

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Cabinet Member for Integrated Children’s Services

DECISION NO:

22/00104

For publication [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

Key decision: No

Subject Matter / Title of Decision

Extension of the Direct Payment Support Service Contract

Decision:

As Cabinet Member for Integrated Children’s Services, I agree to:

A) Authorise additional expenditure of £315,000 to enable Commissioners to enact the final 12-month extension of the Direct Payment Support Service from 1 April 2023 to 31 March 2024

Reason(s) for decision:

Background

As part of the support planning process, Direct Payments (DPs) are offered to individuals to provide a greater choice and control over their care and support arrangements. They are monetary payments that can be made to individuals to meet some or all of their eligible support needs. The legislative context is set out in the Care Act 2014, section 117(2c) of the Mental Health Act 1983, the Care and Support (DP) Regulations 2014 and the Children and Families Act 2014.

Disabled Children and Young People Service commission the Direct Payment Support Service with a not-for-profit provider of Children’s and Young People Services The service is open to:

- Parents and carers of disabled children
- Parents and carers of children with special educational needs
- Young people aged 16-25 with special educational needs
- Young disabled people aged 16-25

The Key Decision to commission the Direct Payment Support Service was taken on the 30 October 2018. The Decision ([Decision - 18/00055 - Direct Payment Support Service \(kent.gov.uk\)](#)) provided for a three-year fixed term with two twelve-month extension periods within a maximum budget of £1.7 million over the five-year term. The contract is currently in the first of the two available extensions and demand for the service is increasing beyond current capacity. The cost of the recommended option, to extend the contract for the final year, will exceed the original Key Decision of £1.7 million over the five-year term and a further Decision is required to authorise the additional expenditure.

Financial Implications

The original Key Decision taken on the 30 October 2018 provided for a maximum contract value of £1.7 million over the five-year term. Demand has increased beyond current contract capacity and the recommended option to extend and increase capacity to meet growing demand means that the total

cost over the five-year term will exceed by £315,000. The costs for the contract are funded from the Children's Disability 0-18 Commissioning Revenue Budget. Efficiencies within this budget are expected to fund the majority of the increase required, with the increase relating to inflationary pressures, to be identified as part of the medium-term financial plan.

Legal implications

Direct Payments for parents or carers of disabled children are a statutory duty under the Children Act 1989 as amended by Sections 17A (inserted by the Health and Social Care Act 2001) and 17B (inserted by the Carers and Disabled Children Act 2000)
The contract legitimately allows for the extension.

Equalities implications

An Equality Impact Assessment has been undertaken and no issues have been identified at this stage. The equality impact assessment shall be kept under constant review as this project continues.

Other Alternatives Considered and risks if decision isn't taken.

The contract will end on the 31 March 2023 and alternative arrangements for the ongoing administration and support for Direct Payments for Children, Young People and Education will need to be developed. Currently there is no internal team that undertake this work for Direct Payments for Children and Young People and there is a substantial risk that the Authority will not meet its statutory obligations.

Cabinet Committee recommendations and other consultation:

The Children's and Young People Cabinet Committee considered the decision on 29 November 2022

Any alternatives considered and rejected:

- 1) Do nothing. The contract will end on the 31 March 2023 and alternative arrangements for the ongoing administration and support for Direct Payments for Children Young People and Education will need to be developed. Currently there is no internal team that undertake this work for Direct Payments for Children and Young People and there is a substantial risk that the Authority will not meet its statutory obligations.
- 2) Extend with no additional capacity. Cases are forecast to increase beyond current contractual capacity, this means that a waiting list will be implemented with the anticipated wait length being 8-12 weeks before the case can be allocated to a worker within the commissioned provider. This option is discounted.

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

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signed

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date