



NOTTINGHAM CITY COUNCIL
EXECUTIVE BOARD COMMISSIONING SUB-COMMITTEE

Date: Wednesday, 10 December 2014

Time: 2.00 pm

Place: LB31 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Acting Corporate Director for Resources

Constitutional Services Officer: Mark Leavesley, Governance Officer
Direct Dial: 01158764302

AGENDA

Pages

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|----------|--|---------|
| 1 | APOLOGIES FOR ABSENCE | |
| 2 | DECLARATIONS OF INTERESTS | |
| 3 | MINUTES
Of the meeting held on 15 October 2014 (for confirmation) | 3 - 8 |
| 4 | VOLUNTARY SECTOR UPDATE
Verbal Update | |
| 5 | WORK PROGRAMME
Report of Director of Strategic Commissioning. | 9 - 12 |
| 6 | CHANGES TO TERMS OF REFERENCE
Report of Strategic Director of Early Intervention | 13 - 18 |
| 7 | LEARNING DISABILITY RESIDENTIAL RESPITE COMMISSIONING - KEY DECISION
Report of Corporate Director Children and Adults. | 19 - 22 |

8 EXCLUSION OF PUBLIC

To consider excluding the public from the meeting during consideration of the remaining items in accordance with section 100a(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**9 LEARNING DISABILITY RESIDENTIAL RESPITE COMMISSIONING
(EXEMPT APPENDIX)**

23 - 24

ALL ITEMS LISTED 'UNDER EXCLUSION OF THE PUBLIC' WILL BE HEARD IN PRIVATE. THEY HAVE BEEN INCLUDED ON THE AGENDA AS NO REPRESENTATIONS AGAINST HEARING THE ITEMS IN PRIVATE WERE RECEIVED

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD COMMISSIONING SUB-COMMITTEE

MINUTES of the meeting held at LB31 - Loxley House, Station Street, Nottingham, NG2 3NG on 15 October 2014 from 14.05 pm - 14.20 pm

Membership

Present

Councillor David Mellen (Vice-Chair) –
Portfolio Holder for Children’s Services

Councillor Dave Liversidge – Portfolio
Holder for Strategic Regeneration and
Schools

Councillor Dave Trimble – Portfolio
Holder for Leisure and Culture

Absent

Councillor Jon Collins – Portfolio
Holder for Strategic regeneration
and Schools

Councillor Alex Norris (Chair) –
Portfolio Holder for Adults,
Commissioning and Health

Non-voting Members

Present

Helen Kearsley-Cree – Nottingham
Community and Voluntary Service
(NCVS)

Absent

Safdar Azam – Nottingham Equal

Colleagues, partners and others in attendance:

Candida Brudenell	- Strategic Director of Early Intervention) Children and
Antony Dixon	- Strategic Commissioning Manager) Adults
Carol Jackson	- Constitutional Services Officer	- Resources

Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until **24 October 2014**.

In the absence of Councillor Alex Norris, the Chair, the meeting was chaired by the Vice Chair, Councillor David Mellen.

36 APOLOGIES FOR ABSENCE

Councillor Jon Collins
Councillor Alex Norris

37 DECLARATIONS OF INTEREST

None

38 MINUTES

The Sub-Committee confirmed the minutes of the meeting held on 10 September 2014 as a correct record and they were signed by the Chair.

39 VOLUNTARY SECTOR UPDATE

Helen Kearsley-Cree of Nottingham Community and Voluntary Services (NCVS) provided an update for the Sub-Committee on the following issues:

- (a) State of the Sector Report. This has been released and presented to full Council. It is available on the NCVS website. NCVS are currently undertaking research into the value of the voluntary/community sector in terms of economic contribution, employment rates, volunteering value etc. This should be available around Christmas 2014;
- (b) NCVS Annual Event. This was held on 14 October and included 2 sessions on commissioning – Public Health and Mental Health Pathways. They showed an increased awareness of public sector contracting within sector delivery and there is significant interest in having a form of provider development programme;
- (c) Looking After Each Other. The sector is getting involved in the design and then the delivery of 2 pilot projects. Consultation on design starts at the end of this month. NCVS have a Looking After Nottingham twitter feed to showcase current activity and encourage sign up;
- (d) D2N2 Local Enterprise Partnership. Thematic Objective 9 will target social inclusion and anti poverty work, resulting in improving economic outcomes. The structure for inputting and accessing funding is being developed through the areas' voluntary sector infrastructure organisations. NCVS is working on behalf of the City's VCS and statutory agendas to provide the conduit for engagement and pitching for the City's fair share of funds. There will be a significant fund available across the geography, for 5-6 years of delivery. The Big Lottery are matching with £16 million.

40 WORK PROGRAMME

Antony Dixon, Strategic Commissioning Manager, presented a work programme for the Sub-Committee, covering the period October 2014 to April 2015.

RESOLVED to note the provisional agenda items shown below:

**12 November 2014: Voluntary Sector Infrastructure Contract Commissioning Intentions;
Revised Terms of Reference**

**10 December: Residential and Nursing Care Non Standard Elements;
Financial Vulnerability Advice and Assistance
Commissioning Intentions;
ICELS Commissioning Model;**

Learning Disability Residential Respite Commissioning;

- 14 January 2015:** Procurement Plan Update
Children & Young Peoples Review Commissioning Intentions
- 11 February 2015:** Better Care Fund Plan 2015/16;
ICELS Commissioning Arrangements;
Early Intervention Directorate Commissioning Intentions;
- 11 March 2015:** (No items planned yet);
- 15 April 2015:** (No items planned yet).

41 BETTER CARE FUND RE-SUBMISSION - KEY DECISION

Antony Dixon, Strategic Commissioning Manager, presented the Corporate Director, Children and Adults' report giving details of the revised Better Care Fund Plan which was originally approved by this Sub-Committee on 12 March 2014. Revisions to the original plan were required as a result of changes in national guidance by NHS England.

The key substantive changes are as follows:

- total emergency admissions replaces the original metric of avoidable emergency admissions;
- of the £1.9bn additional NHS contribution to the Better Care Fund (BCF), £1bn will remain within the BCF but will now be either commissioned by the NHS on out-of-hospital services or be linked to a reduction in total emergency admissions (as in Nottingham);
- the intention of this policy change is to ensure that the risk of failure for the NHS in reducing emergency admissions is mitigated, and Clinical Commissioning Groups (CCGs) are effectively compensated for unplanned non elective activity. This replaces the 'pay for performance' fund linked to the production of a plan and delivery against national and local metrics. No payment will now be linked to these metrics, although Health and Wellbeing Boards will be expected to continue to set levels of ambition for these within their plan;
- all plans will be expected to clarify the level of protection of social care from the £1.9bn NHS additional contribution to the BCF, including that at least £135m has been identified for implementation of the Care Act;
- every Health and Wellbeing Board was asked to sign off and resubmit their Better Care Fund Plan by 19 September. Up to and after this date there will be a support and assurance process so that the Chief Executive of NHS England (as the accounting officer of the BCF) and Ministers can be confident that the plans are affordable and deliverable in 2015/16.

The BCF Plan was submitted to NHS England on 19 September in accordance with guidance requirements. The Plan has subsequently been reviewed by a team appointed by NHS England. The feedback from the review was very positive and the plan has been rated as 'high'. In the guidance this is described as a: 'high quality, coherent, comprehensive and credible plan, it is well written and there are no issues with the financial or metric elements'. The NHS England Area Team will now determine whether to accept the Plan as is or whether further conditions or support is required.

Councillors requested that any realignment of the 2014/15 and 2015/16 BCF Plan referred to in recommendation (4) below be reported to the Health and Wellbeing Board.

RESOLVED

- (1) to approve the revised Better Care Fund plan for 2014/15 and 2015/16 as detailed in appendices 1 and 2 of the report as required by the NHS England Regional Team;**
- (2) to approve the risk sharing arrangements for the performance related element of the Better Care Fund as detailed in paragraph 1.1 of the report;**
- (3) to approve the arrangements for apportionment of over-commitment of the Better Care Fund plan as detailed in paragraph 1.2 of the report;**
- (4) to delegate authority to the Director of Early Intervention to agree any realignment of the 2014/15 and 2015/16 BCF Plan as a consequence of the issues referred to in paragraphs 1.2, 1.3 and 4.3 of the report;**
- (5) to approve the allocation of Better Care Fund funding for council schemes in 2015/16 as detailed in Appendix C of the report.**

Reasons for Decision

- (1) In 2014/15, in addition to the £900m (£5.81m for Nottingham City) transfer already planned from the NHS to Adult Social Care (ASC), a further £200m (£1.292m for Nottingham City) will transfer to enable localities to prepare for the BCF in 2015/16. For 2014/15 there are no additional conditions attached to the £900m transfer already announced, but NHS England will only pay out the additional £200m to Councils that have jointly agreed and signed off two-year plans for the BCF;
- (2) Council and Health commissioners have proposed a 50/50 split of the risk should the performance related element of the BCF Plan not be delivered. This totals £1.556m annually which will be paid proportionately on a quarterly basis dependent on the extent to which the 3.5% reduction in non-elective emergency admissions to acute care is delivered. BCF planning guidance requires risk sharing arrangements for the performance related element to be detailed within the Plan;

- (3) The BCF Plan is currently over-committed by £2.548m against a total plan value of £25.845m as per Table 1. Mitigation of this issue will be through a review by Nottingham City Council and the Clinical Commissioning Group (CCG) of the programme or the contribution of further funding. The allocation of the over-commitment is £1.832m to the CCG and £0.716m to Nottingham City Council;
- (4) Changes to schemes within the BCF Plan may be required in order to deliver performance objectives;
- (5) The report presented to Executive Board Commissioning Sub-Committee on 12 March 2014 contained approval of allocation of funds for 2014/15 only.

Other Options Considered

In developing the Nottingham Better Care Fund commissioners had regard to the national guidance and expectations issued by NHS England and the agreed outcomes contained within the Nottingham Health and Well-being Strategy and the Integrated Care Programme. These criteria were used to inform how the additive elements of the Fund should be allocated recognising that the Fund is predominantly comprised of existing allocated funding. As such, alternative options for use of the fund were not considered.

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Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?
14 JANUARY MEETING				
Procurement Plan Update	14 Jan	Report	Portfolio Holder	Steve Oakley Head of Quality & Efficiency Nottingham City Council 0115 8762836 Steve.oakley@nottinghamcity.gov.uk
Financial Vulnerability Advice and Assistance Commissioning Intentions	14 Jan	Report	Portfolio Holder	Antony Dixon Strategic Commissioning Manager Nottingham City Council 0115 8763491 antony.dixon@nottinghamcity.gov.uk
Emergency Hardship Fund	14 Jan	Report	Portfolio Holder	Colin Monckton Head of Commissioning & Insight Nottingham City Council 0115 8764832 Colin.monckton@nottinghamcity.gov.uk
Substance Misuse 15/16 Commissioning Intentions	14 Jan	Report	Portfolio Holder	Christine Oliver Senior Performance & Governance Manager Nottingham City Council 0115 8765725 Christine.oliver@nottinghamcity.gov.uk

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?
11 FEBRUARY MEETING				
ICELS Commissioning Arrangements	11 February (2015)	Report	Portfolio Holder	Antony Dixon Strategic Commissioning Manager Nottingham City Council 0115 8763491 antony.dixon@nottinghamcity.gov.uk
Early Intervention Directorate Commissioning Intentions	11 February (2015)	Report	Portfolio Holder	Colin Monckton Head of Commissioning & Insight Nottingham City Council 0115 8764832 Colin.monckton@nottinghamcity.gov.uk
Health Visiting and Family Nurse Partnership Transfer	11 February (2015)	Report	Portfolio Holder	Lynne McNiven Consultant in Public Health Nottingham City Council 0115 8765429 Lynne.mcniven@nottinghamcity.gov.uk

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?
11 MARCH MEETING				
Children & Young Peoples Review Commissioning Intentions	11 Mar	Report	Portfolio Holder	Katy Ball Head of Market Development & Early Intervention Nottingham City Council 0115 8764814 Katy.ball@nottinghamcity.gov.uk

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?
APRIL MEETING				
Learning Disability SCR Commissioning Intentions	April	Report	Portfolio Holder	Antony Dixon Strategic Commissioning Manager Nottingham City Council 0115 8763491 antony.dixon@nottinghamcity.gov.uk

EXECUTIVE BOARD COMMISSIONING SUB-COMMITTEE – 10 December 2014

Subject:	CHANGE TO TERMS OF REFERENCE		
Corporate Director(s)/ Director(s):	Candida Brudenell, Strategic Director of Early Intervention		
Portfolio Holder(s):	Councillor McDonald, Councillor Norris		
Report author and contact details:	Steve Oakley, Head of Quality and Efficiency steve.oakley@nottinghamcity.gov.uk 0115 87 62836		
Key Decision	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Subject to call-in <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total value of the decision: Nil			
Wards affected:	Date of consultation with Portfolio Holder(s): 26/09/2014 Councillor McDonald 08/10/14 Councillor Collins		
Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter			<input type="checkbox"/>
Cut crime and anti-social behaviour			<input type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City			<input type="checkbox"/>
Your neighbourhood as clean as the City Centre			<input type="checkbox"/>
Help keep your energy bills down			<input type="checkbox"/>
Good access to public transport			<input type="checkbox"/>
Nottingham has a good mix of housing			<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs			<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events			<input type="checkbox"/>
Support early intervention activities			<input type="checkbox"/>
Deliver effective, value for money services to our citizens			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>The revised terms of reference for the Committee enable the implementation of the governance arrangements for procurement as detailed within the Procurement Strategy. Commissioning and procurement are very closely linked with many commissioning decisions leading to a procurement therefore the expansion of the role of this committee is seen as the most effective way of overseeing procurement. The terms of reference have been signed off in line with the constitution by the Leader of the Council.</p> <p>By having a board responsible for overseeing procurement the implementation of the key principles of the strategy can be monitored. The strategy aims to increase through procurement the amount of money spent with local providers and increase local employment.</p>			
Exempt information: None			
Recommendation(s):			
1	To note the revised terms of reference for the committee including the change in title to the Commissioning and Procurement Sub Committee.		
2	To note the change in membership and agree the proposed review of membership in 6 months		

1 REASONS FOR RECOMMENDATIONS

- 1.1 Nottingham City Council Procurement Strategy identified the need to develop a formal committee to oversee procurement. Given the links between commissioning and procurement it was proposed that the Executive Board Commissioning Sub-Committee expand its remit to have oversight of procurement. The revised terms of reference were developed to enable this to happen and have been signed off in line with the constitution by the Leader of the Council. (see appendix 1)
- 1.2 By having a board responsible for overseeing procurement the implementation of the key principles of the strategy can be monitored. The strategy aims to increase through procurement the amount of money spent with local providers and increase local employment.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The Procurement Strategy was agreed in January 2014 and since then work has been undertaken to implement the strategy. Actions include identifying appropriate governance arrangements for procurement. The arrangements include developing a procurement board to oversee the implementation of the strategy and to have oversight of procurement.
- 2.2 The revised terms of reference attached have been developed to implement the governance arrangements. These have already been agreed by the Leader of the Council as required by the Constitution and now need to be formally noted by the committee.
- 2.3 The terms of reference include changes to the membership, the main change being the inclusion of the portfolio holder with responsibility for procurement . The membership will need to be reviewed in 6 months to ensure the membership continues to be appropriate for the remit of the committee.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Given the Procurement Strategy has already been agreed the option to not set up a board responsible for procurement would not be appropriate.
- 3.2 The other alternative would be for procurement to be managed by a separate committee. Given the links to commissioning it is considered that the best option is to have one committee overseeing both commissioning and procurement.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 There are no financial implications related to this report

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 There are no legal issues arising from this report. The revised terms of reference improve the oversight of procurement and the implementation of the strategy, this will have significant benefits to Nottingham City Council. In particular the committee will have responsibility for ensuring compliance with procurement and financial regulations, which will reduce risks to the Council.

6 SOCIAL VALUE CONSIDERATIONS

- 6.1 The implementation of the Procurement Strategy has a significant social value with aims to increase local jobs and enhance local business opportunities.

7 REGARD TO THE NHS CONSTITUTION

- 7.1 Not applicable to this report

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 An EIA is not needed, as the report does not contain proposals for new or changing policies, services or functions.

9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 9.1 None.

10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 10.1 Nottingham City Council Procurement Strategy

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 11.1 Sarah Molyneux – Legal Services Manager and Solicitor
Ceri Walters - Acting Head of Departmental Financial Support

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Commissioning and Procurement Sub Committee Terms of Reference

Purpose

To approve and oversee the delivery of the Council's commissioning and procurement work programme

Responsibilities

- a. To review the implementation of the Commissioning Framework and Procurement Strategy across the City Council
- b. to evaluate the impact of the Commissioning Framework
- c. to evaluate the impact of the Procurement Strategy
- d. to approve the Council's annual commissioning work programme
- e. to approve the Council's annual procurement plan
- f. to approve procurement, commissioning and de-commissioning proposals at key decision level identified for review in the annual work programme and occasional urgent decisions not included in the work programme;
- g. to review, by exception, outcomes achieved and delivery against the Nottingham City Council Commissioning Framework's Guiding Principles
- h. to review, by exception, outcomes achieved and delivery against the Nottingham City Council Procurement Strategy Guiding Principles
- i. to approve and oversee the commissioning and implementation of the third sector Area Based Grant programme and any other voluntary sector grants of £25,000 and above

The Committee is accountable to the Executive Board.

The Committee meets monthly and the membership comprises:

- a. The Portfolio Holder whose remit includes Commissioning – if not included in a portfolio listed below
- b. The Leader of the Council;
- c. The Portfolio Holder whose remit includes Procurement
- d. The Portfolio Holder for Adults and Health
- e. The Portfolio Holder for Children's
- f. The Portfolio Holder for Community Safety, Housing and Voluntary Sector
- g. The Portfolio Holder for Leisure and Culture

The Chair of the Committee will be the portfolio whose remit specifically includes Commissioning.

If the Chair of the Health and Wellbeing Board is not a member under any of the above categories, s/he will be a non-voting co-opted member.

Standing invitations, with speaking but not voting rights, are made to representatives of the Voluntary Sector, namely Nottingham Community and Voluntary Service and Nottingham Equal

The quorum for this Committee has been fixed at 2.

Commissioning and Procurement Sub Committee Members (6)

(No substitutes allowed)

Councillor Jon Collins

Councillor Dave Liversidge

Councillor David Mellen

Councillor Alex Norris

Councillor David Trimble

Councillor Nick McDonald

Standing invites to:

Safdar Azam Nottingham Equal

Helen Kearsley-Cree Nottingham Community and Voluntary Service (NCVS)

EXECUTIVE BOARD - COMMISSIONING SUB-COMMITTEE 10 December 2014

Subject:	Learning Disability Residential Respite Commissioning		
Corporate Director(s)/ Director(s):	Alison Michalska, Corporate Director Children and Adults, alison.michalska@nottinghamcity.gov.uk tel: 0115 8763132.		
Portfolio Holder(s):	Councillor Alex Norris, Portfolio Holder for Adults, Commissioning and Health.		
Report author and contact details:	Clare Gilbert 8764811		
Key Decision	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Subject to call-in <input type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total value of the decision: See exempt appendix			
Wards affected: All	Date of consultation with Portfolio Holder(s): 19 th November 2014		
Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter			<input type="checkbox"/>
Cut crime and anti-social behaviour			<input type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City			<input type="checkbox"/>
Your neighbourhood as clean as the City Centre			<input type="checkbox"/>
Help keep your energy bills down			<input type="checkbox"/>
Good access to public transport			<input type="checkbox"/>
Nottingham has a good mix of housing			<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs			<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events			<input type="checkbox"/>
Support early intervention activities			<input checked="" type="checkbox"/>
Deliver effective, value for money services to our citizens			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>Following the de-commissioning of Hucknall House Short Breaks Service, this paper proposes the commissioning of a number of new respite beds. The decision to decommission Hucknall House was approved by the Executive Board Commissioning Sub-Committee on 10th September 2014. The new commissioned service(s) will be required to meet the needs of citizens with learning disability and/or autism with complex needs or behaviour that challenges. There is very little current residential respite provision available for this group. In order to ensure continuity of provision for the citizen and their families and to ensure that it is financially sustainable for providers to operate, the new provision will be block funded.</p>			
Exempt information:			
<p>Appendix 1 to this report is exempt from publication under paragraphs 3 of Schedule 12A to the Local Government Act 1972 because they contain information relating to financial values of proposed contracts and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is not in the public interest to disclose this information because making contract values of proposed contracts, which are planned to be market tested, available to other organisations, would prejudice the open tender process. Information in the exempt appendices is subject to legal privilege.</p>			

Recommendation(s):
1. To approve the commissioning and procurement of residential respite provision for people with learning disabilities. To give approval to the Director of Early Intervention to have delegated authority to approve the outcome of the tender and award contracts and for the Head of Quality and Efficiency to have delegated authority to sign contracts arising from the tender process once the tender outcome is agreed.
2. To note that approval to spend is gained through the Scheme of Delegation 273 within Part 2 of the Constitution.
3. To approve transitional funding for current users of the Hucknall House service who transfer to respite provision in advance of October 2015.

1 REASONS FOR RECOMMENDATIONS

1.1 Following the de-commissioning of the Hucknall House Short Breaks Service, new provision is required to meet the needs of the current users of Hucknall House as well as to address the deficit in the provision of residential respite. Tendering the service will ensure compliance with the Council's Financial Regulations and Contract Procedure Rules and will enable best value for money to be secured through undertaking a competitive market process.

The current number of overnight respite commissioned is 989 overnight stays for 18 families. It is proposed to increase this to 1,100 spaces with the potential to purchase additional capacity at the same overnight rate in recognition of this shortfall in respite need, particularly for young people transitioning into the system.

1.2 See exempt appendix

1.3 In order for social workers to be able to ensure smooth transition of respite arrangements, to have sufficient capacity to support the families through transition and to find the most appropriate resource for each individual, some individuals will need to be transferred before the end of the current contract on 30 September 2015. As the current Hucknall House Service is block funded, this will require additional funding to facilitate this process. Based on the potential number of service users and number of bed nights required, this will not exceed £0.050m. This will be non-recurrent.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 As detailed in the last report, a review of respite services concluded that whilst there is a growing need for the provision of overnight respite for families who are caring for people with complex learning disabilities and autism, the service provided by Hucknall House was no longer fit for purpose. The current accommodation was not physically appropriate for meeting the future needs of young people in transition and was identified by the Care Quality Commission as being too institutional in appearance. The service did not represent good value for money.

2.2 Parents and carers were consulted as part of the review in relation to the proposal to close the service. The response was almost unanimously opposed to the closure of Hucknall House. The consultation also explored the model of provision that parents and

carers wanted to have in place. This feedback has been used to inform the development of the draft specification and carers have also directly informed the draft specification and will be part of marking panel for any submitted tenders.

- 2.3 Two consultation events have taken place with current providers to explore potential delivery options, the feasibility of different financial models and the potential interest and availability of potential buildings in delivering the tender requirements.
- 2.4 The development has been informed throughout by social care and a senior practitioner from the Community Learning Disability Team has formed part of the project group. Assessments have been undertaken of all Hucknall House users, to understand type and level of support required.
- 2.5 The proposed model is for a block funded service. This can either be delivered in one lot of 1,100 as a discreet respite service, or in two lots of 550 through the use of a separate annexe or wing that forms part of a larger complex. Given the high support needs of the cohort, the service will be required to be staffed at a level that provides one to one support for each citizen and that is flexible to meet the needs of some individuals with identified higher levels of need.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

Do nothing: There is currently very little appropriate respite provision available. The provision of respite is vital in providing appropriate support for families who are providing support for families who are committed to caring for individuals with high level needs. A lack of respite provision is likely to lead to carer break down. This would mean that the citizens currently supported would require to be permanently accommodated by the city council.

Commission beds on an individual basis: Whilst this would have the advantage of determining exact level of provision required and costing each individual placement based on level of need, it would not provide any market stability. Due to the intermittent nature of respite use throughout the year, there would be no incentive for providers to guarantee a long term respite place. This would then mean lack of consistency for citizens and their families which would undermine the effectiveness of the respite break.

Commission a different number of respite beds: Analysis does indicate that there is a lack of appropriate respite beds which could lead to carer breakdown. However, it is difficult to predict the level of provision required. If too many respite beds are purchased, this could lead to the service being under utilised which would represent a financial loss to the council. The specification does incorporate the option for the council to purchase up to 15% additional capacity at the same rate if the need exceeds the number of specified respite nights that have been commissioned.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 The costs of this re-commissioned service can be contained within existing budgets approved in the Medium Term Financial Plan (MTFP).
- 4.2 Any savings generated will mitigate demographic growth not included in the MTFP.
- 4.3 Approval to spend against this contract and the transitional cost is achieved through the Scheme of Delegation 273 within Part 2 of the Constitution.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

5.1 There may not be sufficient time for a provider to build or adapt premises within the timescale.

The contract is due to be awarded on 1st April and the service is not required until 1st October. Provision is made in the specification for interim arrangements if a new build or necessary adjustments are not completed.

5.2 Carers will not be satisfied with the new commissioned service and so will not utilise it.

The specification has been designed to reflect carer views. There will be limited other alternatives open to families.

5.3 TUPE costs may deter potential providers

Consideration will be given as to whether TUPE applies due to the change of delivery from a nurse led respite service to residential home.

6 SOCIAL VALUE CONSIDERATIONS

- 6.1 The service will be based in the City or within close proximity, so local staff will be employed. Where appropriate the Employment Hub will be utilised to support the recruitment of local staff.

7 REGARD TO THE NHS CONSTITUTION

N/A

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 The Equality Impact Assessment that was sent to the Equality Team for publishing on the 29 August 2014 applies to the proposal in this paper.

9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

Draft Learning Disability Respite Service Specification

10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

Hucknall House De-Commissioning Executive Board Commissioning Sub-Committee 10 September 2014

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Steve Oakley Head of Quality and Efficiency
Oliver Bolam Head of Specialist Services
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