

## RESPONSE TO PANEL QUESTIONS

Response to the further question to **Social Services** Directorate following meeting on 13 Sep:

### 1. Standard Terms and Conditions for Contracts (Social Services)

Please see attachment 'Conditions of Contract – Social Care Services'

### 2. Membership of the Commissioning Group

Chair	<ul style="list-style-type: none"><li>• Dave Howes – Chief Social Services Officer</li></ul>
Vice / Deputy	<ul style="list-style-type: none"><li>• Jane Whitmore – Strategic Lead Commissioner</li></ul>
Adult Services	<ul style="list-style-type: none"><li>• Amy Hawkins – Head of Service</li><li>• Peter Field – Commissioning</li></ul>
Child & Family Services	<ul style="list-style-type: none"><li>• Julie Davies – Head of Service</li><li>• Chris Francis – Commissioning</li></ul>
Education	<ul style="list-style-type: none"><li>• Kate Phillips – Head of Service</li><li>• Fraser Newbury – Senior Leader ALNU</li></ul>
Housing & Public Health	<ul style="list-style-type: none"><li>• Jane Harris – Landlord &amp; Community Housing Manager</li><li>• Steve Porter – Operations Manager</li></ul>
Commercial Services	<ul style="list-style-type: none"><li>• Chris Williams – Head of Service</li><li>• Lee Morgan – Category Manager</li></ul>
Finance	<ul style="list-style-type: none"><li>• Chris Davies – Principal Finance Partner</li></ul>

### 3. How many contracts not compliant and their current position

The procurement of social care and housing-related support services is governed by the Public Contract Regulations (PCR) 2015.

The PCR 2015 recognise the special characteristics of social services and related services, and the regulations reflect the importance of cultural context and sensitivity. There are specific rules for social, health and other services (Light Touch Regime) and a separate EU Threshold limit.

The current EU Threshold limit for these services is currently £663,540. Upon review of the information a small number of contracts will exceed this threshold (11 in total). All contracts have contractual agreements in place. It would be extremely difficult to tender the contracts at this point having regard to the need to ensure continuity of provision for vulnerable service users or a planned and sensitive approach to contract change and to make service changes as a result of Covid-19. The Council is committed to an open procurement process in the near future should it be considered that it is the best way forward.

### 4. Update of figures in table 3.5

The People Directorate Commissioning Workplan captures all of the commissioning activity for the Directorate and identifies approximately **140** different areas of contracts, frameworks and service level agreements that are necessary to manage business.

The annual value of these agreements is approximately **£75 Million**, 70% is funded from Core Council budgets and 30% is funded a variety of Grants.

It is important to note that these figures are taken at a point in time and does change throughout the year. The past 18 months has seen a greater deal of additional grants to mitigate the effects and impact of Covid.

The table below outlines the areas of work, but as you can see the majority of contracts and spend are on Adult Social Care:

Area	Number of Contracts/ Framework Agreements/SLAs	Percentage % in each service area	Annual Value £	Percentage % in each service area
Adult Services	75	48%	£ 49,738,910	67%
Partnerships & Commissioning	45	29%	£ 8,665,800	12%
Child & Family Services	35	23%	£ 16,111,025	21%
<b>TOTAL</b>	<b>155</b>	<b>100%</b>	<b>£ 74,515,735</b>	<b>100%</b>

**5. What will the effect of the new NI contributions on Social Services, staff and providers (positives/negatives). Chris, could you also provide this more widely for the Council if possible.**

Finance estimate is an additional cost of to the Council of £3.6m per year, with note that the Council should be compensated for the staff cost increase by central government (but this to be determined through budgetary processes).

**6. Details of the Real Living Wage and the impact on the Council and providers (positive/negatives)**

In Social Services, we have been looking at how we can progress the implementation of the Real Living Wage in future financial years. This will enable us to support progress on fair work in the social care sector through salary uplifts aimed at ensuring that front line workers in commissioned services are paid the Real Living Wage, or a move towards this, but is dependent on future budget settlement figures from Welsh Government

**7. Change in Legislation mentioned, would you have a link to this paper?**

<https://www.gov.uk/government/consultations/green-paper-transforming-public-procurement> - subsequent communication from UK government notes that this is a matter still in progress with 'earliest implementation in 2023'.