

Notice of Meeting

Cabinet Member for Adults Decisions



Date & time
Tuesday, 4 July
2017 at 9.00 am

Place
Committee Room C,
County Hall, Kingston
upon Thames, Surrey
KT1 2DN

Contact
Andrew Baird & Joss Butler
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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 & Joss Butler on 0208 541 7609 or 0208 541 9702.

Elected Members
Mel Few

AGENDA

1 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

2 PROCEDURAL MATTERS

MEMBERS' QUESTIONS

The deadline for Members' questions is 12pm four working days before the meeting (28/06/2017).

PUBLIC QUESTIONS

The deadline for public questions is seven days before the meeting (27/06/2017).

PETITIONS

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

3 CONTRACT AWARD FOR DIRECT PAYMENTS SUPPORT SERVICES: (Pages 1 1. PEER SUPPORT AND PERSONAL ASSISTANT SUPPORT SERVICE - 32) 2. CARERS ONE OFF DIRECT PAYMENTS SUPPORT

Direct Payments are monetary payments made to adults, carers and children, who have a statutory right to request payments of this nature to meet some or all of their eligible care and support needs

4 EXCLUSION OF THE PUBLIC

Recommendation: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for 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.

PART TWO – IN PRIVATE

- 5 **CONTRACT AWARD FOR DIRECT PAYMENTS SUPPORT SERVICES:** (Pages
1. **PEER SUPPORT AND PERSONAL ASSISTANT SUPPORT SERVICE** 33 - 38)
2. **CARERS ONE OFF DIRECT PAYMENTS SUPPORT**

This Part 2 annex contains information which is exempt from Access to Information requirements by virtue of paragraph 3 – Information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies).

Due to the commercial sensitivity involved in the contract award process, the names of the potential suppliers and their financial details have been circulated as a Part 2 report.

The information contained in this report may not be published or circulated beyond this report and will remain sensitive for the duration of the contract.

Confidential: 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: 26 June 2017

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SURREY COUNTY COUNCIL
CABINET MEMBER FOR ADULTS



DATE: 04 JULY 2017

LEAD OFFICER: HELEN ATKINSON – STRATEGIC DIRECTOR ADULT SOCIAL CARE AND PUBLIC HEALTH

LAURA LANGSTAFF – ASSISTANT DIRECTOR, ORBIS PROCUREMENT

JULIE FISHER – STRATEGIC DIRECTOR, CHILDREN SCHOOLS AND FAMILIES

SUBJECT: CONTRACT AWARD FOR DIRECT PAYMENTS SUPPORT SERVICES:

1. PEER SUPPORT AND PERSONAL ASSISTANT SUPPORT SERVICE

2. CARERS ONE OFF DIRECT PAYMENTS SUPPORT

SUMMARY OF ISSUE:

Direct Payments are monetary payments made to adults, carers and children, who have a statutory right to request payments of this nature to meet some or all of their eligible care and support needs.

It is recognised that Direct Payments provide independence of choice and control by enabling people to commission their own care and support and Surrey County Council is committed to promoting their use.

As of 20 June 2017 there are 2,677 adults benefitting from a Direct Payment which represents 25% of community services commissioned (including Carers); each quarter Adult Social Care issues on average 136 new Direct Payments across all client groups; about 30% of all Direct Payments recipients employ a Personal Assistant.

As of June 2017 there are 500 families with a disabled child benefitting from a Direct Payment which represents 60% of the total number of children receiving ongoing support from Children, School and Families Services (CSF); each quarter CSF issue between 13 and 40 new Direct Payments; about 80% of Direct Payments recipients employ a Personal Assistant.

Local authorities are required, through law and statutory guidance, to provide adequate information, advice and support to enable individuals to decide if they should request a Direct Payment and to manage that payment. To fulfil this duty Surrey County Council has commissioned services to provide Direct Payment Support.

The Council has reviewed these commissioned services in light of developments in Direct Payments support. This includes the introduction of 'Pre Paid Accounts' to

manage Direct Payments, which has significantly reduced the bureaucracy involved in setting up and monitoring Direct Payments, both for the individual and the Council.

Following this review a tender exercise commenced for the following services:

- Peer support - which involves people in receipt of Direct Payments sharing knowledge, experience or practical help with each other and may be defined as the help and support that individuals with lived experience of a physical, sensory, mental illness or a learning disability are able to give to one another. Peer support is intended to help people considering the use of a Direct Payment to understand the benefits in terms of choice and control over their lives and thereby achieving greater independence.
- Personal Assistant (PA) support - which includes specialist advice about personal assistants, employment, recruitment, matching, payroll, training, monitoring.
- Carers one off Direct Payments support - that enables carers to have a short break from caring. This is delivered through making one off payments to carers aged 16 or over and responsible adults acting on behalf of young carers under the age of 16.

The report provides recommendations on the award of a contract for these services, and details of the commissioning and procurement process, demonstrating why the recommendation will deliver best value for money. This contract award will support the Council's strategic goals of Wellbeing and Resident experience.

Due to the commercial sensitivity involved in the contract award process, the financial details are included in the Part 2 report.

RECOMMENDATIONS:

It is recommended that Cabinet Member for Adults approve the award of a three year contract to Surrey Independent Living Council (SILC) for the provision of two services; Direct Payments Peer Support and Personal Assistant Support Service, and Carers One off Direct Payments Support. The contract would commence on 01 September 2017. The contract value is detailed in Part 2 of this report.

REASON FOR RECOMMENDATIONS:

The existing contract will expire on 31 August 2017.

The provision of the recommended services will allow the Council to continue to meet its statutory responsibilities in relation to the provision of Direct Payments.

A full tender process in compliance with the requirement of EU Procurement Legislation / Public Contract Regulations and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council following a thorough evaluation process.

DETAILS:

Background and options considered

1. The legislative context for Direct Payments is set out in the Care Act 2014, section 117(2c) of the Mental Health Act 1983, the Care and Support (Direct Payments) Regulations 2014 and the Children and Families Act 2014.
2. As outlined above, Direct Payments are monetary payments made to individuals who request to receive one to meet some or all of their eligible care and support needs. The payment must be sufficient to enable the service user or carer to purchase services to meet their eligible needs, and must be spent on services that meet eligible need. Payments for carers can include one off payments designed to assist the carer in their caring role and address the carer's own needs.
3. Like community care services, Direct Payments for adults are means-tested so their value is dependent on a person's income and assets as well as their eligible needs.
4. The County Council must offer a Direct Payment to the parent of a disabled child or adult receiving a care package or a carer who is offered a carer's service. Direct Payments are important in supporting the delivery of short breaks to families of disabled children and young people as many parents use these payments to set up their own packages of support and to fund after school clubs and holiday play schemes.
5. The current contract was awarded in 2013 and it is due to expire on 31 August 2017. This has provided the opportunity to review how services are delivered in the future to ensure support is proportionate, tailored to individuals' needs and represents value for money whilst meeting the requirements of the Care Act 2014 and the Children and Families Act 2014. A project group consisting of professionals from across the Council undertook this review.
6. The Council staff's knowledge of Direct Payments has increased over the life of the current contract and they are able to provide support to Direct Payments recipients. The introduction of the 'Pre-Paid Account' has made the management of Direct Payments simpler. Consequently, the expectation is that in the future there will be reduced demand from individuals needing:
 - Direct Payment advice and information from an external organisation.
 - Ongoing support with managing Direct Payments – the current contract does not reflect changes in the Council's Direct Payments offer, specifically the Pre-paid account which was introduced in Adult Social Care in March 2015 and currently nearly 20% of Direct Payments recipients already benefit from. The Pre-paid account operates in a similar way to current accounts and have a chip and pin enabled debit card attached to it. Funds are loaded by the Council electronically and all transactions are recorded automatically; spend can be monitored via online reporting meaning users of the Pre-paid account do not need to

complete reconciliations which significantly reduces the paperwork around managing a Direct Payment.

- The Council's Pre-paid Account Programme has now expanded to include the Deputyship team and ongoing payments to young carers. Children School and Families services are planning on introducing this method of managing a Direct Payment later in the summer.

7. Based on the analysis carried out by the Project Group it is proposed that:

7.1 General Direct Payment information and advice and ongoing support with managing Direct Payments will be delivered in house by existing Council staff, including as part of the assessment process. This option makes the service more financially sustainable for the Council and is expected to streamline processes and improve service user's experience of Direct Payments.

7.2 A full tender process, compliant with the European Public Procurement Regulations and Procurement Standing Orders to be carried out for the following two lots:

- Peer Support and Personal Assistant (PA) Support Service - to include independent peer support in relation to Direct Payments, specialist advice about PA, employment, recruitment, matching, payroll, training, monitoring.
- Administration of one off Direct Payments for carers – to include information about the service and making one off Direct Payments to carers and responsible adults to provide support to carers aged 16 or over and approved persons acting on behalf of young carers (under 16); in both cases acting on the instructions of approved providers. (Currently these are General Practitioners from Surrey Practices for payments to adults and staff from the independent young carers service and SCC Children with Disability teams in respect of young carers).

Peer Support and Personal Assistant Support Service – context

8. The Care Act 2014 guidance sets out a significant number of clauses for local authorities in respect of activities and processes which should be provided regarding the offer of a Direct Payment, as well as obligations around compliance with department of works and pensions (DWP) legislation pertaining to the employment of people who are personal assistants.
9. The Care Act Regulations and statutory guidance require councils to have arrangements in place to provide people using Direct Payments with advice about the implications of employing personal assistants and support where necessary.
10. Direct Payment recipients and their carers and families have told us independent peer support in relation to Direct Payments is very important to them.
11. The updated Peer support and Personal Assistant support service aims to promote empowerment, independence and proportionate support and at the same time reduce dependency on formal ongoing support arrangements.

One off Direct Payments for Carers Support Service – context

12. Surrey County Council and the Clinical Commissioning Groups (CCGs) in Surrey have reviewed the whole range of funding arrangements for supporting carers delivered through the Better Care Fund. Working together, the commissioners have identified how to support an increasing numbers of carers within a reduced cost envelope. The service to provide one off carers Direct Payments has continued to be a priority, having been identified as an example of good practice at national level by both the Department of Health and NHS England.
13. The contract for administration of one off Direct Payments for carers includes making one off Direct Payments to carers and responsible adults to provide support to young carers. This is part of the preventative offer available from SCC and our CCG partners and is funded through the Better Care Fund. It provides support to 3200 carers a year (including 500 young carers under the age of 18). This includes carers looking after adults and those looking after disabled children. Payments are agreed on the recommendation of GP practices for carer breaks and approved assessors for young carer payments.
14. Without the service, nearly all of the cases would need a statutory carers assessment to agree a small payment and this would pose considerable additional organisational burdens on SCC social care teams and would inevitably lead to a greater expense.

Procurement Strategy

15. Preparations for the retendering of Direct Payments support services commenced in 2016 – i.e. consultation on a draft service specification and procurement approach. Procurement delivered a Concept Day that was held in February 2017 that involved a wide range of providers.
16. A full competitive tender process, compliant with the European Public Procurement Regulations and Procurement Standing Orders, has been carried out following the receipt of authority from Sourcing Governance Group (SGM) on 12 April 2017. The final Tender documents were published on the e-tendering portal with a closing date of 5 June 2017.
17. It was decided that the open procedure was appropriate and bidders were given 31 days to complete and submit their tender.
18. Tenders were received and evaluated against a number of quality questions detailed in Annex 1. This aspect made up 65% of the overall score with price evaluation making up the balance for Peer support and Personal Assistant Support service, and 60% of the overall score with price evaluation making up the balance for Carers one off direct payments support.

Key Implications

19. The Council will meet its statutory duty to support Direct Payments recipients by awarding a contract to SILC to commence on 01 September 2017.
20. The Council can terminate the contract with three months' notice should priorities change or funding no longer be available or if the provider commits a breach of the terms of the agreement.

21. However, the Council would also abide by the provision of Surrey Compact that allow six months notice to enable appropriate consultation to take place before such a change was made. The Surrey Compact is a jointly agreed framework of principles which guides the relationship between the voluntary and community sector and public sector bodies in Surrey.
22. The service specifications facilitate flexibility in service levels commissioned, in case of greater demand than anticipated.
23. The Terms & Conditions of the contract include standard provision for:
 - Default
 - Dispute resolution.
24. Business Continuity Plans were evaluated as part of the Tender. The Provider/s successfully completed satisfactory financial and competency checks.
25. The management responsibility for the contract lies with Adult Social Care Commissioning Team and with the Children's Disability Service. The contract will be managed in line with the Contract Management Strategy and plan as laid out in the contract documentation, which also provides for review of performance and costs in line with identified continuous improvements in performance.
26. Performance will be monitored through Key Performance Indicators as detailed in Annex 2.
27. A detailed summary of the evaluation process is provided in the Part 2 report.
28. The tender evaluation panels for the services included representatives from Adults Social Care, Children School and Families, CCGs, Procurement, Service Users and a carer.

CONSULTATION:

29. The process of developing Direct Payments support service proposals and the subsequent retender process have built on engagement with:

Council staff: Adult Social Care, Children School and Families, Orbis Finance, Orbis Procurement, Legal Services

External stakeholders:

Direct Payment recipients, their families and carers - through an online survey in relation to Direct Payments advice and information, and a Direct Payments support engagement workshop on 13 March 2017

User lead organisations – Surrey Coalition of Disabled People, Action for Carers, Family Voice

The Carers Commissioning Group

Clinical Commissioning Groups in relation to carer payments

Providers – via a market testing event with organisations potentially interested in the tender.

RISK MANAGEMENT AND IMPLICATIONS:

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

Category	Risk Description	Mitigation Activity
Finance	Potential risk that during the life of the agreement the provider will request an inflationary increase against the annual service delivery cost.	The rates are fixed for the duration of the agreements.
Reputational	Quality of service delivered does not meet objectives and needs.	Strong contract management and quarterly performance review meetings which will enable us to influence, closely monitor and understand performance delivery.
Change/ Transition Management	Some users of peer support and PA support services from the currently commissioned provider may find transition to new arrangements challenging	<p>The Council will be working with the current and the new provider to ensure there is a seamless transitioning of people into the new support arrangements.</p> <p>The Council will ensure there are proper support arrangements in place and the new services remain legally compliant and continue to develop and comply with the prevention and personalisation agendas.</p>

Financial and Value for Money Implications

31. Full details of the contract value and financial implications are set out in the Part 2 report.
32. The revised scope of the service and service specifications have resulted in identifying savings, as outlined in the Part 2 report.
33. The updated Carers one off Direct Payments support service specification is very similar to the current contract arrangements and a small amount of savings have been identified.

Section 151 Officer Commentary

34. The County Council is facing a very serious financial situation, whereby there are still substantial savings to be identified and delivered to achieve a

balanced budget in the current year and a sustainable budget plan for future years.

35. The Section 151 Officer can confirm that the costs of the proposed contracts set out in this paper are lower than the budget envelope for these services and will therefore contribute savings towards the Medium Term Financial Plan.
36. In spite of this, it is important to recognise that agreeing to this recommendation will reduce the council's options to balance the budget. However, the provision of these services is necessary to meet the council's statutory duties under the Care Act and the commissioning of these contracts is considered to be the most cost effective way to meet these obligations.

Legal Implications – Monitoring Officer

37. The Council is under a statutory obligation to provide the Direct Payment services. That duty is set out in the Care Act 2014. Detail about Direct Payments is set out in The Care and Support (Direct Payments) Regulations 2014.
38. A procurement process has been carried out which complies with the Council's Procurement Standing Orders and the Public Contracts Regulations 2015 which transposes Directive 2014/24/EU into English law.

Equalities and Diversity

39. An Equality Impact Assessment (EIA) has been carried out by the Project Group to analyse any potential negative or positive impacts of the outcomes of the tender on individuals with protected characteristics. This can be found at Annex 3.
40. Key actions have been identified to maximise the positive and mitigate the negatives impacts on people with protected characteristics. The Council will be working with the currently commissioned provider and the potential new provider(s) to ensure there is a seamless transitioning of people into the new arrangements.
41. The Council will ensure there are proper Direct Payments support services in place from 01 September 2017 that:
 - Remain legally compliant in line with the requirements of the Care Act 2014 and the Children and Families Act 2014
 - Continue to develop and comply in line with the prevention and personalisation agendas.
 - There is a refreshed Council's Direct Payments information offer
 - There is a robust contract monitoring of the new provider(s) ensuring desired outcomes are met in a timely manner

Other Implications:

42. 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	No significant implications arising from this report – see below
Safeguarding responsibilities for vulnerable children and adults	Set out below
Public Health	No significant implications arising from this report – see below
Climate change	No implications arising from this report
Carbon emissions	No implications arising from this report

Corporate Parenting/Looked After Children implications

43. The contract includes support for young carers, disabled children and their parents and carers.
44. Direct Payments are used as part of a child’s care package to support them and their family. Children provided with services under Section 17 (Children in Need) or looked after for short breaks under Section 20 (shared care) may be eligible to receive a Direct Payment following a social care assessment. As such Direct Payments are a preventative measure to help maintain children within their families and communities.

Safeguarding responsibilities for vulnerable children and adults implications

45. Adults Social Care staff consider safeguarding issues when undertaking an assessment of an individual and would consider such issues in relation to support planning, i.e. should this individual have a Direct Payment, and if so what safeguards need to be out in place, for example the requirement of an authorised person to be involved in managing the financial aspect of a Direct Payment.
46. Support for young carers has considerable preventive benefits, helping reduce the risk of harm to these children and young people and reduce the likelihood of them being taken into care
47. All children and young people receiving Direct Payments do so as an outcome of a social care assessment that includes safeguarding considerations. All support plans are reviewed regularly in line with practice guidelines.

Public Health implications

48. Direct Payments provide an option for individuals (adults and children, their families and carers) to commission services that need their eligible care and

support needs flexibly enhancing independence, choice and control. This contributes to people's wider health and wellbeing.

49. Providing timely information, advice and support to Direct Payments recipients helps reduce stress for both service users and carers; which in turn reduces the risk of incidents requiring safeguarding interventions. Identification and support of young carers and referring them to appropriate sources of assistance helps reduce the risk of harm to the children and young people in question and diminishes the risk of them being left to undertake inappropriate levels of caring.

WHAT HAPPENS NEXT:

50. Subject to Cabinet Member approval, the provider will be advised of the Council's intention to award the contract. The contract will be issued following a period of 10 days standstill; it will need to be signed by the provider and returned to the Council to be sealed and stored in line with Procurement Standing Orders.

51. Proposed timetable for implementation:

Action	Date
Cabinet Member decision to award	04 July 2017
Standstill ('Alcatel') period	18 July 2017
Contract signature	18 July 2017
Contract mobilisation	19 July – 31 August 2017
Contract commences	01 September 2017

Contact Officer:

Chris Esson, Senior Commissioner, Adult Social Care, 020 8541 7953
 John Bangs, Carers Strategy and Development Manager, ASC, 01483 519145
 Sandy Thomas, Assistant Head of Countywide Services, Children Schools and Families Services, 020 8457 398
 Dagmara Wielemborek, Procurement Manager, 020 8541 7856

Consulted:

1) Internal stakeholders

Helen Atkinson, Strategic Director Adult Social Care and Public Health
 Shelley Head, Area Director Adult Social Care
 Laura Langstaff, Assistant Director Orbis Procurement
 Julie Fisher, Strategic Director Children Schools and Families Services
 Sandy Thomas, Assistant Head of Countywide Services, Children Schools and Families Services
 The Adults Leadership Team
 Orbis Finance
 Orbis Procurement

Legal Services
James Chilton, User Consultant, Adult Social Care

2) External stakeholders

User Lead Organisations
Joint Carers' Commissioning Group
Clinical Commissioning Groups in relation to the carers element
Service users, their families and carers

Annexes:

Part 2 Report - Financial implications (exempt information circulated as agenda item in Part 2)
Annex 1 Quality Questions for Providers
Annex 2 Key Performance Indicators
Annex 3 Equality Impact Assessment

Sources/ background papers:

The Care Act 2014 and Direct Payments Guidance issued under the Care Act
The Children Act 1989
The Children and Families Act 2014
Mental Capacity Act 2005
SEND Code of Practice 2014
Working Together to Safeguard Children 2015
Equality Act 2010
Transfer of Undertakings (Protection of Employment) Regulations
National Carers Strategy
ASC volumes – spot report from ContrOCC
CSF volumes spot report

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“QUALITY QUESTIONS”

1. PEER SUPPORT AND PA SUPPORT SERVICE

Q1: How would your organisation propose to deliver the service to meet the objectives of the service specification covering the peer support?

Your answer should include (but is not limited to):

- *How you will ensure the service is provided in a timely fashion*
- *How you will ensure that parents of children with disabilities (under 18 years old) understand how they can use Direct Payments to support their child’s needs*

Q2: How would your organisation propose to deliver the service to meet the objectives of the service specification covering the personal assistant support service?

Your answer should include (but is not limited to):

- *How you will ensure the service is provided in a timely fashion*
- *The advisory elements of the service*
- *The training elements of the service*
- *The monitoring function of the service*

Q3: What resources will be deployed to deliver the service specification?

Your answer could include, but is not limited to the areas of:

- *Paid staff*
- *Volunteers*
- *Skills*
- *Knowledge*
- *Experience*

Q4: How will you ensure that services are easily accessible to anyone wishing to use them, including those with any protected characteristics and/or additional needs or impairments? Please outline:

- *your proposed operational hours (for applicable service elements)*
- *ways/formats to increase accessibility of the service to more people across both urban and rural areas in Surrey*

Your answer could include, (but is not limited to), accessible information, communication methods and any relevant standards, promoting the service, linking with specialist providers, capturing equalities indicators.

Q5: How would you engage with and gain feedback from people who have used the service and wider stakeholder groups?

Q6. How would your organisation reflect/use such feedback and involve people who have used the service, in service design and improvement?

Your answer could include information about, but is not limited to:

- *regular mechanisms to engage with people using the service and groups*

- *demonstrating ways their views are captured and included to develop the service*

Q7: Please provide details of your organisation's relevant experience and how this will apply to the work category you are bidding for. Please describe how the staff are appropriately trained.

Q8: Please describe how your proposal addresses or supports the critical success factors?

Q9: How will you work in partnership with other organisations in promoting peer support and personal assistants opportunities?

Q10: What opportunities would you be able to offer to people in receipt of a direct payment to gain work experience through mechanisms such as apprenticeships or work experience?

Q11: How many people per year will benefit from the service you plan to provide? Taking the baseline data provided into account, how do you propose to:

- *Reach more people*
- *and/or deliver more service*

Throughout the life of the contract and within the budget envelope.

Q12: Please provide details of how you will have sufficient capacity and flexibility to respond to fluctuations of demand or emerging needs to deliver the requirements of the service.

Q13: Please provide details of how your proposal will provide this service within the budget available. Please refer to the cost breakdown you have provided in the Pricing Schedule to support your answer.

2. CARERS ONE OFF DIRECT PAYMENTS

Q1. How would your organisation propose to deliver the service to meet the objectives of the service specification?

Q2. Please provide details and evidence of how you involve and engage a wide and diverse range of carers in the planning and management of your work?

Q3. How you will ensure the service is provided in a timely fashion

Q4. How will you provide information and advice to support carers in making use of one off preventative carers support payments and how will you help others to do this?

Q5. Please provide details of your organisation's relevant experience and how this will apply to the work category you are bidding for. Please include evidence that staff are appropriately trained.

Q6. Please provide details of your organisation's particular knowledge of the needs of carers in Surrey

Q7. Please describe how you currently have/or will have sufficient capacity to deliver the requirements of the work category from the commencement of the funding agreement

Q8. Please describe how your proposal addresses or supports others to achieve Quality Outcomes for carers and young carers

Q9. How you will capture details and record outcomes for carers

Q10. How will you evaluate (and help others evaluate) the difference your service makes to carers lives including seldom heard carers

Q11. How you will address under-performance in your organisation?

Q12. How will you work in partnership with other organisations in promoting carer friendly communities?

Q13. What opportunities would you be able to offer to carers to gain work experience through mechanisms such as apprenticeships or work experience

Q14. How will you promote volunteering to support carers?

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“KEY PERFORMANCE INDICATORS”

The Provider/s shall be obliged to report on a number of Key Performance Indicators (KPI). These will be agreed pre-contracts award but indicatively will include those shown below:

1) Peer Support and the Personal Assistant Support Service Peer Support and the Personal Assistant Support Service:

- Number of individuals accessing the peer support service, reported by adult social care and children & families.
- Referrals to the PA support service, reported by adult social care and children & families.
- Number of people on the PA register at any one time (we would expect to see growth)
- Number of people matched, reported by adult social care and children & families.
- End user satisfied with the service for both people seeking a PA and the PA
- Response times to enquiries
- Turnaround from referral to PA employment
- Training courses delivered & number of attendees (People seeking a PA and PA's)
- Identification of exceptional support provided to individuals to help manage their PAs

In broad terms, we have an aspiration that individuals are able to become self-managing and not reliant on regular ongoing support.

2) One Off Direct Payments for Carers Support Service:

- Carers receiving a one off direct payment including carers of adults, parent carers of disabled children and young adult carers
- Young carers aged 16 or 17
- Responsible adults supporting young carers under 16 years of age to use a payment
- Children's Social Work Teams (in relation to young carers)
- Staff of approved voluntary organisations for young carers and young adult carer payments
- General Practitioners and support staff

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1. Topic of assessment

EIA title:	Direct Payments Support Services for adults and children: (1) Peer Support and Personal Assistant Support service (2) Carers' one off Direct Payments support
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EIA author:	Borislava Severova-Millard, Project Officer, Adult Social Care
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2. Approval

	Name	Date approved
Approved by	Shelley Head, Area Director Adult Social Care, Project Sponsor	09 June 2017
	Adult Social Care Directorate Equalities Group	16 June 2017

3. Quality control

Version number	1.0	EIA completed	31 May 2017
Date saved	19 June 2017	EIA published	23 June 2017

4. EIA team

Name	Job title (if applicable)	Organisation	Role
Shelley Head	Project Sponsor	Surrey County Council	Area Director NW Surrey, Service Lead
John Bangs	Carers Strategy and Development Manager, Adult Social Care	Surrey County Council	Lead commissioner Carers Advisor
Dina Bouwmeester	Policy Development Manager, Adult Social Care	Surrey County Council	Policy Development
Chris Esson	Senior Commissioner, Adult Social Care	Surrey County Council	Lead Commissioner Direct Payments support services
Kathryn Pyper	Senior Programme Manager, Adult Social Care	Surrey County Council	Chair of Adult Social Care Directorate Equality and Diversity Group

Equality Impact Assessment Template

Borislava Severova-Millard	Project Officer, Adult Social Care	Surrey County Council	Project Support
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5. Explaining the matter being assessed

<p>What policy, function or service is being introduced or reviewed?</p>	<p>The service being reviewed is the provision of the following Direct Payments¹ (DP) support services offered to DP recipients or individuals who wish to take up a DP:</p> <ul style="list-style-type: none"> • Peer Support² and Personal Assistant Support service • Carers' one off Direct Payments Support <p>For the past four years Surrey Independent Living Council (SILC) has been contracted by Surrey County Council (SCC) to provide independent DP support services to young people and adults in Surrey, amongst which:</p> <ul style="list-style-type: none"> • Information and advice about DP (also includes independent peer support) • Personal Assistant finder service • Administering one off DPs for Carers <p>The current contract with SILC expires at the end of August 2017 which has given the Council the opportunity to look at how services are delivered in the future to ensure support is proportionate, tailored to individuals' needs and represents value for money whilst at the same time meeting the requirements of the Care Act 2014 and the Children and Families Act 2014.</p> <p>On 04 July 2017 the Cabinet Member for Adult Social Care, Wellbeing and Independence will be presented with a report recommending the award of contract(s) to the successful bidder(s) following a competitive tender for:</p> <p>(1) Peer Support and Personal Assistant Support service (2) Carers' one of Direct Payments support.</p> <p>The retender may lead to a change of provider(s) from 01 September 2017, dependent upon whether the current provider (SILC) chooses to bid and the outcome of the tender process.</p>
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¹ Direct payments (DP) are monetary payments made to individuals who request to receive one to meet some or all of their eligible care and support needs. The legislative context for DP is set out in the Care Act 2014, section 117(2c) of the Mental Health Act 1983, the Care and Support (DP) Regulations 2014 and the Children and Families Act 2014. The payment must be sufficient to enable the service user or carer to purchase services to meet their eligible needs, and must be spent on services that meet eligible need. The County Council must offer a DP to the parent of a disabled child or adult receiving a care package or carer who is offered a carer's service. Like community care services, DP for adults are means-tested so their value is dependent on a person's income and assets as well as their eligible needs.

² Peer support involves people sharing knowledge, experience or practical help with each other and may be defined as the help and support that individuals with lived experience of a physical, sensory, mental illness or a learning disability are able to give to one another. Peer support is intended to help people considering the use of a DP to understand the benefits in terms of choice and control over their lives and thereby achieving greater independence.

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<p>What proposals are you assessing?</p>	<p>Revised service specifications and potential change of provider(s) from 01 September 2017</p> <p>A working group of professionals from different functions across the Council lead by Shelley Head, Area Director Adult Social Care (ASC), and Chris Esson, Lead Commissioner ASC, have been reviewing the current DP support services so that they can be provided in a more efficient and sustainable way while still delivering the required outcomes under the Care Act 2014 and the Children and Families Act 2014.</p> <p>Based on the analysis it has been agreed that a full tender process, compliant with the European Public Procurement Regulations and Procurement Standing Orders, will be carried out for the following two lots:</p> <p>(1) Peer Support and Personal Assistant (PA) Support Service - to include independent peer support in relation to DP, specialist advice about PA, employment, recruitment, matching, payroll, training, monitoring.</p> <p>(2) Administration of one off Direct Payments for carers – services under this element include making one off Direct Payments to carers and responsible adults to provide support to young carers. This is part of the preventative offer available from SCC and our Clinical Commissioning Group (CCG) partners and is funded through the Better Care Fund.</p> <p>Analysis and rationale:</p> <ul style="list-style-type: none">➤ As of June 2017 there are 2,677 adults benefitting from a Direct Payment which represents 25% of community services commissioned (including Carers); each quarter Adult Social Care issues on average 136 new Direct Payments across all client groups; about 30% of all Direct Payments recipients employ a Personal Assistant.➤ As of June 2017 there are 500 families with a disabled child benefitting from a Direct Payment which represents 60% of the total number of children supported by Children, School and Families Services (CSF); each quarter CSF issue between 13 and 40 new Direct Payments; about 80% of Direct Payments recipients employ a PA.➤ The Council's knowledge of DP's has improved significantly over the existing contract period and staff are now able to offer comprehensive general DP advice and guidance without having to make referrals to an external organisation.➤ There are some areas of work where SCC does not have the required expertise and an external provider will need to be commissioned – specifically peer support, the advice, guidance & support to Direct Payments recipients to employ a personal assistant, and administering carers' one off Direct Payments; the specifications for these services have been revised as follows: <p>(1) Peer support and PA support service spec – with the new service</p>
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	<p>the Council aims to promote empowerment, independence and personalised support arrangements and at the same time reduce dependency on formal ongoing support.</p> <p>(2) The specification for the Carers One Off Direct Payments is very similar to the current contract arrangements with SILC as the Carers Commissioning Group consider the current service to be highly successful.</p> <ul style="list-style-type: none"> ➤ The outlined provision of DP support will be more financially sustainable for the Council and is expected to streamline processes and improve people's experience of DPs. ➤ The Council will ensure that the DP support services from 01 September 2017 will remain compliant with the requirements of the Care Act 2014 and the Children and Families Act 2014, and will continue to develop and comply with the prevention and personalisation agendas. ➤ The retender may lead to the change of provider(s) from 01 September 2017.
<p>Who is affected by the proposals outlined above?</p>	<p>The following groups might be affected by the outcomes of the tender:</p> <ol style="list-style-type: none"> 1. Individuals (children and adults) who currently use ongoing Peer support and PA support services from SILC 2. Their Carers including young carers and their families 3. Staff currently employed by SILC to deliver: <ol style="list-style-type: none"> (a) Peer support and PA support services (b) administering one off DP for carers <p>There will be no impact on Council staff with protected characteristics.</p>

6. Sources of information

Engagement carried out
<p>The process of developing these proposals and the subsequent retender process have built on engagement with:</p> <p>Council staff: Adult Social Care, Children School and Families Services, Finance, Procurement, Commissioning</p> <p>Service users, their families and carers - through an online survey in relation to DP advice and information, and a DP engagement workshop on 13 March 2017.</p> <p>User lead organisations – through update/ engagement meetings, DP engagement workshop on 13 March 2017 and Partner Update Meetings.</p> <p>The Carers Commissioning Group</p> <p>Clinical Commissioning Groups in relation to carer payments</p> <p>Providers – through a market testing event with organisations potentially interested in the tender.</p> <p>Following the engagement workshop with Direct Payments recipients, their families and carers on 13 March 2017, Peer Support was included in the PA support service specification as people told us it is an important aspect of independent information and</p>

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advice about DPs they would still like to benefit from.

Data used

1. 2011 Census in Surrey and related data from the Surrey JSNA
2. SILC Quarterly Performance Monitoring Reports
3. ASC volumes – spot report from ContrOCC
4. CSF volumes spot report

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

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

Protected characteristic ³	Potential positive impacts	Potential negative impacts	Evidence
Age	<p>(1) The revised service specification for Peer support and PA support service is expected to have the following positive impacts:</p> <ul style="list-style-type: none"> - flexible arrangements tailored to accommodate specific needs - promoting independence without having to rely on formal ongoing support - retaining independent peer support in relation to DPs which people have told us is important to them - promoting sustainability of the service in the future 	<p>(1) Some users of SILC peer support and PA support services have trust in their current support arrangements and may fear loss of relationships, skills and experience; this may lead to anxiety/stress in relation to moving to new arrangements and provider</p> <p>(2) Some users of SILC peer support and PA support services may find it difficult to adapt to the support arrangements of the new provider</p> <p>(3) Some users of SILC's PA support service who also receive ongoing support with managing their DP from SILC (quarterly reconciliations and SMA) may find it difficult to deal with two separate providers whilst transitioning to the new Council DP support arrangements</p>	<p>Peer support and PA support services are designed for DP recipients of all ages – both children and adults.</p> <p>The criteria for DP support will remain as before and will not be affected by the new model of delivery from 01 September 2017.</p> <p>The process of ageing however brings an increased risk to loss of independence and wellbeing through disease, frailty, sensory impairments and other long term conditions, especially for people over the age of 75. To accommodate for this, peer support and PA support services will be tailored to individual needs.</p>
Disability	As above	As above	<p>As required under the Equality Act 2010 (Section 149 the public sector Equality Duty) reasonable adjustments should be made to ensure that disabled people have equal access to services.</p> <p>Needs assessment and risk assessment will assist in any issues relating to disability.</p>

³ More information on the definitions of these groups can be found [here](#).

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Protected characteristic ³	Potential positive impacts	Potential negative impacts	Evidence
Gender reassignment	As above	As above	
Pregnancy and maternity	As above	As above	
Race	As above	As above	<p>According to data published in 2011 Census in Surrey, for nearly 65,000 individuals in Surrey or 6% of Surrey's population English is not a main language.</p> <p>Nearly 6,500 people cannot speak English well and further 1,000 cannot speak English at all. SCC will ensure that providers take account of race in the provision of services.</p>
Religion and belief	As above	As above	SCC will ensure that providers take account of religion and belief in the provision of services e.g. provision of gender sensitive PAs etc
Sex	As above	As above	SCC will ensure that providers take account of gender when providing DP support services e.g. provision of gender sensitive PAs.
Sexual orientation	As above	As above	
Marriage and civil partnerships	As above	As above	
Carers⁴	(2) Maintains successful preventative support services for carers - this	None identified	The service currently supports 2700 adult carers a year with breaks agreed by GP practices and 500 young carers. (Source: Contract monitoring

⁴ 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.'

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Protected characteristic ³	Potential positive impacts	Potential negative impacts	Evidence
	<p>enables over 3000 cares a year to have short flexible breaks.</p> <p>As the services are agreed by GPs this has an important role engaging GPs in our preventative agenda and supporting carers.</p>		<p>reports for 2016/17)</p> <p>The service has been highlighted as a best practice example by the Department of Health; both at Ministerial level and by officials and also by NHS England.</p>

7b. Impact of the proposals on staff with protected characteristics⁵

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age	<p>SILC staff (3) TUPE⁶ related opportunities:</p> <ul style="list-style-type: none"> - moving to another work base which might offer a more convenient commute - career and personal development opportunities, access to wider benefits 	<p>SILC staff (4) TUPE-related:</p> <ul style="list-style-type: none"> - risk of redundancies - change of work base - general stress and anxiety of having to change employer - potential difficulties with adapting to new processes and systems 	<p>Any special requirements will be taken into account on an individual basis, between SILC management, SILC staff and the new provider(s) of services - to ensure any specific needs are met</p>
Disability	As above	As above	As above

⁵ This section usually takes into consideration the impact on SCC staff but this EIA also considers the impact on SILC staff as the currently commissioned provider of services on behalf of the Council.

⁶ The TUPE (Transfer of Undertakings /Protection of Employment) Regulations provide employment rights to employees when their employer changes as a result of a transfer of an undertaking. Employees employed by the current employer SILC (the 'transferor') when the transfer takes effect automatically become employees of the new employer ('the transferee') on the same terms and conditions (exceptions may apply).

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Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Gender reassignment	As above	As above	As above
Pregnancy and maternity	As above	As above	As above
Race	As above	As above	As above
Religion and belief	As above	As above	As above
Sex	As above	As above	As above
Sexual orientation	As above	As above	As above
Marriage and civil partnerships	As above	As above	As above
Carers	As above	As above.	As above.

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8. Amendments to the proposals

Change	Reason for change
No amendments are proposed as a result of the EIA	

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Potentially positive impact			
<p>(1) The revised service specification for Peer support and PA support service is expected to bring the following benefits:</p> <ul style="list-style-type: none"> - flexible proportionate arrangements tailored to accommodate specific needs - promoting independence without having to rely on formal ongoing support - promoting sustainability of the service in the future <p>(2) Maintains successful preventative support services for carers</p>	<ul style="list-style-type: none"> - The Council will be working with SILC / the new provider(s) to ensure there is a seamless transitioning of people into the new support arrangements - The Council will ensure there are proper support arrangements in place and the new services remain legally compliant and continue to develop with the prevention and personalisation agendas <ul style="list-style-type: none"> - Needs assessment and risk assessment will assist in identifying any specific support needs (eg provision of gender appropriate PA) - Robust Contract Monitoring of the new provider(s) to ensure desired outcomes are achieved in a timely manner 	By 31 August 2017 and ongoing in terms of Contract monitoring	Shelley Head, Area Director Chris Esson, Lead Commissioner John Bangs, Carers Strategy and Development Manager CSF New provider(s)
<p>(3) TUPE related opportunities for SILC staff:</p> <ul style="list-style-type: none"> - moving to another work base which might offer a more convenient commute - career and personal development opportunities, access to benefits 	<ul style="list-style-type: none"> - Any special requirements will be taken into account on an individual basis, between SILC management, SILC staff and the new provider(s) of services, to ensure any specific needs are met - Ensure compliance with TUPE Regulations 	By 31 August 2017	Richard Davy, SILC New provider(s)

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Potentially negative impact			
<p>(1) Some users of SILC peer support and PA support services trust their current support arrangements and may fear loss of relationships, skills and experience; this may lead to anxiety/stress in relation to moving to new arrangements and provider</p> <p>(2) Some users of SILC peer support and PA support services may find it difficult to adapt to the support arrangements offered by the new provider</p>	<ul style="list-style-type: none"> - The Council will be working with SILC and the new provider to ensure there is a seamless transitioning of people into the new support arrangements - Refresh the Council's DP information offer - The Council will ensure there are proper support arrangements in place and the new services remain legally compliant and continue to develop and comply with the prevention and personalisation agendas - Needs assessment and risk assessment will assist in identifying any specific support needs (eg provision of gender appropriate PA) 	<p>By 31 August 2017 and ongoing through contract monitoring</p>	<p>Richard Davy, SILC Shelley Head, Area Director Chris Esson, Lead Commissioner Siobhan Abernethy, Information Advice and Engagement Lead, ASC CSF New provider</p>
<p>(3) Some users of SILC's current PA support service who also receive ongoing support with managing their DP from SILC (quarterly reconciliations and SMA) may find it difficult to deal with two separate providers whilst transitioning into the new Council DP support arrangements</p>	<ul style="list-style-type: none"> - The Council will be working with SILC to ensure there is a seamless transitioning of people into the new support arrangements - Promote the Council's Pre-Paid Account/ supported Pre-Paid Account method of managing a Direct Payment which eliminates the need for reconciliations 	<p>By March 2018</p>	<p>Richard Davy, SILC Shelley Head, Area Director Chris Esson, Lead Commissioner CSF</p>
<p>(4) TUPE-related for SILC staff:</p> <ul style="list-style-type: none"> - potential risk of redundancies - potential change of work base - general stress and anxiety of having to move to another employer - potential difficulties with adapting to new processes and systems 	<ul style="list-style-type: none"> - Any special requirements will be taken into account on an individual basis, between SILC management, SILC staff and the new provider of services - to ensure any specific needs are met - The new provider may need to update existing systems and working arrangements to accommodate specific requirements from SILC staff (eg disabilities or caring responsibilities) 	<p>By 31 August 2017</p>	<p>Richard Davy, SILC New provider(s)</p>

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10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
None identified	

11. Summary of key impacts and actions

<p>Information and engagement underpinning equalities analysis</p>	<p>The above analysis has been underpinned by information gathered through engagement with:</p> <p>Council staff: Adult Social Care, Children School and Families, Finance, Procurement, Legal, Commissioning</p> <p>External:</p> <p>Service users, their families and carers - through an online survey and a Direct Payments support engagement workshop on 13 March.</p> <p>User lead organisations – through updates/ engagement meetings, Direct Payments support engagement workshop on 13 March and Partner Update Meetings</p> <p>Carers Commissioning Group</p> <p>Clinical Commissioning Groups</p> <p>Providers – through a market testing event with organisations potentially interested in the tender.</p>
<p>Key impacts (positive and/or negative) on people with protected characteristics</p>	<p>Individuals (adults and children) in receipt of a Direct Payment or wishing to take up a Direct Payment – potential positive impacts:</p> <p>The new service specs are expected to bring the following positive impacts:</p> <ul style="list-style-type: none"> - proportionate flexible arrangements tailored to accommodate specific needs - promoting personal independence without having to rely on formal ongoing support - promoting sustainability of the Council’s Peer support and PA support service in the future - maintaining successful preventative support services for carers <p>Individuals (adults and children) in receipt of Direct Payments or wishing to take up a Direct Payment – potential negative impacts:</p> <p>Some users of existing peer support and PA support services from SILC may:</p> <ul style="list-style-type: none"> - experience anxiety about potentially losing existing relationships, skills and experience when moving to the new arrangements and provider; - find it difficult to adapt to the support arrangements of the new provider - those who currently receive ongoing support with

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	<p>managing their DP from SILC (quarterly reconciliations and SMAs) may find it difficult to deal with two separate providers whilst transitioning into the new Council DP support arrangements</p> <p>SILC staff positive impacts – potential TUPE related opportunities:</p> <ul style="list-style-type: none"> • moving to another work base which might offer a more convenient commute • career and personal development opportunities, access to benefits <p>SILC staff negative impacts – TUPE related:</p> <ul style="list-style-type: none"> • potential risk of redundancies • change of work base • general stress and anxiety of having to move to another employer • potential difficulties with adapting to new processes and systems of the new provider(s)
<p>Changes you have made to the proposal as a result of the EIA</p>	<p>None identified</p>
<p>Key mitigating actions planned to address any outstanding negative impacts</p>	<p>The Council will be working with the currently commissioned provider SILC and the new provider(s) to ensure there is a seamless transitioning of people into the new support arrangements in place from 01 September 2017.</p> <p>The Council will ensure there are proper DP support arrangements in place and the new services:</p> <ul style="list-style-type: none"> ➤ Remain legally compliant in line with the requirements of the Care Act 2014 and the Children and Families Act 2014 ➤ Continue to develop and comply in line with the prevention and personalisation agendas. ➤ There is a refreshed Council's Direct Payments information offer ➤ Needs assessment and risk assessment will assist in identifying any specific support needs (eg provision of gender appropriate PA) ➤ There is a robust contract monitoring of the new provider(s) ensuring desired outcomes are met in a timely manner
<p>Potential negative impacts that cannot be mitigated</p>	<p>None identified</p>

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