

Report Author: Zoe Redfern-Nichols
 Tel: 07583 040523

APPROVAL FOR AWARDING HOME CARE CONTRACTS FOR CHILDREN AND YOUNG PEOPLE'S CARE BY CALLING OFF FROM CAMBRIDGESHIRE COUNTY COUNCIL'S EXISTING DYNAMIC PURCHASING SYSTEM (DPS) FRAMEWORK FOR HOME AND COMMUNITY SUPPORT SERVICES
Councillor Lynne Ayres Cabinet Member for Children's Services, Education, Skills and the University
SEPTEMBER 2021
Deadline date: N/A

Cabinet portfolio holder: Responsible Director:	Cllr Lynne Ayres, Cabinet Member for Children's Services, Education, Skills and the University Wendi Ogle-Welbourn, Executive Director for People and Communities, Cambridgeshire and Peterborough Councils
Is this a Key Decision?	NO If yes has it been included on the Forward Plan: NO Unique Key decision Reference from Forward Plan: N/A
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO Verto number:

RECOMMENDATION
The Cabinet Member is recommended to: I. Authorise the future expected spend of £310,000 to providers for Children & Young People's Home Care through Cambridgeshire County Council's homecare Dynamic Purchasing System (DPS), until 1 st March 2023.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for Cllr Ayres to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (a).

2. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. **BACKGROUND AND KEY ISSUES**

3.1 **BACKGROUND**

Local authorities have a duty to assess under the Children Act 1989 and a duty to meet assessed needs (which includes the provision of services) under the Children Act 1989, Chronically Sick & Disabled Persons Act (CSDPA) 1970 and the Children & Families Act 2014. Home Care services provide children and young people and their parents/carers with support that is personalised to meet their individual needs; it ranges from providing personal care in the home to support in accessing community and leisure opportunities. Home Care providers must register their services with the Care Quality Commission (CQC), as Home Care includes the provision of Personal Care, as outlined in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

Peterborough City Council (PCC) has a closed framework arrangement for commissioning homecare for adults. The framework includes two lots; one for general care and support, one for more specialist care (including support for those with learning disabilities or advanced dementia). PCC's homecare framework does not include a lot specific to children and young people (CYP). There has, therefore, been ad hoc arrangements put in place for the sourcing of Home Care for children and young people in Peterborough; there are 4 providers currently working with children and young people within Peterborough.

Within Cambridgeshire, Cambridgeshire County Council (CCC) utilise the Home & Community Support Dynamic Purchasing System (DPS) for the sourcing of both personal care and community support for children and young people; this has been running since April 2017.

KEY ISSUES

- The ad hoc processes in place for Home Care for children and young people in Peterborough do not capitalise on the capacity within the market.
- The need to formalise the arrangements for the provision of Home Care in Peterborough to ensure governance and proficient quality assurance mechanisms.
- There is strategic direction for consistency across Peterborough and Cambridgeshire with the ongoing focus on ensuring quality assured, financially sustainable provision which meets the evolving needs of children and young people with disabilities across Peterborough and Cambridgeshire.
- Alongside having a duty to meet the assessed needs of children and young people, not utilising the external market proficiently may result in additional pressures being put on other provisions that provide support to children and young people; including those within PCC's Community Short Break portfolio, much of which are at capacity.
- The number of providers within Peterborough working with children and young people is limited.

- The demand for Home Care for children and young people is increasing; Table 1 below illustrates the increase in demand within Peterborough.

Table 1 – Home Care Spend per annum in Peterborough

	2018-19	2019-20	2020-21
No. CYP	13	12	25
No. Hours	2,906	3,134	5,086
Spend	£46,580.19	£51,298.88	£94,442.01

The Demand Forecasting, by Children’s Commissioning as part of the Children with Disabilities Sufficiency Statement, indicates that the number of children and young people who require support of this nature to meet their assessed needs will increase further. Table 2 outlines the predicted growth of the 0-18 population across Cambridgeshire and Peterborough; the 8% prevalence rate (as per the Department for Works and Pensions Family Resource Survey) has been applied. This indicates an increase in the number of children & young people with disabilities of over 7% in the next 5 years and 17% the next ten years. Alongside this population growth, the complexity of disability across Cambridgeshire and Peterborough is increasing, as is the life expectancy of those with complex health needs.

Table 2 – Population Forecasting Cambridgeshire & Peterborough 2016-2036

Year	0-4	5-14	15-17	Total 0-17	% increase on 2016	8% prevalence rate applied, indicating number of CYP with disabilities*
2016	53,810	101,870	28,550	184,230	-	14,738
2021	56,630	113,540	30,530	200,700	8.94%	16,056
2026	60,230	119,190	35,580	215,000	16.70%	17,200
2031	59,560	122,650	35,660	217,870	18.26%	17,430
2036	57,670	121,960	36,830	216,460	17.49%	17,317

RECOMMENDATION

Reviewing the commissioning of Home Care for children and young people with disabilities is a key action outlined within the Children’s Commissioning Children with Disabilities Sufficiency Strategy, alongside links with PCC and CCC’s Special Educational Needs & Disabilities (SEND) Strategy and Autism Strategy; it is also outlined in the respective Short Breaks Duty Statements.

As such, a review has been undertaken which proposes utilising CCC’s Home & Community Support DPS to source personal care and community support for children and young people within Peterborough. Doing so would ensure proficient governance arrangements, give Children’s Commissioning the opportunity to capitalise on the market available, thereby, improving access to Home Care for children and young people in Peterborough.

The Home & Community DPS provides the opportunity to obtain packages of care by awarding contracts to providers, through an open and transparent process and which is compliant with the Public Contract Regulations 2015. The DPS framework means that the DPS can be reopened in

order to give Providers the opportunity to request to participate in the system and join the Home & Community Support DPS Framework. If successful in passing the evaluation and compliance stage, the Providers can respond to requests for package of care and support. When the DPS was initially put into place in CCC in 2017, PCC was named as an organisation who could use the DPS. This means PCC is able to utilise the DPS in accordance with procurement legislation and contract regulations.

The value of PCC's expenditure for children and young people's Home Care via CCC's DPS is recommended to be set at £310,000. This is based on current and forecasted future spend, thereby, allowing for a 20% increase per financial year. This approach will allow PCC to ensure there is appropriate governance, quality assurance and a mechanism in place to meet increasing demand for Home Care for children and young people with disabilities and complex needs. The table below shows the expected increased spend per annum within each financial year, to 1st March 2023; totalling £310,000 for 01.04.21-01.03.23.

	Start of Financial Year		End of Financial Year	
	Number of Children & Young People	Spend	Number of Children & Young People	Spend
2020/21	9	£50,000.00	25	£95,000.00
2021/22	13	£85,000.00	30	£100,000.00
2022/23	17	£195,000.00	35	£210,000.00

4. CONSULTATION

- 4.1 Discussion with internal stakeholders, including the Procurement Team at Cambridgeshire County Council, the Adults' Commissioning & Brokerage, Legal and Procurement were undertaken to propose this solution.

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1
- Implement appropriate governance arrangements
 - Expand the external market of providers through further Market Engagement; focused on provision to children and young people
 - Ensure proficient quality assurance mechanisms.
 - Provide consistency within the strategic direction across Peterborough and Cambridgeshire with the ongoing focus on ensuring quality assured, financially sustainable provision which meets the evolving needs of children and young people with disabilities across Peterborough and Cambridgeshire.
 - Avoid further pressures on other provisions that provide support to children and young people; including those within PCC's Community Short Break portfolio
 - Meet the increasing demand for Home Care for children and young people in Peterborough.
 - Best value is achieved

There will be no financial implications as an outcome of this report. The children and young people's Home Care budget for this time period 2021-22 has already been agreed and accounted for. This report does not intend to spend any additional money but offer PCC the flexibility to purchase care via a different route (in a way that is fair and compliant).

6. REASON FOR THE RECOMMENDATION

- 6.1
- To meet the assessed needs of children and young people with disabilities living in Peterborough; thereby meeting statutory duty.
 - To ensure the supply of quality Home Care in Peterborough by supporting the market.
 - To ensure appropriate governance arrangements are compliant, thus protecting children/young people and their families, Home Care providers and PCC.
 - To enable the operational teams to place packages of care quickly and effectively, reducing time and resources spent on sourcing package of care and support.
 - Ensure best value for money is being received

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1
- **Do nothing and rely solely on the current ad hoc arrangements.**
These arrangements do not ensure appropriate governance or meet the level of demand for Home Care for children and young people in Peterborough.
 - **Utilise the Adult Home Care Framework within PCC**
This option was discounted as it would not be compliant with Public Contract Regulations to add another lot, specific to children & young people to the framework. This would also not provide strategic consistency in approach across Peterborough & Cambridgeshire. The current Framework only provides for care for adults.
 - **Create a new Home Care Framework, specifically for Children & Young People**
This option does not utilise the existing infrastructure of the Home & Community Support DPS within Cambridgeshire. Differentiation between the children/young people and adult Home Care market may also exacerbate challenges for young people transitioning into young adulthood. Alongside this, to commence a new procurement process is time consuming meaning that PCC will not be able to call off from the framework as quick as it could if granted approval to call off from the CCC Home and Support Services DPS Framework.

8. IMPLICATIONS

Financial Implications

- 8.1 None. The spend has already been approved and budgeted.

Legal Implications

- 8.2 The use of Dynamic Purchasing Systems is permitted under the Public Contract Regulations 2015. Peterborough City Council were also named within the original Official Journal of the European Union (OJEU) Notice. Therefore, Peterborough City Council is able to utilise Cambridgeshire County Council's Home & Community Support Dynamic Purchasing System (DPS) to award a contract to a provider to deliver the required care and support to children and young people in Peterborough. By using this compliant method to procure, it will enable the Peterborough City Council to fulfil its statutory duties. Peterborough City Council will adopt the Terms & Conditions within the existing Home & Community Support DPS.

Equalities Implications

- 8.3 None.

Rural Implications

- 8.4 This recommendation will help us support our rural communities within Peterborough by managing supply and demand, which is limited within the rural areas in PCC.

Carbon Impact Assessment

- 8.5 None.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

10. BACKGROUND DOCUMENTS

- 10.1 Home & Community Support Contract, alongside related specifications, available upon request.

11. APPENDICES

- 11.1 None.