought to provide a building-based option for those people with the most complex needs whilst enabling others to access a range of opportunities within the community, where enhanced opportunities for employment could be developed.
- 2.3 In summary the key aspirations of the agreed model were to:
 - Focus on the individual, their strengths, choices, assets and goals through person-centred planning
 - Focus on the outcomes that service users and carers wish to achieve
 - Provide support that enables the person to access a range of opportunities in the wider and their own community as an active and equal citizen
 - Maximise the opportunity to use personal budgets or direct payments to access support or activities of the person's choice
 - Make the most of a vibrant borough, ensuring access to the wide range of opportunities Sefton has to offer
- 2.4 The model marked a move away from traditional building-based day services to provision that focuses on what people want to achieve (outcomes) and what they are good at (strengths) and reflected the ethos of the Care Act 2014. The approach outlined to Cabinet in this paper will further build on this model.
- 2.5 During 2020, pre the pandemic, there were 648 people attending some type of day service across 21 services, there were 208 people accessing some type of day care provision via a Direct Payment. 177 people who access day services attend 5 days per week.
- 2.6 Of those attending day services, there are around 389 people with a learning disability, 25 with mental health issues, 4 with sensory needs, 131 with a physical disability, 66 with cognitive impairment and overall around 227 people are aged over 60.
- 2.7 Many people who access day care services in Sefton have a disability and also have other services in place, for example, supported living and shared lives, many will be in their own homes with a domiciliary care package and will also access respite provision. For many families day opportunities are a valuable source of respite which enable them to live their own lives, accessing work etc.
- 2.8 This is a similar situation for older people and those with dementia where families will find that access to day services provides both an opportunity to their loved one to be part of an activity or a friendship group with other people and enables families to be assured that their loved one is safe during the day.
- 2.9 Most day services are delivered within the Sefton Borough, however there are a number of services which are provided out of area based upon the service offered and needs of the individual.
- 2.10 Many services still retain a building base, and although this could be expected to an extent for services catering for older people or those with dementia, 60% of people in day care are those with a Learning Disability, with 64% of people are under 60 years of age. Whilst it is accepted that there will still be a need to commission some building-based provision in accord with the model the

aspirations of younger people reflect a move away from traditional models favouring more individual approaches to developing support options. There is a need therefore to ensure that there is a sustainable, flexible and flourishing market available in response to this developing aspiration.

- 2.11 The use of a Direct Payment to fund access to day services has increased and of the 648 people who were accessing services, 208 people use a Direct Payment for this purpose.
- 2.12 The impact of the pandemic has also reduced access to building based provision but has also shown that in response more individually developed support options have been welcomed by people and some are now seeking to retain these as opposed to returning to a building-based provision.
- 2.13 Demand for more structured outcomes is still evident for older people and those with dementia, however trends which are still evident is that people still want to access more innovative community options rather than the traditional models.
- 2.14 Gaps in provision still exist in meeting the needs of people with complex needs. We are aware that approx. 28 young people will require these services over the next 5 years as they transition to adult services.
- 2.15 These changes can be supported through the work undertaken in consultation with younger people through the Special Educational Needs and Disability (SEND) review, where feedback from young people expressed that they were looking for this type of universal community support to maintain their independence.

3 Transport

- 3.1 Prior to the pandemic around 207 people were making use of specialist transport to attend day services. Currently the number anticipated to require specialist transport is around 97 however further work is required with regards to the recovery of day service provision and so this may increase as restrictions relax or lift. In addition, it is not known if some individuals may now prefer to travel independently, this will need to be assessed as restrictions relax further.
- 3.2 The current Transport Policy in place will need to be reviewed to ensure it is responsive to any changes as part of recovery.

4 Covid 19 Impacts and Recovery

- 4.1 The impact of the pandemic on Day Services in Sefton has been significant, during the first lock down most services closed with only a few operating to support a small number of service users with complex needs. Other services used staff to support people in other ways, virtually or by maintaining contact and undertaking tasks for example shopping collection etc.
- 4.2 All providers operating in Sefton have been able to continue to retain their provision during the Pandemic with support from the Council, however at reduced numbers which has created some financial difficulties for them.

- 4.3 In some cases people have found that the alternative arrangements had suited them better than the day provision and have now sought to cease day provision and continue to utilise the alternative support.
- 4.4 To enable an equitable approach to people accessing the reduced numbers of day service places available days that people could attend was reduced. In some instances, this has also provided other opportunities for people who may now not wish to return to their previous day provision and will seek to explore other options, which can enhance their independence.
- 4.5 In other cases officers are aware that people are now keen once restrictions are lifted to return to day services, and so there is a need to ensure that our offer for day provision recognises the shift to consider a wider mix of local universal provision and the engagement of the voluntary and community sector.

5 Commissioning Approach

- 5.1 Commissioning activity proposed in this paper will ensure that the model of service is still fit for the future and aligned to strategic priorities for Adult Social Care and the Council including consideration of the impacts of the pandemic on the market and the aspirations of our communities.
- 5.2 A consultation approach will be developed involving key stakeholders This will include consultation and co-design with people who use services and their carers. In addition, officers will use the feedback from young people and carers from the SEND consultation and engagement with regards to young people who are transitioning into adults' services.
- 5.3 As part of this market management approach there will need to be the development of an outcome- based Service Specification which should be co-produced with people who use services and their carers. This will be used to inform the purchasing system developed and encourage new and innovative solutions to be available.
- 5.4 Linked to the strengthening of the approach to the management of the market there is also a need to undertake a competitive process to develop a purchasing system to ensure that services are commissioned within the Council's Contract Procedure Rules and that spot purchasing is managed effectively through an agreed commissioning process.
- 5.5 Providers will be engaged in developing the specification and so they understand and can contribute to the further development of the model.
- 5.6 Development of Social Enterprise Models will be a priority within this proposal. These models of support will provide real opportunities for people to become more independent and were possible secure training and employment. This would enable the Council to become a facilitator and enable people to access community provision which enhances their experiences and promotes independence rather than commissioning a range of building- based services which can often prohibit development opportunities and reduce employment options.
- 5.7 Further engagement and involvement will be progressed with the Voluntary, Community and Faith Sector Sefton to promote the existing community support within localities and supporting the sector to grow, building resilience in

communities based on place and natural assets and the promotion of wellbeing and independence for local people.

6 Sefton Adult Social Care Vision

- 6.1 The Commissioning approach is a key contributor to achieving the vision for Adult Social Care which articulates the need to focus on the assets of the individual, maximise choice and control and reduce reliance on long term formal care and support that can unintentionally reduce an individual's independence and resilience. This vision aligns with the commitment to reduce reliance on building based support and increase flexible individual based opportunities.

7 Engagement and Consultation

- 7.1 Cabinet is asked to approve the commencement of an engagement process with stakeholders and people who use services with regards to the vision and strategic commissioning of day services including the impact of any changes to the current delivery model and procurement processes approved.
- 7.2 The proposed approach to the engagement with key stakeholders will be based on national good practice and the key principles of the public law duty to consult.

8 Procurement

- 8.1 The Council is required to meet procurement regulations and it is recommended that in order to allow time for further work on this strategy direct award of contracts to current day service providers will be carried out for a period of 12 months, based upon current values and spot purchasing arrangements.
- 8.2 The direct award of contracts for existing provision will include a revised specification to include quality and outcomes. The award for a twelve-month period will enable further work on the model and allow time to enable new public procurement policies post Brexit to be considered in securing a sustainable market approach going forward.
- 8.3 A local purchasing system will be established to secure day service provision.
- 8.4 The focus of the approach will be to enable an appropriate arrangement which meets the needs of commissioner and the Council and is able to ensure sufficiency of high-quality services, which is flexible, responsive and offers value for money to meet the aspirations of people who need Adult Social Care.

9. Equality Act 2010 Duty and Impact Assessments

- 9.1 The impact assessments, including any feedback from consultation or engagement where appropriate, will be made available in compliance with the Equality Act 2010.

10. Conclusion

- 10.1 Cabinet is asked to approve the approach and proposals for the commissioning and procurement of day services, to ensure that services align to the approved model, and are responsive to the needs of people in our communities.
- 10.2 The approach will enable people who use services and their carers to contribute to the design and delivery of services ensuring they are fully engaged in ensuring the commissioning of flexible options for support which can promote independence and provide opportunities for people within their local communities.