

SURREY COUNTY COUNCIL

CABINET

DATE: 25 FEBRUARY 2014

REPORT OF: MR MEL FEW, CABINET MEMBER FOR ADULT SOCIAL CARE

LEAD OFFICER: DAVE SARGEANT, INTERIM STRATEGIC DIRECTOR, ADULT SOCIAL CARE

SUBJECT: EXTENSION OF GRANT AGREEMENT FOR WELFARE BENEFITS ADVICE INFORMATION AND SUPPORT



SUMMARY OF ISSUE:

This report seeks approval to extend the Grant Agreement for Welfare Benefits Advice, Information and Support for two years from 1 April 2014.

A one year grant agreement for the provision of Welfare Benefits Advice Information and Support was awarded in April 2013 after a competitive bidding process. The agreement included the option of extending for a further two years.

This report demonstrates why the recommended extension of the agreement delivers best value for money for Surrey County Council.

An annex containing exempt information is contained in part 2 of the agenda (item 18)

RECOMMENDATIONS:

It is recommended that:

1. The grant agreement for the provision of Welfare Benefits Advice Information and Support is extended for two additional years from 1 April 2014.
2. The service should remain with the current lead provider Surrey Disabled People's Partnership (SDPP) on behalf of the "getWIS£" consortium.

REASON FOR RECOMMENDATIONS:

There is a continuing demand from residents of Surrey for advice, information and support about welfare benefits especially with regard to changes as a result of the Welfare Reform Act (2012). From 1 April 2013 the providers have seen 1,448 people and help them claim £940,416 of benefits they were entitled to.

DETAILS:

Background:

1. As a result of the Welfare Reform Act 2012 and a report presented to Members at the Adult Social Care Select Committee in May 2012, it was agreed that there was a need to provide particular groups of people in Surrey with advice, information and support about their benefit entitlement. Initial funding of £500,000 was from Whole Systems Funding (Adult Social Care budget) in 2013/14, and it will be funded by Whole Systems funding in 2014/15 and the Better Care Fund in 2015/16.
2. The information and advice offered is for people affected by the Government's welfare reform programme. With new changes to welfare payments including incapacity benefit reassessment, the replacement of Disability Living Allowance (DLA) with the Personal Independence Payment (PIP), Housing Benefit ("bedroom tax", benefit cap etc), benefit sanctions and, in due course, the move to Universal Credit many people are neither equipped to manage or adjust to the new 'on line benefits applications systems' without support.
3. Over 50% of the total number of people referred to this advice service require legal support to challenge the outcome of the benefits award at tribunal and/or appeal. Assisting people reduces demand on public services in Surrey as well as helping individuals directly.
4. With the advent of the Health and Social Care Bill, it will be a requirement for all Local Authorities to provide accessible and meaningful information and advice to all residents. The three basic principles of the Care Bill (Promote Wellbeing; Prevent and Postpone Need for Care; and Put People in Control) are all evidenced in this grant. In addition the Dilnot Commission's Report (2011) places a strong recommendation on the Local Authority to signpost people to a reliable service irrespective of whether they are funding their own care. This grant ensures our compliance and provides clear signposting for all Surrey residents, irrespective of their ability to pay or access to social care and support services, helping them lead more independent and fulfilled lives.
5. Co-design of the service was carried out with a cross-section of users (older people, those with disability and mental health issues) and providers of existing welfare benefits advice. Their views and ideas informed the specification of what would be expected from this service and has delivered the following positive outcomes in the first year:-
 - One point of referral.
 - a process that ensures efficient time lines for referrals. i.e. Acknowledgement of receipt of referral in 1 working day, contact made with the person within 3 working days.
 - benefits advisors who are well trained, and understand the importance of confidentiality. The service is delivered in a venue of choice, for example a person's home, a Hub, library etc.
 - a free service which is not dependant on any eligibility.

- a Surrey based provider who is independent of the Council and who has a good understanding about their locality including other services available to applicants.
 - support attending tribunals / appeal hearings - more than 50% of the 814 new referrals received in the first 6 months of the service have required support to attend tribunal or appeal hearings. The success rate of these challenges is 92%. Of the remaining 8% more than half were successful when they went back following amendments.
 - 34 referrals from Citizens Advice Bureaux in Surrey (CAB) have been made to “getWIS£” mostly for support in tribunals. This shows how “getWIS£” is linking in with other organisations involved with Welfare Benefits.
6. The Agreement was awarded to the “getWIS£” partnership consortium after a competitive bidding exercise. The detailed results of the evaluation are included in a confidential annex (item 18). The consortium is led by Surrey Disabled People’s Partnership (SDPP) who work in conjunction with Age UK Surrey, The Youth Consortium (TYC), Surrey Association for Vision Impairment (SAVI) and Deaf Positives with training and expert advice being provided by Surrey Welfare Rights Unit (SWRU).

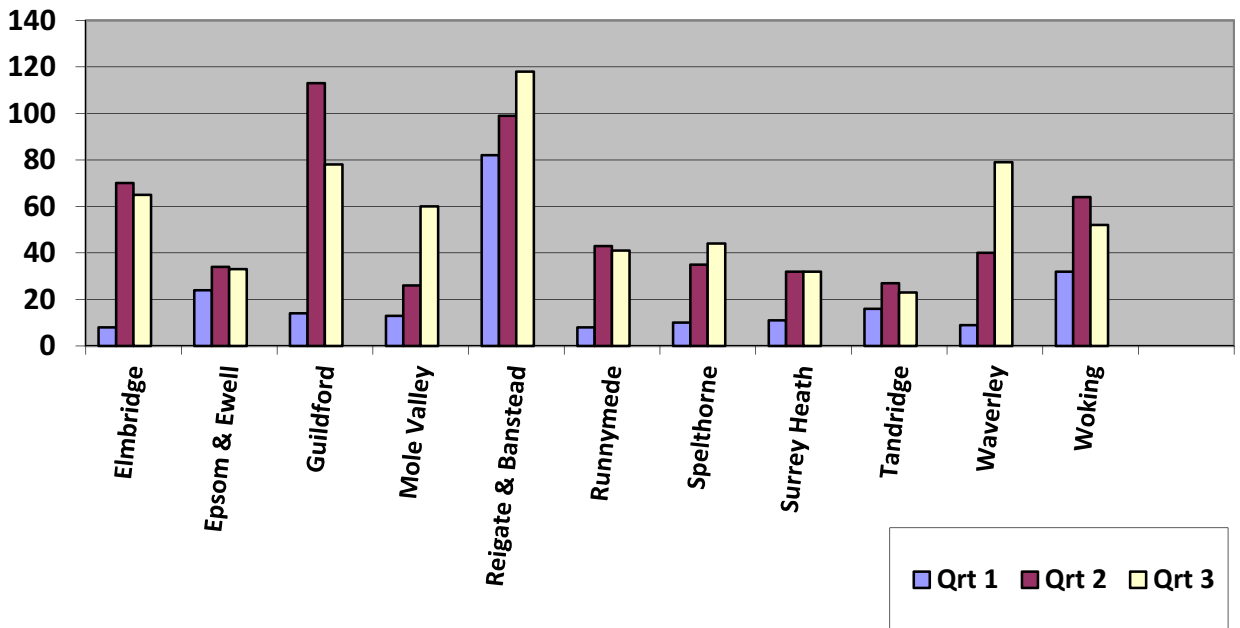
Establishing “getWIS£”

7. Surrey County Council has worked closely with the consortium through quarterly performance meetings tracking and implementing delivery. The monitoring group comprises officers of the Council as well as representation from user groups e.g. Surrey Coalition for Disabled People, Action for Carers Surrey and Social Information on Disability.
8. Significant progress has been made including:

Engagement

- A wide range of engagement activity continues to take place, raising the profile and understanding of Welfare Benefits Advice, Information and Support. This includes a programme of events, visits and networking across the county e.g. Information Summit Mark II.
- The service is provided county wide through the consortium as demonstrated below:

Referrals by Geographic Distribution to Quarter 3.



Influencing

- In its influencing role “get WIS£” has made representation to government in relation to the assessment of the enhanced mobility component for Disability Living Allowance, lobbying against the criteria of mobilising independently from 50 to 20 metres. SWRU representatives will be giving evidence at the House of Commons on Housing Cost Reform at the end of January 2014. SDPP have made representation to Members about welfare reform in Surrey.
- Case Studies: please find attached as Annex 1 the case studies presented at the quarter 2 monitoring meeting. The names and locations have been changes to protect identities.

These demonstrate the wide range of people in Surrey who are assisted through this grant. It also highlights additional support people receive in accessing other services, all reducing the anxiety experienced as they try to deal with changes in the benefits system.

Next Steps

9. To continue delivering value for money, key aspects of the work programme and / or challenges for “getWIS£” in the second year of the grant agreement include:
 - Improved support at tribunals / appeal hearings - including additional research, obtaining supporting medical evidence, prepare written submissions, checking legislation, case law and accompanying people to tribunals.
 - SCC will help promote the scheme throughout the county, especially to ‘hard to reach’ groups e.g.: lone parents. “getWIS£” has brought in an

additional partner in Guildford Action for Families (GAF) who operate county wide and support all families with children (regardless of the age of the children).

- “getWIS£” will be better prepared for the delayed introduction of Universal Credit (UC) and the DLA re-assessment. UC’s phased introduction is unlikely to be introduced in Surrey until at least 2015/16 (and then only to more straightforward cases i.e.: single able-bodied jobseekers) and the reassessment of DLA claims for PIP is now subject to a controlled start by postcode and Surrey has yet to be included in the DWP rollout.
- Further robust contract monitoring will continue to ensure Providers are delivering best value for money and meeting the needs of individuals through a quality service which continues to be monitored through quarterly review meetings.

Extension to the grant agreement

10. The progress that has been made in establishing “getWIS£” as detailed above and the regular performance meetings have provided assurance that the service is being delivered in line with the grant agreement and confidence that the current provider can continue to achieve the outcomes described in the grant agreement including:

- a. Ensuring the rights of Surrey’s most vulnerable citizens are protected and promoted. Maximising income and reducing anxiety associated with benefit claims supporting people to live independently in the community with less reliance on health and social care services. Two examples being:
 - i. Supporting older people to claim Attendance Allowance will enable their income to be spent on domestic and gardening help. They will not need to approach Personal Care and Support for assessment and support planning for these needs.
 - ii. Supporting people with medical conditions e.g. where they are no longer able to drive as a result of Macular Degeneration and Glaucoma; to claim Attendance Allowance enabling them to use taxis or Community Transport. Supporting people to obtain the DLA mobility component (approximately 400 to Q2) will avoid the need for assessment and provision of transport by social services
- b. “getWIS£” is trusted as an independent service by the public; because delivery is independent from the Council, there is no perceived stigma in approaching them for support.
- c. The model of partnership and lead provider results is a unique model where “getWIS£” is systematically networked with all sections of the community.
- d. “getWIS£” is an independent voice and provider speaking on behalf of all people influencing welfare reform.
- e. Income into Surrey generated through welfare benefits has been £940,416 in the first 9 months; “getWIS£” is likely to exceed its target of £1 million by the end of this financial year ensuring value for money.

CONSULTATION:

11. Co-design has included representatives from the following:

- Current providers of services and wider market providers (input to specification and design and planning)
- Adult Social Care Commissioning (officer level input to specification and evaluation, and management sign off)
- Children, Schools and Families directorate
- SCC Benefits & Charging Team
- Adult Social Care Personal Care and Support (officer level input to specification and management input to planning)
- Finance.

12. Copies of this Cabinet report were shared with key stakeholders through the drafting process, including senior officers in Adults Social Care and Children, Schools and Families directorates, as well as officers in the Council's Legal, Procurement and Commissioning and Finance services.

RISK MANAGEMENT AND IMPLICATIONS:

13. Risk management forms an important part of the Council's procurement and commissioning process and the way in which it manages contracts / grants. In relation to this grant:

- a. The agreement includes a Termination Clause. This will allow the Council to terminate the agreement with three months notice should priorities change or funding no longer be available.
- b. To mitigate any shortcomings, should these arise in delivering services, the Terms & Conditions of the Agreement include standard provision for:
 - i. Default
 - ii. Dispute resolution.
- c. As part of the initial procurement process financial checks, as well as checks on competency, were successfully completed by the consortium.

14. The following key risks associated with the grant and grant award have been identified, along with mitigation activities:

Category	Risk Description	Mitigation Activity
Financial	Budget changes	Specification is designed to facilitate flexibility in service levels if needed.
Service	"getWIS£" is a developing service and more work is need to continue building on the success of the first year.	Performance monitoring and agreeing the performance plans

	Geographical coverage may be sporadic	Performance monitoring and liaison with provider has ensured county wide availability of the service
	Poor quality of service does not deliver SCC objectives.	Strong performance / contract management and quarterly contract review meetings will mitigate the risk of a poor quality service. All complaints and compliments are made know to the ASC Commissioner.
Data	Delays in Welfare Reform implementation resulting in significant delay in demonstrating “getWIS£” intervention with results of benefit assessments.	DLA and PIP claims currently taking in excess of 3 months to be processed by DWP; appeals taking a minimum of 6 months. Risk cannot be mitigated; officers aware.

Financial and Value for Money Implications

15. The value of the Grant Agreement is £500,000 per annum.
16. The funding for this grant for the additional years from 1 April 2014 is included within the County Council’s plans for using the Whole Systems funding in 2014/15 and the successor Better Care Fund in 2015/16.
17. Economies of scale in relation to the operation of the service have been achieved in the first year of the service. The cost of supporting each individual has dropped from £550.66 in quarter 1 to £197.16 in quarter 3 due to increasing numbers of new referrals and issues dealt with. A table is attached at Annex 2.

Section 151 Officer Commentary

18. This arrangement represents good Value for Money in terms of both the direct support provided and the potential to improve the circumstances of vulnerable people such that the amount of demand on public services is reduced. Given the advantages flowing to the whole Health and Social Care system in particular, it is expected that health partners will continue to support the use of the Whole Systems / Better Care Fund to enable this work to carry on. This will be decided, in accordance with the usual joint planning processes, prior to 25 February, and any update given to the meeting as relevant.

Legal Implications – Monitoring Officer

19. As a result of the introduction the Welfare Reform Act 2012, Surrey County Council was aware of the wide-ranging implications for people receiving or eligible for a variety of welfare benefits. In order to protect residents (particularly those vulnerable) affected by the changes of the new legalisation, the Council entered into a Grant Agreement on 1 April 2013 with the Provider for the

provision of free information, advice and support in respect of welfare benefits following a competitive bidding process.

20. Whilst ensuring the demands of Surrey residents will continue to be met by ensuring that the Provider's advisors will be skilled, knowledgeable and experienced in welfare advice provision, the Grant Agreement also continues to offers the Council various measures of protection, including a requirement that the Provider, complies with the Council's safeguarding and staffing policies, regularly provides budgetary updates, maintains a sound system of financial controls, subscribes for professional indemnity insurance cover at £1,000,000 and public liability insurance cover at £10,000,000.
21. The Council has the right to withhold any or all of the funding, terminate the Grant Agreement, or require the Provider to repay the same to the Council as a result of performance issues. The Grant Agreement also requires the Provider to indemnify the Council against all liabilities arising from any deliberate or negligent act, default, omission or breach of the agreement by the Provider or any of its employees or sub-contractors.

Equalities and Diversity

22. The Grant Agreement will be managed and monitored in line with Surrey's obligations under the equalities monitoring framework.
- The Provider will be subject to public sector duties as detailed in the Equality Act 2010
 - The bidding process was conducted under the principles of equalities and diversity and these issues were considered throughout the process.
 - The grant will be managed and monitored in line with Surrey's obligations under the equalities monitoring framework.
23. An equality impact assessment will be completed for this grant and will be reviewed by the Adult Social Care Departmental Equalities Group in February 2014.

Corporate Parenting/Looked After Children implications

24. The terms and conditions of the Grant Agreement stipulate that the provider will comply with the Council's Safeguarding Adults and Children's Multi- Agency procedures, any legislative requirements, guidelines and good practices as recommended by the Council. This is monitored through contractual arrangements.

WHAT HAPPENS NEXT:

25. Subject to approval, the provider will be advised of the intention to extend the Grant Agreement. Following on from the Cabinet call-in period and ten days standstill the variation will be issued to the provider for signature and return to the Council to be stored in line with Procurement Standing Orders.

Contact Officer:

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Consulted:

David Sargeant – Interim Strategic Director, Adult Social Care
Anne Butler – Assistant Director for Commissioning
Alaster Calder – SCC Benefits and Charging Consultant
Christian George – Category Manager, Adults Procurement & Commissioning
Ayo Owusuh - Contracts and Procurement Lawyer
Paul Carey-Kent – Strategic Finance Manager – Adults
Maria Zealey – Surrey Welfare Rights Unit

Part 1 Annexes:

Annex 1: Case studies - how the service makes a difference
Annex 2: Value for Money – economies achieved.

Part 2 Annex: attached as agenda item 18

Sources/background papers:

- Adult Select Committee Report by Toni Carney, Benefits and Charging Consultancy Team Manager, Adult Social Care, May 2012
- Health and Social Care in the Community (2012) “Assessing the health benefits of advice services: using research evidence and logic model methods to explore complex pathways”.

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