

Notice of Meeting

Cabinet Member for Adult Social Care Decisions

**Date & time**

Wednesday, 10
September 2014 at
11.00 am

Place

Room 107 - County
Hall

Contact

Andrew Baird
Room 122, County Hall
Tel

Chief Executive

David McNulty

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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 Andrew Baird on 02085417609 .

Cabinet Member for Adult Social Care
Mr Mel Few

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 (4 September 2014).

2b Public Questions

The deadline for public questions is seven days before the meeting (3 September 2014).

2c Petitions

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

3 CONTRACT AWARD FOR THE PROVISION OF OUTSOURCED OCCUPATIONAL THERAPY ASSESSMENTS

(Pages 1
- 14)

To approve the contract award to two external providers for back up provision of Occupational Therapy (OT) assessments.

OT assessments are predominantly provided in house, but in order to manage demand and sustain timely service provision there is a need for a flexible contractual arrangement with external providers.

4 EXCLUSION OF THE PUBLIC

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

5 CONTRACTUAL AWARD FOR THE PROVISION OF OUTSOURCED OCCUPATIONAL THERAPY ASSESSMENTS

(Pages
15 - 18)

Commercial Details and Contract Award exempt information relating to item 3.

Exempt: Not for publication under Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

David McNulty
Chief Executive
Published: 1 September 2014

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Thank you for your co-operation

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR ADULT SOCIAL CARE

DATE: 10 SEPTEMBER 2014

LEAD OFFICER: DAVID SARGEANT, STRATEGIC DIRECTOR, ADULT SOCIAL CARE

SUBJECT: CONTRACT AWARD FOR THE PROVISION OF OUTSOURCED OCCUPATIONAL THERAPY ASSESSMENTS



SUMMARY OF ISSUE:

To approve the contract award to two external providers for back up provision of Occupational Therapy (OT) assessments.

OT assessments are predominantly provided in house, but in order to manage demand and sustain timely service provision there is a need for a flexible contractual arrangement with external providers.

RECOMMENDATIONS:

It is recommended that, subject to agreement of the detailed financial information and review of the procurement process followed which is set out in item 3, approval is given for contract awards to:

- Able 2 OT Services - East and Mid Surrey;
- SHA Disability Consultancy – North West and South West Surrey.

Contracts will be for a three year period starting on 1 October 2014 with potential to extend for a further year and services need only be called off as needed.

REASON FOR RECOMMENDATIONS:

The existing contracts will expire on 30 September 2014. A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders, has been completed and the recommendations provide best value for money for the Council following a thorough evaluation process.

The new contracts will ensure that Surrey residents continue to receive a timely Occupational Therapy assessment and provision of service with no delay as a result of vacancies or increased demand.

DETAILS:

Background

1. Timely OT assessments can support Surrey residents to maintain their independence at home through the provision of early intervention and prevention support as well as community equipment and adaptations. OT intervention can support people returning home from hospital and can delay

or avoid admission to hospital or residential/nursing care. OT services also provide an opportunity to explore Friends, Family and Community support options early with people.

2. The overarching strategy is to recruit our own staff to deliver the service, however, a review undertaken by Personal Care and Support before the tender commenced determined the need for flexible external support when demand for OT assessment exceeded internal capacity.
3. The Council wishes to improve outcomes for Surrey residents to help them live independently within the personalisation agenda and, in doing so assist, the Council in meeting government targets. Timely assessment and intervention can be evidenced to reduce ongoing care needs.
4. The contracts will ensure the rights of Surrey's most vulnerable residents are protected and promoted.

Procurement strategy

5. Options considered prior to commencing the procurement activity included not delivering any back up services, awarding the contract in separate lots or aggregating demand county wide into one contract.
6. After a full and detailed options analysis, it was decided to invite tenders on a localised approach with the County divided into four zones as this enables the provision of a localised, responsive and flexible service.
7. The detailed results of the procurement process are included in Part 2 (Item 3).

CONSULTATION:

8. Officers from the Adult Social Care Directorate;
9. Finance, Legal Services, Procurement and Commissioning.

RISK MANAGEMENT AND IMPLICATIONS:

10. The Council can terminate the contract with three months notice should priorities change or funding no longer be available. The specification also facilitates flexibility in service levels commissioned.
11. To mitigate any shortcomings (should these arise in delivering services) the terms & conditions of the Contract include standard provision for:
 - Default
 - Dispute resolution.
12. Both Providers successfully completed satisfactory financial checks, as well as checks on competency in delivery of similar contracts. Business Continuity Plans were evaluated as part of the Tender.
13. Quality, responsiveness of service and quality of outcomes for individuals accessing the service will be monitored by Adult Social Care Commissioners

and procurement through quarterly contract review meetings and robust key performance indicators (KPIs).

Financial and Value for Money Implications

14. Full details of the contract values and financial implications are set out in the Part 2 (Item 3).
15. KPIs have been enhanced which will provide an improved service level performance.
16. Both providers have bid for this contract with an expectation of strengthening relationships with locality teams and fully supporting the Friends, Family and Community agenda.
17. Timely OT assessments are proven to reduce the need for and cost of ongoing care.

Section 151 Officer Commentary

18. The contract allows for variation in volume, according to the budget available, due to changes in the level of in-house provision. As such, this call-off contract is fully affordable and provides a flexible and cost-effective way of maintaining appropriate capacity.

Legal Implications – Monitoring Officer

19. Following approval by the Procurement Review Group, a full competitive tendering process has been undertaken by the Council in accordance with the Public Contracts Regulations 2006 and the Council's Procurement Standing Orders. Legal Services have advised on the conditions of contract.

Equalities and Diversity

20. An equality impact assessment has been completed for this service provision (see Annex 1) and will be approved by the Adult Social Care Departmental Equalities Group prior to the contract being awarded. To date no negative impacts have been identified.
21. The contract will be managed and monitored in line with the Council's obligations under the equalities monitoring framework.
22. The contract which the providers will sign stipulates that they will comply with all relevant equality and diversity legislation (including the Equality Act 2010). The contract also requires the providers to adopt Surrey County Council's equal opportunities policy when recruiting and dealing with safeguarding responsibilities for vulnerable children and adults.

Safeguarding responsibilities for vulnerable children and adults implications

23. The providers submitted their safeguarding policies as part of the tender process. This service plays a key role in safeguarding adults and we are confident that the providers can deliver safe, quality and efficient services.

24. The terms and conditions of the Contract which the providers will sign stipulate that the providers 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. The timetable for implementation is as follows:

Action	Date
Cabinet Member decision to award (including 'call in' period)	10 September 2014
10 Calendar day statutory Standstill Period	20 September 2014
Contract Signature	30 September 2014
Contract Commencement Date	1 October 2014

26. The Council has an obligation to allow unsuccessful providers the opportunity to challenge the proposed contract award. This period is referred to as the 'Alcatel' standstill period.

Contact Officer:

Nicola Sinnett - Procurement Category Specialist, Tel: 020 8541 8746

Claire White - Assistant Senior Manager, Occupational Therapy, Tel: 07968 833528

Consulted:

Anne Butler – Assistant Director for Commissioning

Anna Tobiasz – Category Manager, Adults Procurement and Commissioning

Liz Uliasz – Interim Assistant Director SW Surrey ASC

Naz Fox - Legal Services

Paul Carey-Kent – Strategic Finance Manager – Adults

Procurement Review Group

Adult Social Care staff

Annexes:

Annex 1: Equality Impact Assessment Summary of Impact and Actions

Part 2 Report attached as agenda item 3.

1. Topic of assessment

EIA title:	Outsourced Occupational Therapy Assessments
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EIA author:	Claire White Assistant Senior Manager Dina Bouwmeester Policy Manager
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2. Approval

	Name	Date approved
Approved by¹	Vernon Nosal – Acting Senior Manager, Personal Care and Support	22/8/14

3. Quality control

Version number	V3	EIA completed	
Date saved	22/08/2014	EIA published	

4. EIA team

Name	Job title (if applicable)	Organisation	Role
Claire White	Assistant Senior Manager	SCC	Occupational Therapy Lead
Dina Bouwmeester	Policy Development Manager	SCC	Policy Manager
Nicola Sinnett	Category Specialist Procurement and Commissioning	SCC	Procurement specialist

5. Explaining the matter being assessed

What policy, function or service is being introduced or reviewed?	<p>This EIA is about the provision of outsourced Occupational Therapy (OT) services for adults. This is a supplementary service to the in house OT service and allows us to meet our statutory obligations for social care OT assessment within a timely manner.</p> <p>Occupational therapists play a critical role in helping people of all ages to overcome the effects of disability caused by illness, ageing or accident so that they can carry out everyday tasks or occupations</p>
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EQUALITY IMPACT ASSESSMENT TEMPLATE

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	<p>Occupational therapy provides support that facilitates recovery and enables people to overcome any barriers that prevent them from doing the activities (occupations) that matter to them. This helps to increase their independence and satisfaction in all aspects of life and can support carers to maintain their caring role and achieve choice and control in their life outside of caring.</p> <p>It is a key part of the Council's vision to support and maintain people's independence and commitment to prevention.</p> <p>Access to outsourced OT assessment and intervention will be channelled through the usual screening and allocation process deployed within social care teams, the allocation being passed to the provider for timely assessment when demand for OT assessment exceeds internal capacity.</p>
<p>What proposals are you assessing?</p>	<p>OT assessments are predominantly provided in-house, however, a back up contract, paid for from staff vacancy budgets, is due for renewal on 1 October 2014. This EIA is specifically related to the re-letting of this contract. There is essentially no change in the provision of the service.</p> <p>Last year approx 1,353 assessments were outsourced which accounted for approx 13% of the OT staffing budget. It was paid for from staff vacancies, was only used as needed and represented no additional costs over and above the base budget for staffing.</p> <p>The new contract follows a full tender process with the providers selected remaining the same two that were providing the service on behalf of the Council for the past three years.</p> <p>We are confident in these providers and, in addition, we have redefined and strengthened the contract and contract management. Promoting the Family, Friends and Community Services and localism agendas are key expectations of the providers delivering the service.</p> <p>The contract will be for three years with an option to extend for a further year.</p> <p>It is a call off contract with no commitment from the Council to provide a certain volume of referrals to the providers. Should our demand decrease or budgets dictate there is no contractual obligation on the Council to refer or fund.</p> <p>The back up contract is used to manage demand and sustain timely service provision.</p> <p>Timely OT assessment can support Surrey residents in maintaining their independence at home through provision of early intervention and prevention support, community equipment and adaptations. OT intervention can support people returning home from hospital and can delay or avoid admission to hospital and/or residential care.</p>

EQUALITY IMPACT ASSESSMENT TEMPLATE

	<p>As with all social care assessments, OT assessments are expected to be completed within 28 days.</p> <p>The Department of Health have recently published national evidence that indicates that 2% of social care workforces are Occupational Therapists while 35-40% of referrals require OT intervention. This, coupled with staff vacancies, means that without increased external capacity the Council may not be able to adequately provide required OT assessments and interventions.</p> <p>In addition, the strategic shift from residential care to promoting independence and supporting people to live at home has resulted in a greater demand for assessments and interventions in the home.</p> <p>We also work with partner organisations, such as Health, providing OT support to them in respect to continuing health care assessments. The Council's OTs work closely with district and borough council partners in respect of home adaptations.</p> <p>Early intervention services provide an opportunity to explore Family, Friends and Community Support (FFCS) options at the earliest opportunity with people.</p> <p>A review undertaken by Personal Care and Support before the tender commenced determined the need for flexible external support when demand for OT assessment exceeded internal capacity.</p> <p>We continue to recruit our own staff to deliver the service and sponsor four OT trainees per year to meet increasing workforce demand. The majority of OT assessments are expected to remain in-house.</p> <p>The Council wishes to improve outcomes for Surrey residents to help them to live independently within the personalisation agenda and in doing so assist the Council in meeting government targets. Timely assessment and intervention can be evidenced to reduce ongoing care needs and costs associated with them.</p>
<p>Who is affected by the proposals outlined above?</p>	<p>People potentially impacted are:</p> <ul style="list-style-type: none"> • People in Surrey who may need an OT assessment or intervention • Carers • Young carers • Surrey employees • Health and district and borough council employees • Acute hospitals • Clinical commissioning groups • Care providers • Care homes • Voluntary organisations • Community equipment service

EQUALITY IMPACT ASSESSMENT TEMPLATE

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6. Sources of information

Engagement carried out
<p>Occupational Therapy assessment in Surrey has, for a long time, been a keen area of focus due to the extremely valuable preventative outcomes it can provide.</p> <p>Regular engagement commenced in 2012 with a Select Committee Task and Finish Group. Other engagement activities have included:</p> <ul style="list-style-type: none">• OT summit – attendees included OT professionals from across the county, key partners including district and borough councils, Health colleagues and national expert representatives. Representatives of service user groups and carers, and other allied health professionals.• OT conference in 2014 focusing on Surrey Professional staff and external providers.• A community equipment engagement group of people who use our services/ carers.• A customer satisfaction survey as part of the Member Task and Finish Group – one of the key outcomes was identified as the need for timely assessment to prevent deterioration of function.
Data used
<ul style="list-style-type: none">• Current Department of Health statistics in relation to the high demand for OT assessment in community settings compared to the number of OTs employed within local authorities presented at this year's national conference for OT.• Joint Strategic Needs Assessment (JSNA) chapters on older people, physical disability, long term conditions and dementia.• Referral rates and usage of the service – service monitoring reports.• User feedback, complaints and compliments.• Census and population predications from Poppi.• Information obtained from Customer Survey, OT summit and conference.• Best practice evidence from College of OT.• General best practice guidance from Care Quality Commission and Social Care Institute for Excellence.• National research by Kings Fund.

7. Impact of the new/amended policy, service or function

EQUALITY IMPACT ASSESSMENT TEMPLATE

7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic ²	Potential positive impacts	Potential negative impacts	Evidence
Age	People will have access to a timely assessment. This will improve their ability to live independently at home and maximise their potential.	None	<p>Feedback from people using the service highlighted that the greatest sense of dissatisfaction was a delay in assessment. This flexible contract addresses that.</p> <p>The contract will be operated under the same eligibility criteria as all other social care assessments with the same expectations of quality of service and equality and diversity requirements.</p> <p>The contract will be managed and monitored in line with the Council's obligations under the equalities monitoring framework.</p>
Disability	People will have access to a timely assessment. This will improve their ability to live independently at home and maximise their potential	None	<p>Feedback from people using the service highlighted that the greatest sense of dissatisfaction was a delay in assessment. This flexible contract addresses that.</p> <p>The contract will be operated under the same eligibility criteria as all other community care assessments, with the same expectations of quality of service and equality and diversity requirements.</p> <p>The contract will be managed and monitored in line with the Council's obligations under the equalities monitoring framework.</p>
Gender reassignment	None	None	
Pregnancy and maternity	People will have access to a timely assessment. This will	None	Feedback from people using the service highlighted that the greatest sense of dissatisfaction was a delay

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EQUALITY IMPACT ASSESSMENT TEMPLATE

	improve their ability to live independently at home and maximise their potential		in assessment. This flexible contract addresses that. The contract will be operated under the same eligibility criteria as all other community care assessments, with the same expectations of quality of service and equality and diversity requirements. The contract will be managed and monitored in line with the Council's obligations under the equalities monitoring framework.
Race	None	None	
Religion and belief	None	None	
Sex	None	None	
Sexual orientation	None	None	
Marriage and civil partnerships	None	None	
Carers³	<p>People will have access to a timely assessment. This will improve their ability to live independently at home and maximise their potential.</p> <p>OTs complete holistic assessments with both the person and any carer involved. Interventions can</p>	None	<p>Feedback from people using the service highlighted that the greatest sense of dissatisfaction was a delay in assessment. This flexible contract addresses that.</p> <p>The contract will be operated under the same eligibility criteria as all other community care assessments with the same expectations of quality of service and equality and diversity requirements.</p> <p>The contract will be managed and monitored in line</p>

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³ Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

EQUALITY IMPACT ASSESSMENT TEMPLATE

	<p>positively benefit both and support them to continue with family life with choice and control about how they lead it. A timely assessment supports this and can prevent crisis developing.</p>		<p>with the Council's obligations under the equalities monitoring framework.</p>
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EQUALITY IMPACT ASSESSMENT TEMPLATE

7b. Impact of the proposals on staff with protected characteristics

No significant impact on staff with protected characteristic is anticipated.

EQUALITY IMPACT ASSESSMENT TEMPLATE

8. Amendments to the proposals

Change	Reason for change
<p>The contract specification has been refined following discussions with staff and people who use services about their expectations.</p>	<ul style="list-style-type: none"> • External providers will use the Council's referral and assessment process. • KPIs reviewed and redefined e.g. turnaround times. • FFCS commitments have been included in the contract. • Consistency in process between external providers and local teams.

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
<p>Improved timely access to OT assessment</p>	<p>Regular and robust contract management focusing on this outcome which is of such importance to people using the service</p>	<p>Quarterly</p>	<p>OT professional lead manager and locality team managers with providers</p>

10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
<p>N/A</p>	

EQUALITY IMPACT ASSESSMENT TEMPLATE

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11. Summary of key impacts and actions

Information and engagement underpinning equalities analysis	We have used national and local data including JSNA and Census. We have used feedback from Surrey stakeholders and base line contract data.
Key impacts (positive and/or negative) on people with protected characteristics	People will have access to a timely assessment. This will improve their ability to live independently at home and maximise their potential
Changes you have made to the proposal as a result of the EIA	<ul style="list-style-type: none"> • External providers will use the Council's referral and assessment process. • KPIs reviewed and redefined e.g. turnaround times. • FFCS commitments have been included in the contract. • Consistency in process between external providers and all local teams.
Key mitigating actions planned to address any outstanding negative impacts	N/A
Potential negative impacts that cannot be mitigated	N/A

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