

Notice of Meeting

Cabinet Member for Children and Families Decisions

**Date & time**

Wednesday, 4 June
2014 at 10.30 am

Place

Room 107 - County
Hall

Contact

Anne Gowing
Room 122, County Hall
Tel 020 8541 9122

Chief Executive

David McNulty

anne.gowing@surreycc.gov.uk

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9122.

Cabinet Member for Children and Families
Mrs Mary Angell

AGENDA

1 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

2 PROCEDURAL MATTERS

2a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (29 May 2014).

2b Public Questions

The deadline for public questions is seven days before the meeting (28 May 2014).

2c Petitions

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

3 EXTENSION OF SHORT BREAK CONTRACTS FOR CHILDREN WITH DISABILITIES

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Surrey County Council (the Council) has a statutory duty under the Breaks for Carers of Disabled Children Regulations 2011, to commission short breaks services for children and young people with disabilities and their families across the county of Surrey. The current contracts for short breaks expired on Monday 31 March 2014.

David McNulty
Chief Executive

Published: Friday 23 May 2014

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR CHILDREN AND FAMILIES

DATE: 4 JUNE 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES

SUBJECT: CABINET MEMBER DECISION: EXTENSION TO EXISTING CONTRACTS FOR SHORT BREAKS FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES



SUMMARY OF ISSUE:

Surrey County Council (the Council) has a statutory duty under the Breaks for Carers of Disabled Children Regulations 2011, to commission short breaks services for children and young people with disabilities and their families across the county of Surrey. The current contracts for short breaks expired on Monday 31 March 2014.

Procurement Review Group agreed the extension of all the existing short break contracts from 1 April until 30 September 2014 on 3 March 2014. All individual contracts are below £500,000 except for the Disability Challengers contract which exceeds this threshold (£533,675). The extension of the Disability Challengers contract for six months needs formal Cabinet Member approval.

This extension is needed to ensure the continuity of service for children and young people with disabilities and their families until the mini competitions process have been awarded within the Short Breaks Framework.

RECOMMENDATIONS:

It is recommended that the Cabinet Member for Children and Families approves the extension of the Disability Challengers contract for six months from 1 April 2014 until 30 September 2014.

REASON FOR RECOMMENDATIONS:

Children's Social Services are seeking permission to the fund the Disability Challengers Contract for a further six months, from 1 April to 30 September 2014, when new contracts will be place under the Short Breaks Framework. This is to ensure a continuity of service and so that children and young people with disabilities and their families are not adversely affected by the delay. Without this extension the short break provider will not have enough time to recruit staff and plan for their busiest period in the summer holidays.

DETAILS:

Business Case

1. Short breaks are a lifeline for many families of children with disabilities. They act as a preventative service helping to avoid family breakdown and the need for more specialist social care intervention. Short breaks provide children and young people with disabilities an opportunity to spend time away from their parents, relax and have fun with their peers. They can promote positive experiences for children and young people, by

encouraging friendships, social activities and new experiences. Short breaks also benefit parents and families giving them the opportunity to have a short break from the enormous demands caring for their child with disabilities.

2. The Council has to provide short breaks under the Short Breaks Regulations 2011. This legislation states that local authorities have to offer short breaks as a preventive, early intervention service; offer a range of services for parents and publish a statement of those services to parents and families.
3. Budget uncertainties have led to a significant impact on the timescales of this project. We are seeking permission to continue to fund Disability Challengers contract for a further six months, from 1 April 2014 to 30 September 2014, when new contracts will be in place. This is to ensure a continuity of service and so that children and young people with disabilities and their families are not adversely affected by the delay. Without this extension the short break provider will not have enough time to recruit staff and plan for their busiest period in the summer holidays.
4. With the expiry of these contracts, the first stage of the tender process has been completed and successful providers have been awarded onto the Short Breaks Framework. The Framework consists of three lots:
 - Lot 1 – Play and Leisure Services
 - Lot 2 – Personal Support
 - Lot 3 – Residential.
5. The Framework Agreement allows us to purchase services directly from the organisations on the framework or to award block contracts following a mini competition process. It is our intention to; -
 - Award block contracts for Lot 1 – Play and Leisure;
 - Spot purchase for Lot 2 – Personal Support; and
 - Award a combination of spot and block contracts for Lot 3 – Residential Services.

CONSULTATION:

6. Those who have been consulted include; -
 - All organisations bidding for Short Break block contracts – Provider Event, 7 March 2014.
 - Nick Wilson, Strategic Director for Children, Schools and Families – Cabinet Checklist 17 April 2014.
 - Caroline Budden, conversation and e-mail 17 April 2014
 - Ian Banner, feedback on draft report 19 May 2014.
 - Sheila Jones, Cabinet Checklist 17 April 2014.
 - Laura Langstaff, meeting 15 May 2014.
 - Paul Davies, meeting 15 May 2014.
 - Anna Tobiaz, meeting 15 May 2014.
 - Procurement Review Group – 3 March 2014 (Legal, Finance and Procurement).

RISK MANAGEMENT AND IMPLICATIONS:

Category	Risk Description	Mitigation Activity
Financial	Risk of overspend as the majority of these services are statutory and dependant on demand	Close contract and budget monitoring
Reputational	Poor quality of service not delivering the required Outcomes.	Strong contract management and quarterly contract review meetings will allow us to mitigate the risk of a poor quality service and work with the providers to help them improve their performance.
	Concerns of service users due to changes resulting from a new service provider	The Council will closely monitor data from providers, enable partnerships with key stakeholders and service user feedback, as part of the contract management process to ensure service users needs are met in the event of any changes to providers awarded a contract.
	Risk that all four geographical lots and types required are not commissioned due to lack of capacity of providers.	Surrey County Council will work with existing providers to cover these gaps in service. The Council has reserved the right to award additional providers to the framework agreement following a further opening to competition during the agreement period it may undertake at its discretion.
Service	Risk that if short break contracts are not extended, services would not be in place during the time of most need, the summer holidays.	Children's Social Services are requesting the extension of short break contracts for six months from 01 April until 30 September 2014 to ensure the continuity of service for children and young people with disabilities and their families until the mini competitions process have been awarded within the Short Breaks Framework.

Financial and Value for Money Implications

7. £1.535m (for six months) used by the Council to purchase Short Break services from external providers. All individual contracts are below £500,000 except for one contract, **Disability Challengers with the value of £533,675.**

Section 151 Officer Commentary

8. This contract provides activities over school holidays, and this value takes into account the additional services required over the school holidays, and is in line with the 2013/14 contract. The committed spend of £1.54m will need to be taken into account when calculating the services which can be commissioned for the period October 2014 to March 2015.

Legal Implications – Monitoring Officer

9. The Council in performing its statutory duties under the Breaks for Carers of Disabled Children Regulations 2011 is required to provide breaks to assist parents and those who provide care for disabled children.
10. An EU compliant procurement tender exercise has been undertaken in relation to the Shorts Breaks framework and successful providers have been awarded onto this framework. However, due to factors outlined above the process has not been completed and it is essential that the current short breaks contracts are extended to ensure that the Council is fulfilling its statutory duty.
11. The Procurement Review Group has already given approval for the Short Breaks contacts to be extended for a further six months. However, under the Procurement Standing Orders cabinet approval is required as the extension is over £500,000.

Equalities and Diversity

12. An Equalities Impact Assessment has been completed and no adverse impact was identified in carrying out the tender. Once the mini competitions have been completed and contracts awarded, we will update the Equalities Impact Assessment to reflect any changes to providers and the potential impact on children, young people and families and whether TUPE would apply.
13. We will look to minimise the impact of the Budget savings by: -
 - Targeting savings in areas of least impact.
 - Ensuring that the impact of any reduction in delivery fully considered when awarding contracts.
 - Seeking reduction in prices to achieve savings.
14. The Service Specification for the Short Breaks Framework has been developed with input from Children and Young People, families and providers and will be managed and monitored in line with the council's obligations under the equalities monitoring framework as part of the wider Public Sector Equalities Duty.
15. Parents were involved in evaluating all bids and have fed into the decision making process.

Other Implications:

16. The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	Children and young people who are Looked After under Section 20 will use short breaks.
Safeguarding responsibilities for vulnerable children and adults	All providers will be monitored on a quarterly basis to ensure they are meeting the safeguarding requirements within the service specification, this will include during the period of the contract extension.
Carbon emissions	No significant implications have been identified

	so far but will be revised once mini competitions have been completed.
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Corporate Parenting/Looked After Children implications

17. There are currently children and young people who are Looked After under Section 20 1989 who use short breaks services. Through extending the contract, we will be able to ensure a continuity of service for children and young people who are Looked After.

Safeguarding responsibilities for vulnerable children and adults implications

18. The provider will have child protection procedures and staff guidance in place. These will be consistent with the Surrey Safeguarding Children's Board guidance and procedures
19. The provider will co-operate fully with any investigation launched by the council.
20. All providers will be monitored on a quarterly basis to ensure they are meeting the safeguarding requirements within the service specification.

WHAT HAPPENS NEXT:

21. Next steps; -
- Mini competitions under the new Short Breaks Framework have been tendered and the service is currently evaluating and moderating bids.
 - Providers will be informed of the decision for awarding block contracts by the end of June (in order to comply with three months notice period stated within the Surrey Compact).
 - New short break contracts will start from 1 October 2014.

Contact Officer:

Ian Banner/ 07917 590657
 Holly Beaman/ 0208 541 7180
 Yasi Siamaki/ 0208 541 8543

Consulted:

Nick Wilson
 Caroline Budden
 Ian Banner
 Sheila Jones
 Laura Langstaff
 Paul Davies
 Anna Tobiaz
 Procurement Review Group

Annexes:

Annex 1 - Financial Analysis for Procurement Review Group – 3 March 2014.

Sources/background papers:

- Equalities Impact Assessment
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Residential

Funding - 2013-14	Target Hours	Funding 13-14
Action for Children Pastens	13,024	£143,257
Cherry Trees	No set target - but did 1566 Night sessions 5708 daycare hrs 12-13	£369,714
White Lodge	1200 Night sessions 4200 daycare hours	£419,397
Total		£932,368
Action for Children Pastens - team commitment	spot purchases	£0
Cherry Trees - team commitment	spot purchases	£38,313
The Children's Trust- team commitment	spot purchases	£144,403
White Lodge - team commitment	spot purchases	£73,114
Total		£1,188,198

14-15 estimate	
Apr-Sep	Oct-Mar
£80,224	£63,033
£184,857	£184,857
£209,699	£209,699
£474,779	£457,589
	£932,368

14-15 estimate	
Apr-Sep	Oct-Mar
£0	£0
£184,857	£184,857
£201,124	£129,745
£385,981	£314,602
	£700,583

Comments

Action for Children has stopped providing short bre

These are the PO'd values

Play & Leisure

Provider	Contracts - 2013-14	Funding 13-14
Total Barnardo's	Transition, Independence and Participation Contract	£139,712
Crossroads	Funtastic Saturdays	£45,746
Crossroads	Elmbridge Saturdays	£44,302
Total Crossroads		£90,048
Disability Challengers	All in one	£650,852
Disability Challengers	Epsom, Bookham, Caterham Youth Schemes Half - Term:	£43,544
Disability Challengers	Additional Spot Purchase 2:1 Funding Play & Youth Schemes	£25,740
Total Challengers		£720,136
Link Leisure	Holiday/Play Schemes	£51,200
Link Leisure	Sport & Leisure	£60,117
Link Leisure	Escape to Olympia (Activity weekends)	£9,929
Link Leisure	Additional 1:1 Schemes Places	£31,500
Total Link Leisure		£152,746
National Autistic Soc.	Youth Club	£62,214
National Autistic Soc.	Children's Club	£36,195
Total NAS		£98,409
R and R YMCA	Holiday Schemes	£38,545
R and R YMCA	Yippee	£116,459
R and R YMCA	Yip4Youth	
R and R YMCA	V Buddies	£50,000
Total YMCA		£205,004
Total Shooting Stars	Day care	£30,700
The Childrens Trust	Holiday Camps	£56,000
The Childrens Trust	Saturday Club	£21,062
Total Children's		£77,062
Total Wheels for All	Project Officer	£39,656
White Lodge	Play/Holiday Schemes	£117,256
White Lodge	Twinks and Rockets	£0
White Lodge	Rendezvous	£42,051
Total White Lodge		£159,307
Play and Leisure Total		£1,712,780

14-15 estimate	
Apr-Sep	Oct-Mar
£55,885	£83,827
£20,586	£25,160
£19,936	£24,366
£40,522	£49,526
£500,000	£150,852
£14,370	£29,174
£19,305	£6,435
£533,675	£186,461
£40,960	£10,240
£27,053	£33,064
£4,965	£4,965
£15,750	£15,750
£88,727	£64,019
£37,328	£24,886
£21,717	£14,478
£59,045	£39,364
£25,054	£13,491
£75,698	£40,761
£25,000	£25,000
£125,753	£79,251
£15,350	£15,350
£47,600	£8,400
£10,531	£10,531
£58,131	£18,931
£19,828	£19,828
£99,668	£17,588
£0	£0
£21,026	£21,026
£120,693	£38,614
£1,117,608	£595,172

14-15 estimate	
Apr-Sep	Oct-Mar
£55,885	£83,827
£20,586	£25,160
£19,936	£24,366
£40,522	£49,526
£500,000	£150,852
£14,370	£29,174
£19,305	£6,435
£533,675	£186,461
£40,960	£10,240
£27,053	£33,064
£4,965	£4,965
£15,750	£15,750
£88,727	£64,019
£37,328	£24,886
£21,717	£14,478
£59,045	£39,364
£100,752	£54,252
£25,000	£25,000
£125,752	£79,252
£15,350	£15,350
£47,600	£8,400
£10,531	£10,531
£58,131	£18,931
£19,828	£19,828
£104,804	£12,452
£24,022	£10,747
£24,022	£18,029
£152,848	£41,228
£1,149,762	£1,149,762

YMCA overall total fixed but spend profile has been front loaded.

Still included although identified as grant.

Profiling has changed.

Twinks&Rockets new program.

Profiling has changed.

Short Breaks Contracts Total for 6 months	£1,592,388
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£1,535,743

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