

**Proposed Key Decision to be taken by the
Deputy Leader
on or after
21st June 2013**

**Advocacy, Appointee, Money Management, User Involvement and
Empowerment Services**

Recommendation(s)

That the Deputy Leader:

- 1) Approves the tender for the provision of Statutory Advocacy, Complaints Advocacy, Specialist Ad-hoc Advocacy, Appointee and Money Management services, user involvement service for Mental Health and user empowerment service for Learning Disabilities;
- 2) Supports the use of a procurement framework , with our sub-regional partners Coventry City Council and Solihull Metropolitan Borough Council, with Warwickshire as the lead authority; and
- 3) Authorises the Strategic Director for People Group and the Strategic Director for Communities Group to enter into all relevant contracts for the provision of Advocacy, Appointee and Money Management on terms and conditions acceptable to the Strategic Director for Resources Group.

1.0 Introduction

- 1.1 The social care concordat 'Putting People First', aims to transform the way social care is delivered to give people more control over their care and support. It recognises that transformation through personal budgets, early intervention and prevention requires 'universal information, advice and advocacy' and calls on local authorities to develop such services.
- 1.2 The Department of Health's 'Vision for Adult Social Care: Capable Communities & Active Citizens' states that Councils have a role to ensure that people can access information and advice whether using a personal budget or their own funds.
- 1.3 A strategic review of Warwickshire's current Information, Advice and Advocacy services highlighted that:
 - Service provision and access has not been equitable across the range of people who are vulnerable or have a disability.

- Demand is currently exceeding the capacity of existing service provision resulting in the use of ad hoc spot purchasing arrangements.
 - There have been no common quality standards applied to services across the county.
- 1.4 In addition, in April 2013 new information, advice and advocacy responsibilities have been transferred from the NHS to local Authorities.
- 1.5 The Health and Social Care Act 2012 transfers the responsibility to provide advocacy for NHS complainants from the Department of Health to all top-tier local authorities in the country. In Warwickshire, this responsibility will be with the Communities Group as part of the remit of the Public Health Business Unit.
- 1.6 In addition, as a result of the Health and Social Care Act 2012, the responsibility to deliver advocacy services to mental health patients and/ or their carers, known as Independent Mental Health Advocacy – IMHA and others under the care of NHS, i.e. health advocacy services have also transferred from the Primary Care Trust to Warwickshire County Council as part of the activity of the Public Health Business Unit.
- 1.7 Therefore, there is a business requirement to redesign existing Information, Advice and Advocacy services to ensure appropriate and equitable supply and accessibility of services, increase capacity, improve quality and ensure that the Council continues to meet its statutory duties.

2.0 Redesigned Service Model

- 2.1 The redesigned service model aims to meet the Council's business requirements (outlined above) and achieve the following objectives and outcomes:
- To prevent abuse, discrimination or negligent treatment of people.
 - To support customers who lack the capacity, and have no other suitable person who can do this on their behalf, to manage their finances.
 - Support individual independence through the provision of information, advice and support services to enable people to explore options and make informed choices.
 - To support people to lead more independent, inclusive lives through the provision of support to enable them to express views, communicate choices and receive services.
 - To increase the knowledge and understanding of people in receipt of social care support, their families and carers about their rights.
 - To empower people in receipt of health and social care support to exercise their rights.
 - To recognise, value and include families and carers, wherever possible and appropriate, in the support system for people in receipt of health and social care support.

- To contribute to Ambition 3 in the Corporate Business Plan - ‘Care and Independence’.

2.2 The following options were considered and appraised against the defined options criteria by officers and wider stakeholders, as detailed in the outline business case attached as appendix 1:

Option 1 - ‘Do nothing’ – extension to current contracts.

Option 2 - Commission a single contract for all services covering all client groups.

Option 3 - Commission a procurement framework for all services covering all client groups.

Option 4 - Commission a procurement framework for all services covering all client groups with sub-regional partner authorities; with each authority specifying the levels of services they will commission from within the procurement framework.

Option 5 - Commission a procurement framework for statutory advocacy, complaints and specialist ad-hoc advocacy services, and appointee and money management, covering all client groups with sub-regional partner authorities; with each authority specifying the levels of services they will commission from within the framework.

Options Criteria	Option 1	Option 2	Option 3	Option 4	Option 5
Enables greater customer choice and control	<input type="checkbox"/>	✓	✓	✓	✓
Promotes personalisation	<input type="checkbox"/>	✓	✓	✓	✓
Maximum flexibility to meet individual outcomes	<input type="checkbox"/>	<input type="checkbox"/>	✓	✓	✓
Meets the local authority’s statutory responsibilities	<input type="checkbox"/>	✓	✓	✓	✓
Offers best value for money	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
Flexible to future needs and requirements of customers (adults in receipt of social care and SEN children and families)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	✓
Delivers the commissioning intentions of the local authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

2.3 **Option 5** is the recommended option as it meets the defined criteria, meets the Council’s business requirements and delivers the widest benefits. This option proposes commissioning a procurement framework for statutory advocacy, complaints and specialist ad-hoc advocacy services, and appointee and money management, covering all client groups with sub-regional partner authorities; with each commissioner specifying the levels of services they will commission as part of the framework.

2.4 It is expected that budget re-provision will be made from the realignment of existing budgets within the People Group to manage current budget pressures and mitigate against future demand, which is planned to be progressively refined in conjunction with the Finance Team during the life of the project.

- 2.5 Funding for the Public Health statutory advocacy services will be provided to Warwickshire via a number of existing and new government grants, as part of the transfer of public health responsibilities to Warwickshire County Council.
- 2.6 The total annual cost of Advocacy, Appointee and Money Management contracts for Warwickshire is £674,628 per annum, with total cost over the life of the contract totalling £2.696.000. The proposed procurement framework is for four years duration (2+2 with a refresh after two years if required), and the proposed breakdown of the proposed services and lots is detailed in the spread-sheet attached as appendix 2
- 2.7 Sub-regional partners have expressed and indicated elements they wish to access within the procurement framework; at this time the exact volumes and budgets have still to be determined. This information will be confirmed in time for the formal tender timelines once budgets and savings targets have been agreed within their authorities.

3.0 Risks

- 3.1 Social care and support teams continue to take a traditional approach to services and not considering and applying the new service options when making referrals.
- 3.2 Initial cash-flow problems for providers as they move to new contractual terms away from block payments made periodically to more sporadic invoicing for actual levels of service activity on a less structured payment schedule.
- 3.3 Providers may charge higher prices to cover running costs and overheads.
- 3.4 Risks associated with the handover between old and new providers.
- 3.5 The above identified risks will be managed through the tendering and commissioning plan and will be incorporated addressed within the contracts and planned handover period.

4.0 Key Milestones/Timescales

- Deputy Leader approval to proceed with a tender for the provision of Advocacy, Appointee and Money Management Services in the form of a framework t in partnership with our sub-regional partners, with Warwickshire as the lead authority – June 2013.
- Agree and finalise equality impact assessment July 2013.
- Pre-Qualification Question stage (PQQ) – commence July 2013.
- Sign off of service specifications – July 2013.
- Formal invitation to tender (ITT) for successful first stage providers – commence August 2013.
- Formation of a project group to oversee the program.
- Oversight and Governance by Maximising Independence Portfolio Board.

- Overview and Scrutiny and/or Cabinet proposal submission as required for governance – September/October 2013.
- Evaluation and recommendation to award – October 2013.
- Approval to award service – November 2013.
- New service to commence – January 2014.
- Agree and finalise draft referral pathway.

5.0 Conclusions

5.1 In order to progress the review of advocacy provision and ensure best outcomes for customers, the Deputy Leader is asked to approve the procurement of the advocacy services described in this report as part of a sub-regional partnership procurement framework led by the People Group and to authorise the Strategic Director for People Group and the Strategic Director for Communities Group to award contracts on terms and conditions acceptable to the Strategic Director for Resources.

	Name	Contact Information
Report Author	William Campbell Claire Hall Monika Rozanski	williamcampbell@warwickshire.gov.uk (01926) 743004 clairehall@warwickshire.gov.uk (01926) 746979 monikarozanski@warwickshire.gov.uk (01926) 412439
Head of Service	Chris Lewington John Linnane	chrislewington@warwickshire.gov.uk johnlinnane@warwickshire.gov.uk
Strategic Director	Wendy Fabbro Monica Fogarty	wendyfabbro@warwickshire.gov.uk monicafogarty@warwickshire.gov.uk
Deputy Leader	Cllr Alan Cockburn	cllrcockburn@warwickshire.gov.uk