


REPORT TO CABINET

18 November 2020

Subject:	Direct Payment Support Service Payment and Variation to Contract.
Presenting Cabinet Member:	Cabinet Member for Living Healthy Lives Councillor Farut Shaeen.
Director:	Director – Prevention and Protection Neil Cox.
Contribution towards Vision 2030:	
Key Decision:	Yes.
Cabinet Member Approval and Date:	Councillor Shaeen.
Director Approval:	Neil Cox – Director – Prevention and Protection.
Reason for Urgency:	Urgency provisions do not apply.
Exempt Information Ref:	Exemption provisions do not apply.
Ward Councillor (s) Consulted (if applicable):	Ward Councillors have not been consulted on this report.
Scrutiny Consultation Considered?	Scrutiny has not been consulted.
Contact Officer(s):	Justin Haywood, Operations Manager, ASC Commissioning Justin_Haywood@sandwell.gov.uk Beverley Stevens – Commissioning Officer, ASC Commissioning Beverley_Stevens@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves a payment to Ideal for All Ltd of £5,572.29 to cover work that had already commenced prior to the end of their previous contract for Direct Payment Support Service.
2. Delegates authority to the Director of Prevention and Protection, and to the Executive Director of Resources, to authorise a Variation to the current Direct Payment Support Services contract to enable payment of an estimated £2,000 per year to Ideal for All for activity related to case closures.

1 PURPOSE OF THE REPORT

- 1.1 This report seeks authorisation for the payment of the current Direct Payment Support Service contractor for work undertaken during the previous contract (which they were also awarded). It also seeks authorisation for a contract variation to enable payment to the contractor for all closed cases, this will enable them to have sufficient time to finalise all necessary paperwork, outstanding payments etc, in order for case closure.

2 IMPLICATION FOR VISION 2030

- 2.1 This report positively contributes to 2 elements of the Councils 2030 vision as follows:

“Ambition 1 - Sandwell is a community where our families have high aspirations and where we pride ourselves on equality of opportunity and on our adaptability and resilience”.

Direct Payment Support Services have an important role in ensuring the people who use Direct Payments are supported to pay Personal Assistants, manage their accounts and recruit new Personal Assistants. The previous contract also involved supporting Direct Payment Recipients as employers of Personal Assistants with information, advice and guidance. This contributes to equality of opportunity, adaptability to new challenges, and resilience.

“Ambition 2 - Sandwell is a place where we live healthy lives and live them for longer, and where those of us who are vulnerable feel respected and cared for”.

These services help to prevent and assist with any issues between the Direct Payment Recipient as an employer and their employee/Personal Assistant, and thus increases their feeling of being supported and respected. These issues can include delays in payment, misunderstanding of roles, sickness cover etc. It helps service users and their families to feel that their care and support is continuing smoothly, and contributes to healthier lives and reduced dependence on health and social care services in the longer term.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 The Contract for Direct Payment Support Services ran from 2016 – 2020. Following Cabinet approval on 26 June 2019, the services were retendered in 2019 for two new statutory contracts to start 6 April 2020. The Direct Payments Support Service was retendered for a new contract to run for 3 years with 2 options to extend for one year.
- 3.2 The Services tendered were:
 - Payroll, Managed Accounts and Recruitment Support services which were covered in the Direct Payment Support Services contract.
 - Employer Liability Insurance and Employer Support which was covered in a new Employer Liability Insurance Support Service Contract.
- 3.3 The new Contract for Direct Payment Support Services was awarded to Ideal for All Ltd from 6 April 2020. This provider had also been awarded the previous contract which ran from 2017- 2020.
- 3.4 The retender involved the redesign of the Direct Payment Support Services as set out below:
 - The Payroll service in the new contract produced payslips every 4 weeks, instead of every 2 weeks, as in the previous contract. The cost of each payslip was also reduced from £4.50 to £4 in the new contract.
 - The Managed Account Service changed from two levels (basic service at a cost of £10 per 4 weeks, and an enhanced service at a cost of £11.54 per 4 weeks) to one level, at a cost of £12 per 4 weeks. The slight increase reflected the amount of work involved in managing these accounts, and was more in line with the costs paid by neighbouring local authorities.

- The Recruitment Support Service replaced the 2 levels of Employment Support in the previous contract, which cost £18.27 per 4 weeks for first 12 months, and £23.75 for ongoing support. The Employment Support Service covered information, advice and training for all new employers. The new service is for support for Direct Payment Recipients to recruit a new Personal Assistant only – and costs £200 per recruitment episode.

3.5 Employment Support is now delivered by another contractor, this service covers setting up an Employer Liability Insurance policy and provides access to legal information, advice, and training.

4 THE CURRENT POSITION

- 4.1 The transition to the new Direct Payment Support Services contract has resulted in some additional costs.
- 4.2 The Employment Support Service, which was part of the previous Direct Payment Support Services contract, had taken on 12-month employer support packages for 52 Direct Payment Recipients who were new to being an employer – many of whom still had several months remaining at the time the contract ended.
- 4.3 Ideal for All had already undertaken intensive work with these 52 Direct Payment Recipients in the first 2-3 months of each package, with further support up to 12 months assured. Approval is therefore sought for Adult Social Care to honour payments for a suitable period of time in order for Ideal for All to provide that previously assured support.
- 4.4 This support would equate to £5,572.29 and therefore approval is sought for this payment, funded through alternative available Adult Social Care resources, to be made to Ideal for All Ltd in order for this part of the contract to be closed down.
- 4.5 In addition, further approval is sought for a variation to the current contract to enable payment to Ideal for All Ltd for work involved in case closures. The purpose of this is to enable Ideal for All to finalise the Direct Payment account.
- 4.6 This equates to an estimated cost of £2,000 per annum based on 2019/20 data.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 There are no implications for consultation as part of this report.
- 5.2 Staff of Ideal for All have been consulted as part of contract review meetings. The ending of the Employment Support service, the outstanding packages and the decision to pay for the closure of cases were all discussed with them.
- 5.3 A report was submitted to the Adult Social Care Commissioning Board, who agreed the following recommendation on 3 July:
- Approve the payment of the additional sum of £5,572.29 to pay Ideal for All for the cost of the 12-month Employer Support cases that still had time to run after the end of the previous contract.
 - Approve a variation to the current contract to enable payment to Ideal for All for work involved in case closures which is estimated to be around £2,000 (based on 2019/20 data).

6 ALTERNATIVE OPTIONS

- 6.1 A range of options were considered, including non-payment but this was discounted as this negated to avoid potential damage to the ongoing relationship with the contractor and avoid any potential negative impact negatively on the direct payment recipients.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 Cabinet is being asked to approve a one-off additional payment of £5,572.29 in relation to the previous contract; and to approve a variation to the existing contract that is estimated at a sum of £2,000 to enable payment to Ideal for All for work involved in case closures.
- 7.2 The annual budget for the service is £112,400 which over the full 5 years of the contract will total £562,000. If approved, the additional costs will be funded through savings which have already been generated as a result of the move from the 2 weekly to a 4 weekly payroll service.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Provision of Direct Payment Support Services is a statutory responsibility.

8.2 The new contract for Direct Payment Support Services is fully compliant with the Care Act 2014, and the Coronavirus Act 2020.

9 EQUALITY IMPACT ASSESSMENT

9.1 An Equality Impact Assessment has been completed as part of the Cabinet report process to identify if there are any adverse impacts or issues of concern for protected groups because of the proposals in this report.

9.2 This will be maintained and updated during the engagement process and will form part of any further report to Cabinet

10 DATA PROTECTION IMPACT ASSESSMENT

10.1 This report does not relate to the collection of personal information and therefore a data protection impact assessment is not required.

11 CRIME AND DISORDER AND RISK ASSESSMENT

11.1 The contract already includes requirements around safeguarding, and this will not change.

11.2 The Corporate Risk Management Strategy has been complied with to identify and assess the significant risks associated with this proposal.

11.3 The risks have been recorded in a Risk Register and will be monitored on a regular basis, with risks being escalated as required. Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these risks effectively.

12 SUSTAINABILITY OF PROPOSALS.

12.1 The annual budget for the Direct Payment Support services is £112,400, which will be found from the existing programme budget.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 If approved, the payments will result in the continuation of 12-month employment support packages to those who were previously assured of this service and will enable sufficient payments to affect an efficient closure of all direct payment accounts. The Direct Payment Support Services Contractor was required to evidence social value to the local community in terms of increased awareness of direct payments, engagement activities and recruitment and training of local volunteers, in the tender process and in contract review reports.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 There is no impact on any council managed property or land because of the proposals outlined in this report.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 Approval is sought for:

- The payment to Ideal for All Ltd of £5,572.29. This payment is to cover work that had already commenced prior to the end of the previous contract.
- Delegated authority to the Director of Prevention and Protection and the Executive Director of Resources to authorise a Variation to the current Direct Payment Support Services contract to enable payment of an estimated £2000 per year to Ideal for All for activity related to case closures. The purpose of this is to enable Ideal for All to finalise the Direct Payment account. This estimated cost of £2000 per annum is based on 2019/20 activity data.

16 BACKGROUND PAPERS

None

17 APPENDICES:

None

Neil Cox
Director – Prevention and Protection