

<b>Report of:</b>	Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion Director of Adult Social Care and Health Integration
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<b>Submitted to:</b>	Executive
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<b>Date:</b>	24 January 2023
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<b>Title:</b>	Teesside Ability Support Centre (TASC) Day Service Contract - Future Commissioning - PART A
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<b>Report for:</b>	Decision
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<b>Status:</b>	Public
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<b>Strategic priority:</b>	Vulnerability
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<b>Key decision:</b>	Yes
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<b>Why:</b>	Decision(s) will incur expenditure or savings above £150,000 and have a significant impact in two or more wards
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<b>Urgent:</b>	No
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<b>Why:</b>	Not Applicable
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### **Executive summary**

This Part A report provides the background information around the decision sought in Part B seeking approval to enter into a new contract with a key provider of day opportunities until 31<sup>st</sup> March 2026 with the potential full term to 31<sup>st</sup> March 2030.

The primary reason for this recommendation is to provide consistency of service to current attendees, whilst achieving a better financial agreement under a block contract rather than spot purchasing, in addition to providing financial assurance to a key provider.

The Executive decision is required due to the financial commitment that arises by entering into a block contracting arrangement.

## **Purpose**

1. The purpose of the report is to provide the relevant information to the executive in order to seek approval, as per Part B of the report, of entry into a new contract with TASC for a period of 3 years to 31<sup>st</sup> March 2026 with the potential full term to 31<sup>st</sup> March 2030 under a block contract arrangement.

The report sets out the reasons for the recommendation and considers other potential decisions and why these have not been recommended.

## **Background and relevant information**

2. Teesside Ability Support Centre (TASC) have had a contractual arrangement with the Council since 1984 under Cleveland County Council. Middlesbrough Council inherited the contract when Cleveland County Council disbanded in March 1996. The service offers Social Care day service placements (including transport) across two sites in Middlesbrough and the surrounding area for people with Physical and Learning Disabilities. The main building is situated on Acklam Road and a smaller satellite centre operate from Manor Hub at Coulby Newham.
3. TASC are one of the largest day services in Middlesbrough in terms of number of placements and are one of the few services who have available transport for Service Users to use to and from the service. Attendance is choice based, led by the service user, post Social Care needs assessment and is a popular service. Presently there are 111 Service Users accessing 333 sessions a week, this includes self-funding placements and from other Local Authorities. Over 50% of the Service Users currently attending the sites are funded by Middlesbrough Council resulting in the Council being their main source of income.
4. All day services were forced to close from March to September 2020 due to Covid 19. When services did reopen, all attendance was adversely affected as many Service Users were unable to attend as they were classed as extremely vulnerable and were subject to self-isolation during 2020/2021. Return to services was initially slow for the majority of day service providers, however, service recovery for TASC was better than most.

## **Current Service Delivery Model**

5. Referrals to the Service will be made by the Council's Adult Social Care and Health Integration Department after Care Managers have completed assessments of Service User needs and prepared a Care Plan. Dependant on need, Service Users can attend between one and five days per week. There is no restriction based on complexity of needs or equipment. Personal care and support needs are met throughout the day, including during the journey to and from the centre by an escort who is employed by TASC.
6. Service Users are either collected from their home by TASC transport or arrive by private taxi or their own transport. Upon arrival Service Users can choose from a range of activities provided in and outside the centre. Lunch is provided from the on-site kitchen in the main building. For the satellite centre, lunch is currently prepared at the main building and transported to the site.

7. TASC do not provide 1:1 support for any Service Users at present. Currently there are 3 Middlesbrough funded Service Users per day who require additional 1:1 support and therefore bring a support worker from an external agency into the centre with them.
8. Staffing levels are monitored and amended in-line with the needs of the Service Users. The centres operate on a minimum of 9 staff at the main building and 3 staff in the satellite centre. Support staff also undertake driving and escorting duties for the minibuses provided by TASC. Staff are currently undertaking MIDAS training for drivers and PATS training for escorts. This training is Community Transport Association approved and best practice. The centres are closed for 10 days throughout the year, in addition to public holidays to enable staff to complete mandatory training and for staff meetings

### **Comparative Service Models**

9. In terms of day service provision, assessed individuals can access 12 commissioned day services, 4 in-house day services and also utilise other non-commissioned day opportunities via Direct Payments. These services specialise in different areas to meet the needs of the Service Users with physical disabilities, learning disabilities, autism, and older people of Middlesbrough.
10. Day services for people with physical and/or learning disabilities are generally smaller groups, in either half day or full day sessions. Utilisation and fee rates for these primary support reasons can be compared in Part B of this report.

### **Service Quality**

11. Quality monitoring of the service is completed on an annual basis by both Middlesbrough Council and the service itself. TASC continues to meet contractual requirements year on year and implement any recommendations highlighted through this process. The most recent quality review was positive and demonstrated that improvements have been made.

### **Current Day Rate**

12. Middlesbrough Council reached an agreement with the Provider to establish the existing fee rates for 2022/2023 details of which can be found in Part B of this report.

### **Service Utilisation and Capacity**

13. The service reports that it is difficult to calculate the daily capacity of the service because it depends on the needs of the users attending (wheelchairs, one to one support staff in attendance etc) and staffing levels.
14. Utilisation has been analysed against the 202 block placements from April to October 2022. The analysis indicated planned usage is at an average of 95%. The 5% unutilised sessions could easily be filled if 2 new people attend 5 days a week. This service cannot fill a placement if a member does not attend due to illness etc as that placement needs to remain open for the person to return. A robust review of placements was undertaken during the return to services post covid closures, and periodic attendance monitoring will highlight the needs for reassessment if a person has not attended for a sustained period.

15. Given the fact people choose to attend this service, it is building based, offers competitive rates and it provides an invaluable transport service we would look to pursue a direct award contract via a VEAT notice (Voluntary Ex-Ante Transparency Notice). This would ensure the correct procurement procedures are followed to facilitate a future contract with this provider

### **Proposals moving forward**

16. Direct award (via a VEAT notice) based on the current service model, covering the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2026 with an option to extend to 2030
- Based on the current service model of 202 sessions per week block contract and for transport elements to remain as a spot arrangement.
  - If capacity is reached further sessions would be on a spot basis at the agreed block sessional rate.
  - The rates in this option will be subject to any inflationary uplift set by the council for the term of the contract.
  - A block contract arrangement offers the provider financial resilience at a competitive rate to the Council.
  - Utilisation would continue to be monitored, and a clause included in the financial schedule that should utilisation levels drop, significantly for a consistent period of 6 months it would instigate a review of the block financial schedule.
  - Analysis shows that the service is well utilised.

### **What decision(s) are being recommended?**

17. That the Executive:
- a. note information contained in Part A of the report; and
  - b. that once all the financial or exempt information contained in Part B of the report has been considered the Executive approves the entry into a new contact with TASC for a period of 3 years to 31<sup>st</sup> March 2026 with the potential full term to 31<sup>st</sup> March 2030 under a block contract arrangement

### **Rationale for the recommended decision(s)**

18. A block contract arrangement offers the provider financial resilience at a competitive rate to the Council. Utilisation would continue to be monitored, and a clause included in the financial schedule that should utilisation levels drop, significantly for a consistent period of 6 months it would instigate a review of the block financial schedule. Analysis shows that the service is well utilised

### **Other potential decision(s) and why these have not been recommended**

19. The alternative options are to either Direct Award to TASC (via a VEAT notice) on a spot purchase basis covering the period of 3 years to 31<sup>st</sup> March 2026 with the potential full term to 31<sup>st</sup> March 2030, or to do nothing and let the contract expire
20. Direct Award to TASC (via a VEAT notice) on a spot purchase basis covering the period of 3 years to 31<sup>st</sup> March 2026 with the potential full term to 31<sup>st</sup> March 2030 It is not

recommended as would lead to further increased budget pressures and a spot contract arrangement would not offer financial resilience to the provider.

21. If the Council were to let the contract expire there is no alternative provider that would be able to facilitate the service that TASC offer, it would leave vulnerable service users without much needed services, which could have a detrimental effect on themselves and their carers therefore it is not a viable option.

**Impact(s) of the recommended decision(s)**

**Legal**

22. There are no legal implications with either proposed option

**Strategic priorities and risks**

23. The proposed policy will contribute as follows to the Council’s strategic plan:

<b>People</b>	<b>Place and Business</b>
<i>We will work to address the causes of vulnerability and inequalities in Middlesbrough and safeguard and support those made vulnerable.</i>	<i>We will ensure that we place communities at the heart of what we do, continue to deliver value for money and enhance the reputation of Middlesbrough.</i>

24. The key risks identified for the re-commissioning of TASC are increased financial pressure if the contracting model was on a spot purchasing arrangement, which also does not give the provider financial resilience. On a risk balance analysis, the risk of not going ahead far outweigh the risks of challenge, particularly given the local/personal nature of the service.

**Human Rights, Equality and Data Protection**

25. A universal service with fair access for all on the basis of need, therefore there is no specific equality/diversity implications. The proposal does not seek to change existing policy or the nature of the service provided, therefore an impact assessment is not required.

**Financial**

26. Both options have financial implications, considering the inflationary uplift for 2023/24, however option 1 is already factored into the current budget. The impact will be significant if option 2 is progressed, as identified in Part B of this report.

**Actions to be taken to implement the recommended decision(s)**

<b>Action</b>	<b>Responsible Officer</b>	<b>Deadline</b>
Develop and issue a VEAT notice, and progress with	Nadine Aston-Barras	1 <sup>st</sup> February 2023

issuing a contract to TASC if unchallenged		
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## Appendices

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### Background papers

No background papers were used in the preparation of this report

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