

COMMUNITY SHORT BREAKS FOR DISABLED CHILDREN AND YOUNG PEOPLE

To: **Children and Young People Committee**

Meeting Date: **21 May 2019**

From: **Wendi Ogle Welbourn – Executive Director People and Communities**

Electoral division(s): **All**

Forward Plan ref: **KD2019/041** *Key decision:* **Yes**

Purpose: **Seek approval to commission community short breaks for Disabled Children and Young People via an Open Framework Agreement**

Recommendation: **The Committee is recommended to:**

- a) Approve the commissioning of an Open Framework for Community Short Breaks for Disabled Children and Young People;**
- b) Delegate authority to the Executive Director for People and Communities, in consultation with the Chair of the Children and Young People Committee, to award an Open Framework for Community Short Breaks for Disabled Children and Young People.**

| <i>Officer contact:</i> | | <i>Member contacts:</i> | |
|--------------------------------|--|--------------------------------|--|
| Name: | Helene Carr | Names: | Councillor Bywater |
| Post: | Head of Service Children's Commissioning | Post: | Chair, Children and Young People Committee |
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1. BACKGROUND

- 1.1 The Government made a commitment to Short Breaks through the implementation of a Short Break Duty which came into effect from April 2011¹, this created a legal duty on local authorities in England to provide a range of Short Break services including:
- Overnight care in the homes of disabled children or elsewhere
 - Day time care in the homes of disabled children or elsewhere
 - Educational or leisure activities for disabled children outside their homes
 - Services available to assist carers in the evenings, at weekends and during the schools holidays.
- 1.2 Cambridgeshire County Council currently provides (what was) Activity and Holiday Clubs for Disabled Children in Cambridgeshire, via a closed framework that expires in September 2019.
- 1.3 The current contract was awarded in September 2015 for an initial period of 2 years and has been extended for a further two one year periods with no further extension options available.
- 1.4 The current spend on the contract is £169,800 per annum and this has remained fairly static throughout the life of the contract. There are 137 children and young people accessing provision across six Providers.
- 1.5 The contract compliments the Council's in-house provision of Holiday Clubs for Disabled Children (CAMPLAY), and forms part of the Council's Short Breaks offer that also includes:
- Community Support for Disabled Children (Domiciliary Care) (£500k per annum)
 - Commissioned services for the provision of Residential Short Breaks for Disabled Children. (£2.35m per annum).
- 1.5 The Council's Short Break Offer and eligibility framework is published on the Council's website.

2. MAIN ISSUES

- 2.1 The current contract is delivering well, providing a countywide offer for disabled children via an eligibility framework under the Short Breaks Duty.
- 2.2 There are some capacity issues within the north of the county, with the majority of provision being delivered in South Cambs, City and Huntingdon; with some limited capacity in Ely. A provider event is being organised to stimulate opportunities for increased capacity coupled with discussions with Peterborough City Council (PCC) colleagues, to see if there is capacity within the area that could support the needs of children and young people in the north of the county.
- 2.3 There are no issues in respect of quality of provision, and providers are subject to

¹ www.legislation.gov.uk/ukxi/2011/707/

quarterly monitoring visits that are conducted by the Community Support Service, as well as annual monitoring visits.

- 2.5 The contract is performing well in terms of meeting need, however it is proposed that an open framework is used as a contract delivery model, to ensure that there is an ongoing option for new providers to come on to the framework to ensure we are able to continually increase capacity, broaden the service offer and ultimately continue to offer a diverse choice of provision to children, young people and their families.
- 2.6 The procurement route is an open framework on an initial five year basis, with a further three extensions [2 + 2+ 1 years in line with the Contract Procedure Rules], with a total contract term of 10 years and an estimated total contract value of £1,698,000.
- 2.7 This is a preferred option to a Dynamic Purchasing System (DPS), as it is considered that the administration of a DPS that is open for providers to join at any time is not proportionate to the likelihood of significant interest / increase in provision. Additionally, there are no specific demand management issues that justify the requirements for an entirely open arrangement.
- 2.8 Packages of support are currently brokered by the Children's Community Support service based on eligibility and assessed need; as agreed via the Disabled Children's Panel and in consultation with individual families.
- 2.8 There are no direct TUPE implications for the Council or those on the framework. However the Council will collect TUPE information as part of the procurement exercise to ensure that providers have access to full and accurate transfer information, should TUPE be applicable between providers.
- 2.9 The framework will have the mechanism to allow other LAs to join, allowing for a closer future partnership between PCC and Cambridgeshire County Council in this service area.
- 2.10 With a low number of providers able to deliver this service, and as advised by the Joint Commissioning Board, the framework will open at the discretion of the Council.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

The following bullet point set out details of implications identified by officers:

- Provision of community based services that support inclusion opportunities for Disabled Children and young people, as well as a Short Break for family/carers.

3.2 Thriving places for people to live

There are no significant implications for this priority.

3.3 The best start for Cambridgeshire's Children

The following bullet points set out details of implications identified by officers:

- Provision of community based provision that provides inclusion opportunities for Disabled Children, as well as a Short Break for family carers.
- Learning and development opportunities for disabled children that enhance learning and promote living skills in to adulthood.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The following set out details of significant implications identified by officers:

- The annual contract price is £169.8k per annum, with a total contract value of £1,698,000.00
- There are no savings lines attached to this budget and no expectations of significant growth in the budget over the life of the contract.
- There are no property, communication, or council human resource implications associated with this commissioning activity

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The following set out details of significant implications identified by officers:

- The current and proposed arrangements are both compliant with the Council's Contract Procedure Rules.
- Procurement and contractual risks have been captured on the project plan and procurement are engaged in the project.

4.3 Statutory, Legal and Risk Implications

- The Short Breaks Duty is a statutory provision required from the Council, as well as the inclusion of Disabled Children's Early Help offer which looks to provide support for children and young people and their families earlier, to prevent escalation in need.
- LGSS Law will be instructed to undertake the development of bespoke Terms & Conditions as required by the Contract Procedure Rules.
- As a statutory responsibility the commissioning of a range of short break offers based on needs analysis and co-production with stakeholders, will ensure a fit for purpose sustainable offer over the entire contract term.

4.4 Equality and Diversity Implications

There are no significant implications

4.5 Engagement and Communications Implications

There are no significant implications, however Commissioners intend to continually review the Short Breaks offer in Cambridgeshire, in conjunction with stakeholders and those who use the service.

4.6 Localism and Local Member Involvement

There are no significant implications.

4.7 Public Health Implications

There are no significant implications.

| Implications | Officer Clearance |
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| Have the resource implications been cleared by Finance? | Yes Name of Officer: Martin Wade |
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| Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement? | Yes Name of Officer: Paul White |
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| Has the impact on statutory, legal and risk implications been cleared by LGSS Law? | Yes Name of Legal Officer: Debbie Carter – Hughes |
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| Have the equality and diversity implications been cleared by your Service Contact? | Yes Name of Officer: Oliver Hayward |
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| Have any engagement and communication implications been cleared by Communications? | Yes Name of Officer: |
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| Have any localism and Local Member involvement issues been cleared by your Service Contact? | Yes Name of Officer: Oliver Hayward |
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| Have any Public Health implications been cleared by Public Health | Yes Name of Officer: Tess Campbell |

| Source Documents | Location |
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| None | |