



Executive Director/Director Non-Key Executive Decision Report

Author/Lead Officer of Report: Nicola Shearstone – Head of Commissioning for Prevention and Early Help (All Age)

Tel: 0114 2734041

Report to: Director of Commissioning Inclusion and Learning
Dawn Walton

Date of Decision: 12/12/2019

Subject: **City-wide Services for Carers – Contract Extension**

Which Cabinet Member Portfolio does this relate to?

Health and Social Care

Which Scrutiny and Policy Development Committee does this relate to?

Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? 639

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

*“The (**report/appendix**) is not for publication because it contains exempt information under Paragraph (**insert relevant paragraph number**) of Schedule 12A of the Local Government Act 1972 (as amended).”*

Purpose of Report:

To obtain approval to extend the 'City-Wide Service for Carers' contract. The current contract ends on the 31 December 2019 and has an option to extend for an additional year on two occasions. We would therefore like to use this option to extend the contract. The cost of the contract extension would be £1,400,000 (£700,000 per year).

Recommendations:

That the Director of Commissioning, Inclusion and Learning having consulted with the Cabinet Member for Health and Social Care and the Director of Finance and Commercial Services, authorises the extension of the City-Wide Service Contract for a further period of two years from the 1 January 2020 until 31 December 2021. The second year of the contract extension being conditional upon performance being satisfactory in the first year of the extension.

Background Papers:

Details on Cabinet's original decision to approve the 'City-Wide Carer Service' can be found [here](#).

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Anna Beeby
	Legal: David Cutting
	Equalities: Ed Sexton
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	Lead Officer Name: Nicola Shearstone
	Job Title: Head of Commissioning Early Support
Date: 12/12/2019	

1. PROPOSAL

1.1. This proposal seeks to extend the existing 'City-Wide Carer Service' contract (hereafter referred to as 'the Contract') period for two years (subject to performance being satisfactory after the first year of the Contract extension). The Contract currently expires on 31 December 2019. A two year extension would mean the Contract would expire on 31 December 2021. The Contract states that:

1.2. *'3.3 The Purchaser reserves the right to extend the Contract Period for a further period of not more than two years by notifying the Service Provider in writing, subject to a review by the Purchaser of, without limitation, **continued need and satisfactory Service Provider performance** and the Parties reaching agreement on **price**.'*

Satisfactory service provider performance

1.3. The Council's People Services directorate wanted to substantially increase the number of carers being supported by the City-Wide Carer Service (hereafter referred to as 'the Service'). In order to do this and to get best value for the Council, the Service commissioners wanted to set stretching measure/outputs to improve the Service Provider's performance (from the previous carer service) over the lifetime of the Contract (including the extension). The work being done by the Sheffield Carers Centre when measured against the ten outcome areas in the Contract is excellent. As a result, there are some notable statistics evidencing the impact of the Service on carers, some of which are listed in the highlights below. There is still room for improvement in the delivery of some measures/outputs, however Sheffield Carers Centre are aware of this and have plans in place to address any Service delivery issue(s).

Carers Centre Highlights

1.4. The statistics below are provided via a customer satisfaction questionnaire, 'outcome ladders' (a service impact measurement tool) and monitoring data i.e. information that is collected/analysed to help evaluate the Service performance.

- 98% of carers are either satisfied or very satisfied following the Carers Centre's triage/assessment process.
- The reach of the Service continues to increase i.e. numbers of carers registering with the Service. In 2019 the mean average number of carers registering per quarter i.e. (every three months) increased to 610. This is an increase of

154% from the last year of the previous carers' service contract (2016) where the mean average was 240 registrations per quarter. The number of carers the Council is helping via the Service has significantly increased.

- Emotional wellbeing was maintained or increased for 94% of carers.
- 81% of carers reported that they felt supported to continue caring.
- Physical health was maintained or improved for 93% of carers.
- 71% of carers reported that the Carers Centre had supported them with their emotional wellbeing.
- 62% of carers reported they were supported to find useful information/organisations.

1.5. The performance of the contract delivery has been monitored during the term of the contract to date and has been found to be satisfactory.

Continued need

- 1.6 In 2018 the Department of Health & Social Care produced the 'Carers Action Plan 2018-2020'. The document said that 'A sustainable social care system for the future is simply not possible without focusing on how our society supports carers'. One of the ways in which the Council supports carers is by commissioning a city-wide service that helps carers to achieve the outcomes they want in order to have a life outside of their caring role. The Council is currently in agreement with the Sheffield Carers Centre to deliver the Contract which provides information, advice and guidance to carers on a range of things including looking after their health/wellbeing, balancing employment and caring, taking a break from caring, understanding/negotiating social care/health services etc.
- 1.7 It is the Council's legal duty to carry out Care Act (2014) section 10 'carer's assessments'. The Council outsourced this duty as part of the Contract, which means that adult 'carer's assessments' are provided by the Sheffield Carers Centre.
- 1.8 There are over 60,000 carers in Sheffield and they make a huge contribution to our communities and to our health and social care systems. The Sheffield Young Carer, Parent and Adult Carer Strategy 2016-2020 states:
- 1.9 'Although caring for someone cannot be measured, research in

2015 by Carers UK and the University of Sheffield have estimated the value of the caring undertaken by carers in Sheffield to be £1,186 million (this is the estimated value cost of providing homecare for the number of hours unpaid carers provide).’

- 1.10 It is critical that we continue to support those who are caring for someone living in Sheffield. In the city, approximately 20,000 people start caring each year and approximately 20,000 people stop their caring role. The fact the caring population changes all the time means there is a continuing need to support people who start caring. Where possible, we need to prevent, reduce or delay carers’ social care needs developing. Carers should be supported to continue caring if that is what they want to do.

Price

- 1.11 The Council recognises the importance of getting best value and delivering affordable services. The extension will be paid at the same price as the Contract:
- a) £500,000 per annum – This is to deliver carer support services.
 - b) £100,000 per annum – This is ring fenced to cover short breaks for carers.
 - c) £100,000 per annum – This pays for eligible support needs following a carer’s assessment and support plan.
- Total - £700,000 per annum.
- 1.12 Due to increasing demand (i.e. the carer population continuing to increase as more people are living longer etc) the Council will need to continue to monitor both the projected and actual costs of the Service, particularly in relation to the £100,000 that covers costs included in the carer’s support plan following an assessment. The price may have to increase to help the Council discharge its legal duties (carer’s assessments - under section 10 of the Care Act 2014 (see below).

Summary

- 1.13 Following a review of the ‘continued need’, Service Provider performance and price implications the Council’s Commissioning, Inclusion and Learning Service recommends that the Contract is extended as permitted under section 3.3 of the Contract.
- 1.14 Commissioners are satisfied with the Sheffield Carers Centre’s performance and based upon the statistics and evidence provided expect performance to continue to improve during the proposed contract extension period.
- 1.15 There are areas of performance that still need to improve but with Contract monitoring and partnership working between the Council’s People Services and Sheffield Carers Centre this will happen.

- 1.16 Commissioning, Inclusion and Learning Service want Care Act section 10 'carer's assessments' to remain outsourced i.e. with the Carers Centre at least until the end of the contract extension period.
- 1.17 The Council is now clearer on how many carers are being assessed and how many support plans/packages have been done. When the Council did carer's assessments this data was difficult to get due to the carer's assessment being included in the cared-for person's assessment i.e. it wasn't recorded separately. To understand how many carers the Council were supporting would have meant looking through every cared-for person's records. The Council didn't have the resources to look through thousands of records.
- 1.19 Many carers were dissatisfied with their carer's assessment when it was done by the Council and this was a contributing factor to carer's assessments being outsourced i.e. paying another organisation to do this service for the Council.
- 1.20 Giving the Carers Centre an extension to continue doing carer's assessments and improving what is already a highly satisfactory process for carers makes sense. It will also give the Council another two years to plan what happens to Care Act carer's assessments based on further data from the Carers Centre.
- 1.21 Finally, it makes sense to align the commissioning timescales (i.e. when the Council buys goods/services) of the Contract with the 'Young Carers & Hidden Harm service' contract which is currently done by Sheffield Young Carers. This would mean an all-age approach to commissioning carers services would be easier. This could lead to efficiencies and more joined-up thinking. The Young Carers & Hidden harm Service contract ends on 31 December 2021 which is when this Contract would end with an extension.
- 1.22 In short, carers still need support and the Council still needs to provide it and the best option to do this is extending the existing contract.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 This proposal contributes to all 5 priorities in the Corporate Plan:

An in-touch organisation

- 2.2 Approximately one in ten people in Sheffield are carers. We know that carers really value the support provided by the Carers Centre especially the carer's assessments. The Contract extension would allow the good work that has already been done to continue and our carer population to be supported by an organisation that has more carer specialist

knowledge and expertise than the Councils People Services.

Strong economy

- 2.3 The Council is investing in a Sheffield based charity. Through supporting carers who need it the most we are reducing the likelihood of carer breakdown. This preventative approach is better for the local economy.

Thriving neighbourhoods and communities

- 2.4 Carers play a critical role in our communities, supporting some of the most vulnerable people in our society. It is essential we support carers so they can continue to care (if they want to).

Better health and wellbeing

- 2.5 The Service has outcomes about physical/emotional health and wellbeing. The Service also has a focus on prevention/early intervention. The measures clearly show that the Carers Centre is helping carers to maintain or improve their physical/mental health/wellbeing.

Tackling inequalities

- 2.6 The Service is available for all carers, wherever they live in the city. The Service has a target in terms of how many British minority ethnic carers they're supporting. 13% of people who are on the Carers Centre's 'Carers Expert Panel' are British minority ethnic. The panel helps to shape how The Carers Centre improves the Service.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 People Services consulted with over 700 carers when creating the Young Carer, Parent and Adult Carer Strategy 2016-2020. The Service outcomes i.e. what we wanted the Service to change for the better were developed in response to this consultation and the Service specification was co-produced with a group of eight carers with a further six being involved in tender scoring and interviewing potential providers. This meant that carers played a vital role in helping the Council pick which organisation would get the Contract. The Service has been running for two years and nine months (as of September 2019) and needs for support have not changed in this time. We know carers are satisfied with the support they currently receive from the Carers Centre so extending the contract is really good from a carer perspective.
- 3.2 Carers are given the option to complete a feedback form on the Service. This is monitored by the Council. In the last 18 months (January 2018-June 2019) there has been one informal complaint and 1 formal complaint. There have been 100s of complements (too numerous to count informal complements). This, along with 98% of carers saying they are satisfied/very satisfied with the Service clearly evidences that carers are happy with what is being provided. Carers are not telling the Council

that they want the Service to change.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 In the 2011 census, there were 57,373 carers in Sheffield. The carer population is not static, so of that 57,373, approximately 20,000 carers will start caring and 20,000 carers will stop caring each year. Therefore the needs that carers have will be broad ranging and different, dependent on criteria like when they started caring, what are the needs of the cared-for person, how many hours caring per week they do etc. We therefore need a flexible carer service that can respond to a range of needs and be personalised to each carer. The existing Service provides personalised and strengths-based support to carers as well as our Care Act section 10 carer's assessments.
- 4.1.2 The overall impact of extending the Contract should be positive for all groups with protected characteristics. A contract extension would not cause any adverse risks or implications in terms of equality of opportunity. The Service will continue to evolve with the input of the 'Carer Expert Panel'. This panel helps to improve the Carers Centre's services and has diverse representation e.g. 13% of members are from British Minority Ethnic (BME) communities.
- 4.1.3 The existing contract the Carers Centre deliver went through the Council's procurement process which seeks to ensure equity of access to the service. The Council's monitoring processes/documentation also scrutinises equity of access. An example of this is (BME) numbers. There are approximately 7,000 BME carers which is 12% of the carer population. We look at the numbers of BME registrations with the Sheffield Carers Centre as part of monitoring which from January-June 2019 is 14% which is above the profile. This monitoring would continue to happen after the Contract extension.
- 4.1.4 As a Public Authority, we have legal requirements under sections 149 and 158 of the Equality Act 2010. These are often collectively referred to as the 'general duties to promote equality'. Section 149(1) contains the Public Sector Equality Duty, under which public authorities must, in the exercise of their functions, have due regard to the need to:
- 4.1.5 Eliminate discrimination, harassment, victimisation and any other conduct that is connected to protected characteristics and prohibited by or under this Act.
- 4.1.6 Advance equality of opportunity between those who share a relevant protected characteristic and those who do not.
- 4.1.7 Foster good relations between those who share a relevant protected characteristic and those who do not.

4.1.8 The report sponsor has considered the Council's obligations under these statutory duties in this report and the Council is committed to ensuring that all citizens, particularly those who are most vulnerable or in need of support, have access to the information and support they need to access services and make decisions about their lives. The proposal submitted complies with the above aims/duties.

4.2 Financial and Commercial Implications

4.2.1 Commissioning, Inclusion and Learning Services met with Financial and Commercial Services in April 2019 to discuss a contract extension. Finance and Commercial Services advised that Commissioning, Inclusion and Learning Services could extend the Contract as there is a legal mechanism to extend in the contract (see 4.3 below). However any extension will be subject to sign off under the contract award process by finance and commercial services to ensure continuing value for money. Section 3.3 of the Contract) states the Council can 'extend the Contract Period for a further period of not more than two years'. Commissioning, Inclusion and Learning Services want to extend due to the quality of the service being delivered by the Carers Centre.

- The Council recognises the importance of getting best value and delivering affordable services. The extension will be paid at approximately the same price as the Contract (subject to price negotiations during the contract award process):
- £500,000 per annum – This is to deliver carer support services and covers overheads etc.
- £100,000 per annum – This is ring fenced to cover short breaks for carers.
- £100,000 per annum – This pays for eligible support needs following a carer's assessment and support plan.
- Total - £700,000 per annum.

4.3 Legal Implications

4.3.1 The Council has a statutory duty to carry out what are described as 'a carer's assessment of need for support' by virtue of section 10 of the Care Act 2014 in circumstances where it appears that i) a carer does have current needs for support or is likely to do so in the future; and ii) what those needs are both now or in the future. If the Council does not extend the Contract or make provision for this assessment by alternative means then there is a high risk the Council will be failing in its statutory duties.

4.3.2 Extending the Contract will also ensure that the Council can discharge its section 2 Care Act 2014 duties regarding its 'preventing needs for care and support'. Section 1(2) states that '*A local authority must provide or arrange for the provision of services, facilities or resources, or take other steps, which it considers will ... (b) contribute towards preventing or delaying the development by carers in its area of needs for support ... (d)*

reduce the needs for support of carers in its area’.

- 4.3.3 Clause 3.3 of the Contract states that “The Purchaser reserves the right to extend the Contract Period for a further period of not more than two years by notifying the Service Provider in writing, subject to a review by the Purchaser of, without limitation, continued need and satisfactory Service Provider performance and the Parties reaching agreement on price”. In order to ensure that the Provider maintains high standards it is recommended that the proposed second year extension should be conditional upon the satisfactory performance of the first year of the extension.
- 4.3.4 Regarding the Procurement aspects of extending the contract, the proposal is compliant with both the Council’s Contract Standing Orders and Leader’s Scheme of Delegation. The proposed extension also complies with the Public Contracts Regulations 2015 as it is not a modification but rather an extension clearly provided for within the terms of the original contract and procurement exercise.

4.4 Other Implications

- 4.4.1 Not applicable

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Commissioning, Inclusion and Learning Service strongly recommends extending the Contract for a further two years. If we don’t do this ability to commission an alternative service is limited due to procurement timescales. Commissioners have been satisfied by the progress Sheffield Carers Centre have made against the Contract outcome areas and anticipate further improvements over the extension period. Other potential options are:

Alternative option A - Commission a new service

- 5.2 Commissioning a new service to take over the existing service when the Contract expires on 31 December 2019. This would be impossible and unnecessary. Commissioning, Inclusion and Learning Service would not have time to work with carers to produce a new specification and then work with Finance and Commercial Services to go through the procurement process. There would not be any time to make strategic decisions i.e. whether carer’s assessments remain outsourced or we insource. Insourcing would require considerable planning and approval from Council decision makers (with accompanying TUPE implications). Also we know 98% of carers are satisfied or very satisfied after they’ve been through the triage/carer’s assessment process. Sheffield Carers Centre’s personalised and strengths-based approach is clearly working so why change the existing service?
- 5.3 There is no guarantee the market would respond. With no soft market test gauging what the interest would be in a potential new service it is

difficult to predict competition levels. Carers services are niche/specialised so there don't tend to be lots of organisations competing to deliver services. For example when the new Young Carers & Hidden Harm Service was commissioned in 2019 only one tender response was submitted to the Council.

Alternative option B - extending for one year

- 5.4 Timescales for commissioning a new service after a one year extension are more realistic; however it would still be tight. People Services would need to determine what was happening with carer's assessments very quickly because if we did decide to insource this would take considerable time and planning e.g. transferring all the carer's assessments/support plans/reviews and allocating cases and potentially transferring employees to People Services . Workers would also need training to refresh their knowledge of Care Act requirements in relation to carers. However, there is no reason to decide to insource. Carer's assessments are being done to a high standard and this has been confirmed by our social workers who have reviewed the Sheffield Carers Centre's documentation/approach.
- 5.5 If we commissioned a new service in a year's time we would not be able to align the commissioning timescales between the Service and the Young Carers & Hidden Harm Service. This would make it harder to work in a joined-up way and we would lose the opportunity to potentially provide efficiencies and a better experience for carers, particularly when a young carer transitions to become an adult carer.

Alternative option C – Insourcing carer support

- 5.6 Insourcing carer support (section 10 carer's assessments) would be difficult and the Council would lose many of the benefits that come with outsourcing e.g. specialist knowledge/expertise, carers trust the Carers Centre to do what is best for them, support for the voluntary/community sector etc. Carers are clearly satisfied with carer's assessments and the Carers Centre.
- 5.7 Insourcing without an extension would leave little time to prepare Council workers who would be delivering carer's assessments and create delivery problems with the added issue of any potential TUPE impact. For example, which Adult Services team would pick up the work? How would the carer's assessments be completed i.e. what forms and processes would be used? Existing Conversations Count forms and guidance would need to be amended and this would take time. As would refreshing training for workers. This could lead to long waiting lists for carer's assessments and could be a reputational risk to the Council. Especially when we're changing something that is working very well.
- 5.8 If we did decide to insource this would need to go through appropriate decision making channels. In order to prepare properly and ensure the best experience possible for carers the Council should only think about

insourcing after the two year Contract extension period has finished. This gives the Council time to plan effectively whilst continuing to get data from the Carers Centre that allows the Council to do further needs analysis. The Council's delivery track record for carer's assessments was not good (as shown via consultation feedback). This combined with the fact that 98% of carer say they are satisfied or very satisfied having had a carer's assessment with the Carers Centre means that there is not a good argument for insourcing.

6. REASONS FOR RECOMMENDATIONS

6.1 Extending the Contract is the best option as:

- a) The ten outcome areas specified in the Contract are still meeting the needs of those caring for someone living in Sheffield. This is evident when looking at the impact the service is having on carers.
- b) 98% of carers are satisfied or very satisfied once they have gone through the triage/assessment process. Carers clearly value the existing Service and it is difficult to see what we would gain from pursuing alternative options.
- c) Extending the Contract would mean we could align the commissioning of the adult and young carer services in January 2022. This has the potential to provide efficiencies (best value) as well as meaning the support for carers would be more joined-up and seamless.
- d) The Sheffield Carers Centre is making clear progress in identifying more carers. This is a critical outcome as many carers remain hidden to services. The mean average of carers registering every three months in 2016 (the year before the Contract started) was 240. In 2019 the mean average every three months is 610 which is a 154% increase. We want the Sheffield Carers Centre to be able to continue increasing the numbers of carers they are identifying/supporting.
- e) Extending for two years means we can plan what will happen to carer's assessments and give Commissioning, Inclusion and Learning Service more time to further evaluate the pros and cons of outsourcing this function.
- f) The market for carers services is niche/specialised. There is no guarantee that there would be competition. Going through a tendering process to potentially end up with the same provider delivering a similar service seems unnecessary.
- g) The provider's performance/carers feedback on the Service doesn't justify going out to tender i.e. buying a new service based on a different service specification.