

# The Leader's Report of Cabinet Issues

## 1. Procurement

Cabinet has taken a number of decisions in relation to procuring services.

### **Adult Social Care Passenger Transport Procurement Proposals 2015**

- To approve the extension for one year, of up to 192 of the Adult Social Care Passenger Transport contracts with a total value of £3.883m, where agreed with the provider.
- To approve the procurement of
  - at least 36 Adult Social Care Passenger Transport contracts with a total current value of £839,495 through a mini competition held within the Passenger Transport Framework; and
  - contracts to replace any services where an extension cannot be agreed with the provider.

Extending these contracts will provide continuity to the customer.

### **Essex-Wide Integrated Sexual Health Procurement**

To undertake a competitive procurement exercise to select a provider to deliver an Essex-wide sexual health service to replace the eight sexual health contracts inherited by the County Council as a result of the statutory transfer of NHS public health contracts on 1 April 2013. The current contracts come to an end on 31 March 2016.

### **Sourcing Strategy for Major Capital Construction Projects**

To procure a four-year, Council-led two tier Framework Agreement for the provision of both design and build services and construction only services capable of delivering the Council's major buildings-related capital investment programme, with the two tiers being for projects valued under and over £2m.

### **Re-commissioning Specialist Sensory Services**

- To award a contract to Essex Cares Ltd (ECL) for the co-ordination of the Sensory Services Pathway and the provision of Early Intervention and Reablement services for a period of three years commencing 1 July 2015.
- To agree that the contract will require ECL to take on responsibility for grants to voluntary sector providers, to work with the Council and to build relationships with health and social care partners to ensure that services provided meet the requirements of the redesigned pathway for people with sensory impairments in Essex.

### **Substance Misuse Services**

To put in place appropriate commercial arrangements to ensure sustainable and effective future service delivery of Public Health Substance Misuse services. There are five current agreements which will be extended or replaced. There will be two new competitively procured agreements: a single procurement of services to offenders and a re-procurement of existing alcohol services. Extensions will

be activated on the other three existing contracts where the provider is performing well. Once complete, all five contracts will expire at the same time which will provide future opportunities for County-wide economies of scale. Whilst there are no explicit savings planned through this work, key outcomes are increased efficiency of the delivery system and improved performance.

### **Domestic Abuse Community Services**

To invite tenders for Domestic Abuse Community Services across Essex which will focus on improving outcomes and take account of best practice in supporting victims of domestic abuse in the community. The Council currently commissions a number of services to support victims of domestic violence. They deliver a range of refuge, floating support, move on support and outreach interventions with some Early Years and childcare provision. The Council has the power, but not the duty to provide these services. The current contracts were not awarded competitively. The contracts have been extended until 30 September to review whether current arrangements are the most appropriate to meet the needs of this vulnerable client group.

### **Superfast Essex Phase 2 Project 2a**

To authorise the Director for Information Services to award a contract for the provision of Project 2a to BT Group, under the Broadband Delivery UK Framework, once he is satisfied that the formal evaluation and due diligence shows that the contract represents value for money. The contract for Project 2a, will see a further fibre broadband rollout focused in parts of the most poorly served districts in the County in terms of superfast broadband: Braintree, Brentwood, Chelmsford, Colchester, Epping Forest, Maldon, Rochford, Tendring and Uttlesford.

### **Care in a residential setting for Older People**

To approve the reprocurement of residential care services for older people by extending the existing Older People's Residential Care Agreement ("OPRCA") for a 12-month period. The contract will then expire on 31 March 2016. The Council currently funds the provision of care for over 6,300 adults in a residential setting. Of these, circa 2,450 older people are currently placed pursuant to the existing OPRCA. The OPRCA is a framework agreement used to place service users over the age of 65 who require residential care. The Council currently has five types of purchasing arrangements in place with providers for care provision in a residential setting. There is a need to simplify contracts, specification and placement processes for both the Council and providers and the Council is utilising the opportunity afforded by the expiration of the OPRCA to re-procure all residential care for older people with or without nursing using a standard specification across the market.

### **New Supported Living Services Framework**

To agree the procurement and implementation of a 'Supported Living' contract framework to support the delivery of the Increasing Independence programme and its associated efficiency targets and seeking to award contracts to multiple contractors to maximise the choice of quality care services for service users. The Increasing Independence Programme for Working Age Adults is targeted with increasing the number of users placed either in care home placements that meet their needs or where appropriate into community based alternatives. The County Council's vision is to promote independence, enabling service users, with the

correct levels of support, to live a more independent life. Supported Living residents live in their own accommodation with care provided by services commissioned by the Council.

### **Essex-Wide Health Trainer Service**

To approve the commissioning of a County-wide Health Trainer Service. Health Trainers are a proven, effective way of eliciting behaviour change towards a healthier lifestyle, particularly in hard to reach groups. The approval is to procure a single Essex-wide provider, amalgamating the benefits currently delivered by four separate providers. This will not only improve the quality of the service delivered and the outcomes that are produced but also deliver savings of £253,000 per annum compared to the 2014/15 spend, totalling £1.27m over the five year contract term.

### **Day Opportunities**

To extend existing block and spot contracts for day opportunities until 30 September 2016. The options for future service provision are being explored following a cancelled procurement for this service to ensure that the new contracts can be in place for 1 October 2016. The extension of the spot and block contracts will enable the Council:

- to re-model existing service provision to ensure that it meets Corporate Outcomes and is within allocated budget; and
- to prepare to run a compliant competitive process to secure future supply of the services in a manner that enables the Council to move away from current block purchasing.

### **Stop Smoking Support Service for Essex**

To agree an investment in and procurement of a contract for a Stop Smoking Support Service (SSSS). This procurement will help to improve the health and wellbeing of those residents in the identified geographical areas and address key public health issues. Cabinet agreed to invest £11million (£2.2million each year) from the public health grant over a period of five financial years (2016 to 2021) and to procure one new contract for a SSSS to replace the two contracts currently with community providers which expire on 31 March 2016. It is established that support from a SSSS is up to four times more effective than attempting to stop smoking unassisted. Smoking is estimated to cost the Essex area approximately £329.5million each year.

### **Combined framework for older people's residential care and adults eligible for NHS funded care**

To agree to re-procure care in a residential setting for older people and adults with non-complex mental health needs with or without nursing. The contract will be for a total of three years with annual break clauses. The County Council is working in partnership with Essex Clinical Commissioning Groups to establish a framework contract for care placements for residential and nursing care that can be used by the Council and the CCGs. The Council and the CCGs are committed to ensuring the people of Essex experience high quality and consistent health and care outcomes. The current annual gross cost of care to the Council for supporting adults in a residential setting is £146 million. The Council needs to control costs more effectively by working closely with the providers to develop services which ensure vulnerable adults can maintain their

independence for as long as possible in the community and reduce the need for long term residential care.

## **2. Care Act 2014**

The Care Act 2014 is the most significant reform of adult social care law since the system was established in 1948. The majority of the legislation comes into force from April 2015, although there are some significant changes coming into effect from April 2016 which will reform the system for paying for care. The Act was introduced to ensure that Health and Social Care services were better integrated and to put service users at the heart of the social care service. Cabinet has been taking decisions in preparation for the Care Act implementation.

### **Prevention Strategy**

Cabinet adopted the Prevention Strategy and agreed to delegate authority for the performance monitoring and outcomes of Strategy interventions to the relevant Cabinet Members. The Prevention Strategy will ensure that Essex is Care Act compliant. One of the most prominent themes of the Act is prevention, as the Act looks not only at how best to treat and care for those in need, but also how to prevent, reduce or delay need before it becomes a serious issue. The Act requires that a prevention strategy be put in place detailing how Local Authorities will prevent, reduce and delay the needs of those residents who may have social care needs. The Prevention Strategy brings together a number of active projects and programmes of work. The strategy shows the current work undertaken by these projects and programmes and also future commissioning intentions.

### **Market Position Statement**

Cabinet has approved the Market Position Statement for the period 2015-25. The Care Act places a clear market-shaping duty on the local authority. The local authority has a duty to ensure that there is a diverse and sustainable market for care. The local authority should signal to the market the types of services that are needed now and in the future. The Market Position Statement (MPS) is one way a local authority can meet its duties to make available information about the local market and to demonstrate that it is meeting other aspects of the Act (promoting equality and diversity in provision of services). The Council's MPS has been developed with input from service providers within Essex. It sets out the Council's intelligence of the main trends and opportunities for the market and its strategic direction.

### **Deferred Payment Agreements**

Cabinet agreed that the Council should charge interest on deferred payments agreements (DPAs) for the lifetime of the agreement, at the relevant rate defined in the Care and Support (Deferred Payment) Regulations 2014 with effect from 1 April 2015. It also agreed an administration fee of £450 per Agreement. The Act sets out a clearer national approach to financial assessment and charging, including the introduction of a new Universal Deferred Payment Scheme. When someone moves into permanent residential or nursing care the value of their main home may in some circumstances be taken into account when assessing their financial contribution towards their care costs. Some people find that they may have to sell their property to pay for residential or nursing care costs.

A Deferred Payment Agreement (DPA) prevents people from having to sell their property during their lifetime to fund their care costs by the Council paying the fees to the provider and then recovering the costs from the user at a later date. A deferral can last until death, however, many people choose to use a deferred payment agreement as a 'bridging loan' to give them time and flexibility to sell their home when they choose to do so. The arrangement is to defer the payment, not to write it off.

Local authorities currently have the power to offer DPAs but are not obliged to do so. From 1 April 2015 the Act makes it mandatory for local authorities to implement a universal DPA scheme which allows anyone that meets a national set of eligibility criteria to access the scheme. Although the County Council already runs a DPA scheme it is expected that more people will become eligible under the new universal criteria, and will wish to access the scheme from 1 April.

### **3. Carers Count in Essex: 2015-2020 Joint Essex Carers Strategy**

Cabinet approved the "Carers Count in Essex: 2015-2020 Joint Essex Carers Strategy". The Strategy sets out the issues, the desired outcomes and an action plan. The action plan details how the strategy will be delivered by both the County Council and partner organisations in the NHS. A carer is a person who is unpaid and looks after or supports someone else who needs help with their day-to-day life because of frailty, illness or disability. In Essex an estimated 145,000 people provide unpaid care and support. The value of care provided by unpaid carers in Essex is estimated by the University of Leeds to be £2.5 billion a year. Unpaid carers are therefore an asset to their communities as much as they are to the person they are supporting. But caring does not come without costs to the carer – often impacting on their own health, wellbeing and financial position. By providing preventative support authorities can avoid crises escalating and manage potential additional need for services.

### **4. Highway Authority Enforcement Policy**

Cabinet has adopted a Highway Authority Enforcement Policy. A newly-formed Highways Enforcement Team has been working to improve the enforcement of highway law. The initial work of the team highlighted the need for an Enforcement Policy to create a consistent transparent framework for enforcement. The Highway Authority has a duty to assert and protect the right of the public to the use and enjoyment of the highway and this policy explains how this is prioritised and the actions that will be considered when undertaking enforcement.

Councillor David Finch  
Leader of the Council