

## Report of the Cabinet Member for Adults and Vulnerable People

Cabinet – 20 January 2015

### WESTERN BAY SHARED LIVES REGIONAL ADULT PLACEMENT

<b>Purpose:</b>	<p>To align timescales with Neath and Port Talbot County Borough Council and Bridgend County Borough Council, in order for the tender to progress.</p> <p>To inform Cabinet of proposals for the commissioning arrangements of the Shared Lives schemes currently provided by Bridgend County Borough Council, Neath Port Talbot County Borough Council and the City and County of Swansea.</p> <p>To seek approval for Bridgend County Borough Council to invite tenders on behalf of the three authorities, with an independent provider to manage the scheme as a collaborative contract.</p> <p>To seek approval for City and County of Swansea to enter into an 'inter-authority agreement' with Neath Port Talbot County Borough Council and Bridgend County Borough Council which will set out the governance and financial arrangements associated with this commissioning and contracting exercise.</p>
<b>Policy Framework:</b>	Sustainable Social Services for Wales: A Framework for Action
<b>Reason for Decision:</b>	To seek approval for Bridgend County Borough Council to invite tenders on behalf of the three authorities, with an independent provider to manage the scheme as a collaborative contract.
<b>Consultation:</b>	Legal, Finance and Access to Services.
<b>Recommendation(s):</b>	It is recommended that Cabinet:
1)	Approve the proposal to combine the three existing Shared Lives schemes into a collaborative scheme on behalf of the Western Bay authorities and for Bridgend County Borough Council to undertake a procurement exercise to identify a partner to manage the scheme.

- 2) Agree for Bridgend County Borough Council to invite tenders and act as lead authority for the procurement and contracting arrangements on behalf of the Western Bay authorities.
- 3) Authorise the Council to enter into a collaborative agreement on terms to be agreed by the Section 151 Officer and Bridgend County Borough Council and Neath Port Talbot County Borough Council, which will set out the finance and governance arrangements for the collaborative Shared Lives Service.
- 4) Delegate authority for the Principal Officer, Learning Disability and Mental Health Services (or, as his deputy, the Contracting Officer for Learning Disability and Mental Health Services) to represent the Council on a Shared Lives Project Board, which, once established, will manage the day to day aspects of the service including the monitoring arrangements and financial governance. The appointed officer for the Council will identify if there are any fundamental changes or impact to the agreed contracting arrangements, these will be reported back to Cabinet for approval.
- 5) Note that an update report seeking Cabinet approval to enter into a contract with the successful tenderer will be submitted once the outcome of the procurement process is known.

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## 1.0 Introduction

- 1.1 Shared Lives is a scheme where adults with learning disabilities, mental health difficulties and/ or with physical disabilities are offered short term, long term or emergency care by Shared Lives Carers. The care is delivered in the home of a Shared Lives Carer, thereby enabling people referred to the scheme to live in the community as independently as possible in a family environment.
- 1.2 Shared Lives carers are recruited, trained and supported by the local authorities and it is this element of the schemes that will be combined and operated as one scheme across the three authorities.

1.3 Shared Lives carers receive a payment for the services they provide when a person is placed with them and an agreement is made with the carers to ensure that the national minimum standards for Shared Lives schemes are complied with. The schemes are registered with and inspected by the Care and Social Services Inspectorate for Wales.

1.4 For 2013/14, the number of service users in the three authorities was as follows:

	Swansea	Neath Port Talbot	Bridgend	Overall
Number of service users:	75	18	41	134
Number of long term service users:	33	13	28	74
Number of respite service users:	42	5	13	60

1.5 Learning Disability is one of the key projects of the Western Bay Collaboration. This project has a number of work streams designed to develop collaborative and integrated working arrangements between the three authorities, with the aim of improving the quality and cost effectiveness of services. One of these work streams has focussed on the Shared Lives schemes and it has been agreed by the Western Bay Programme Team that a collaborative arrangement should be put in place. This arrangement involves the amalgamation of the three existing schemes into one scheme and proposes that the management of this scheme is transferred to a partner in the independent sector. Bridgend County Borough Council has been identified as the lead Authority for this work.

## 2.0 Current Situation / Proposal

2.1 As described above there has been substantial planning for Shared Lives Schemes across the Western Bay and the partner authorities have developed a business model which sets out plans for the delivery of such a scheme, including clear plans for growth of the Shared Lives services regionally.

2.2 The regional Shared Lives working group has developed a specification which sets out the model of care to be delivered. The group has agreed that Bridgend will be the lead authority for the commissioning exercise and will enter into a contract with the provider on behalf of the three authorities.

2.3 It is proposed that a contract for four years with an option to extend by up to two years should be awarded to the successful bidder. The anticipated start date for the new contract is April 2015. The three authorities will require a provider to deliver the service in accordance with

a fixed budget, to include the delivery of support to a number of existing Shared Lives arrangements. The specification has also built in an expectation for growth which will require the provider to recruit a number of new Shared Lives Carers over the duration of the contract. The yearly contributions from each of the partners will be fixed and the contributions of each of the commissioning authorities for each of the contract years will be as follows:

Over 6 Years	Yearly Contribution	Overall Contribution
City and County of Swansea	£86,000	£516,000
Bridgend Council	£40,000	£240,000
Neath Port Talbot Council	£40,000	£240,000
<b>Total Cost</b>	<b>£166,000</b>	<b>£996,000</b>

- 2.4 The three authorities have identified a fixed budget for the delivery of the service in each of the geographic areas. The provider will be required as part of the tender process to offer a clear commitment to recruit new Shared Lives Carers to at least the growth indicated below.

	Baseline Number of Placements at Commencement of Contract	Minimum Yearly Growth	Anticipated Minimum End of Year 4
City and County of Swansea	48	6/year *	90
Bridgend Council	25	3/year	37
Neath Port Talbot Council	19	3/year	31

\*note growth Year 1 of 6, then 12 thereafter.

- 2.5 The partner authorities recognise that there are some geographical differences between the current Shared Lives models which may need to continue in the short term, until greater consistency can be achieved. These include differences in the particulars of payment during holidays or short breaks and the alignment of payments of Shared Lives. These functions will remain the responsibility of the authorities' financial assessment teams.
- 2.6 In order to bring greater consistency to the scheme it has been agreed that the specification will set out the requirement for the bidder to work closely with the three authorities, Shared Lives Carers and service users to align aspects of the model during the lifetime of the contract.

- 2.7 Cabinet approval to enter into a contract with the successful tenderer will be sought once the outcome of the procurement exercise is known.
- 2.8 An inter-authority agreement to underpin this joint commissioning project is being developed. This agreement will specify the need for the service to be contract managed by a Project Board which will consist of representatives from each Western Bay Authority. The Project Board's remit will be to monitor the service and govern the contractual arrangements entered into by Bridgend County Borough Council on behalf of the other authorities.

### **Market Testing**

- 2.9 In readiness for the regional procurement exercise a supplier development event was arranged. This was facilitated by Business Wales, and a provider engagement day was arranged for the 10<sup>th</sup> of November at the Liberty Stadium, Swansea. This gave the authorities the opportunity to present the model to providers and helped finalise the service specification.

### **3.0 Equality and Engagement Implications**

- 3.1 The Equality Impact screening (Appendix 1) has been completed which has identified that change will not significantly disadvantage individuals.

As part of the collaboration exercise it has been agreed that EIA's will also be undertaken in the Neath Port Talbot County Borough and Bridgend County Council so that all partners are clear on the impact of the change on individuals in their respective localities.

### **4.0 Financial Implications**

- 4.1 There are no significant cost savings to the Authority as a result of transferring the Shared Lives scheme to a partner organisation, however the arrangement will enable additional carers to be recruited to offer additional long and short term placements at no additional cost to the Authority. The current scheme is currently at capacity in terms of the workload of the existing staff who support the carers.

- 4.2 The City and County of Swansea currently has two posts administering the scheme, one of whom has transferred to another post, the other post holder will be redeployed or seek to retire. The registered manager role is being undertaken by a team leader in addition to her substantive post. Bridgend and Neath Port Talbot Councils have staff who are currently assigned on a temporary basis from other duties, who will return to their substantive posts. Given the above, officers consider that there will be no TUPE implications to the tendering of the service, but this of course will be kept under review.

## **5.0 Legal Implications**

5.1 There are no legal implications associated with this report however clarification in respect of a number of issues will be addressed via the Inter Authority Legal Agreement.

### **5.2 Issues to be addressed via the Inter Authority Legal Agreement**

- Assurance that delivery arrangements are maintained on a locality footprint
- Business Continuity Plans re any service failures required to be fully detailed
- Arrangements to ensure contract compliance including quality assurance
- Clarification regarding responsibilities in relation to service user assessment and matching processes
- Identify how differentials in supply and demand will be managed within the contract
- The overall governance of the regional management arrangements to be clarified

**Background Papers:** None

**Appendices:** None