

KENT COUNTY COUNCIL - RECORD OF DECISION

DECISION TAKEN BY:

Clair Bell, Cabinet Member for Adult Social Care and Public Health (in consultation with the Cabinet Member for Integrated Children's Services)

DECISION NO:

22/00051

For publication

Key decision: Affects more than 2 Electoral Divisions and expenditure of more than £1m

Title of Decision: Bespoke Support Service

Decision: As Cabinet Member for Adult Social Care and Public Health, I

- a) **APPROVE:** The procurement for a new Bespoke Support Service for people with complex needs; and
- b) **DELEGATE** authority to the Corporate Director, Adult Social Care and Health to take relevant actions and consult with the Corporate Director of Children, Young People and Education, as required to facilitate procurement activity with regard to the Bespoke Support Service.

Reason(s) for decision: The current Positive Behavioural Support Framework for bespoke service development and delivery for people with complex needs, including those with learning disabilities and autistic people is due to end on 30 October 2022.

There are a significant number of individuals who are currently referred to or waiting for a referral for placement through the framework. Therefore, there is a requirement for a new 4 year open framework, with a potential of increasing the number of providers available.

Experience of challenges within the current Care and Support in the Home market providing support for those with the most individual needs, shows the need to expand access to this framework for bespoke services across all areas of Adult Social Care to potentially include people with Dementia.

Financial Implications: This is a supported living framework, delivering packages of care to learning disabled and autistic people, aged fourteen (14) and over, with the most complex needs. As such there are no accommodation costs to KCC

The providers on the current Framework are supporting twenty-four (24) individuals with a total annual spend (across Health and Social Care) of £8,534,505. Of that total the spend from Social Care (Children's and Adults) is £6,597,543. The NHS contribute £1,936,962.

There are currently twenty-five (25) other individuals referred through the Framework (not yet discharged from their current placement) that have a forecasted annual cost of £7,323,202.

Legal Implications: It is the intention to undergo a procurement exercise to identify a suitable supplier in accordance with PCR 2015 Regulation 32(2)(c) and Procurement Policy Note 01/20.

The main legislative framework for the Service is the Care Act 2014 (for adults), the Children Act 1989 (for under 18s), and the principles of Mental Capacity Act 2005. These are statutory duties, and the new service will be compliant with all legislation.

Equality Implications: An Equality Impact Assessment will be undertaken as it has been four years

since the last one was reviewed. The development of the social movement for neurodiversity and the language evolution to support and describe the reframing is exposing the potential for some previously unseen intersectional inequalities, particularly relating to autistic women and the possibility of diagnostic overshadowing with conditions such as borderline personality disorder. The potential for this framework to also support those with complex needs, other than a learning disability or autistic people, brings fairer access for those with complex needs across all of Adult Social Care.

Data Protection Implications: A DPIA will not be required to complete the procurement. A DPIA will be undertaken at the point of contract award when it will be necessary to share information and data so providers are able to make informed and considered proposals to support these individuals.

Note: There will be a further Cabinet Member decision to confirm the outcome of the decision to award.

Cabinet Committee recommendations and other consultation: The proposed decision was discussed at the Adult Social Care Cabinet Committee on 18 May 2022 and the recommendations were endorsed by the majority.

Mr Streatfeild and Mrs Meade asked for it to be noted they did not endorse the decision.

Recognising comments from the Cabinet Committee Members, the Proposed Record of Decision has been amended to reflect comments regarding Delegated Authority parameters.

Any alternatives considered and rejected: Not to retender the current contract.

Any interest declared when the decision was taken, and any dispensation granted by the Proper Officer: None

Clair Bell

10 June 2022

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signed

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date