

From: Graham Gibbens, Cabinet Member for Adult Social Care and Public Health
Andrew Ireland, Corporate Director of Social Care, Health and Wellbeing

To: Adult Social Care and Health Cabinet Committee – 30 January 2017

Decision No: 16/00142

Subject: **COMMUNITY ADVOCACY FOR PEOPLE WITH A LEARNING DISABILITY**

Classification: Unrestricted

Past Pathway of Paper: Social Care Health and Wellbeing Directorate Management Team – 23 November 2016

Future Pathway of Paper: Cabinet Member decision

Electoral Division: All

Summary: The Community Advocacy for People with a Learning Disability Contract is a countywide independent advocacy service for people of 18 years and over with a learning disability who are resident in Kent. The current contract ends on 31 March 2017 therefore alternative arrangements need to be made.

The Kent Advocacy Contract commenced on 1 April 2016 and is delivered by seAp working collaboratively with, and through a network of, delivery partners. Throughout the tender process it was stated that Community Advocacy for People with a Learning Disability would be included within this contract and the Cabinet Committee is being asked to endorse a decision to vary the Kent Advocacy Contract to include Community Advocacy for People with a Learning Disability from 1 April 2017.

Recommendation(s): The Adult Social Care and Health Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (attached as Appendix A) to:

- a) **APPROVE** a variation to the Kent Advocacy Contract to include Community Advocacy for People with a Learning Disability; and
- b) **DELEGATE** authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision.

1. Introduction

- 1.1 This paper concerns the commissioning of Community Advocacy for People with a Learning Disability, a countywide independent advocacy service for people of 18 years and over with a Learning Disability who are resident in Kent.
- 1.2 The Contract is currently delivered by Advocacy for All. The Contract commenced on 1 April 2012 for an initial period of 3 years and has since been extended for two one year periods as per the Contract terms and conditions. The Contract ends on 31 March 2017.
- 1.3 The Contract has been delivered to a high standard with all parties extremely satisfied.
- 1.4 The Kent Advocacy Contract commenced on 1 April 2016 and is delivered by seAp. The Contract was awarded following a re-shaping of commissioning arrangements moving from ad-hoc purchasing to a county wide advocacy service providing all of Kent's statutory and non statutory advocacy services. seAp works collaboratively with a network of delivery partners to deliver the service. Advocacy for All is one of the delivery partners for Kent Advocacy and seAp work very closely with them.
- 1.5 The Community Advocacy Service for People with a Learning Disability was kept out of scope of this Contract at the time as current arrangements were working well however, as the Contract is coming to an end alternative arrangements must now be made.
- 1.6 The Kent Advocacy Hub contract is a 3 year contract with a clause to extend for a further 2 years.
- 1.7 The Kent Advocacy Contract was recently nominated for a National Advocacy Award for co-production and the Council is often contacted by other Local Authorities for information on the Contract as it is seen as a good practice model for the commissioning and provision of advocacy.

2. Strategic Statement and Policy Framework

- 2.1 Community advocacy falls outside of the remit of our statutory advocacy duties however, The Care Act suggests a need for community advocacy.
- 2.2 Advocacy promotes equality, social justice, social inclusion and human rights therefore supporting the outcome outlined in; **Increasing opportunities, Improving outcomes** which states that we want older and vulnerable residents to be safe and supported with choices to live independently.

3.1 The Report

- 3.1 An options appraisal was completed (Appendix 1) and it is recommended that option 3 is taken to incorporate Community Advocacy for People with a Learning Disability into the Kent Advocacy Hub Contract.

- 3.2 seAp are working with the current provider to look at how the delivery model can be changed to incorporate cost reduction with minimal effect on delivery.
- 3.3 In line with the rest of the Kent Advocacy service all referrals for Community Advocacy for People with a Learning Disability will be received by the main contact centre and will use the seAp database to record all relevant information.
- 3.4 It is proposed that the Corporate Director of Social Care, Health and Wellbeing will inherit the main delegations via the Officer Scheme of Delegation.

4. Financial Implications

- 4.1 The current annual cost of the Kent Learning Disability Community Advocacy Contract is £297,800 per annum with approx. £5,200 spent on advocacy supporting adults with child protection issues.
- 4.2 Work has been completed with seAp to negotiate a 10% reduction in the current budget which will make the cost of this contract £268,000 per annum with recognition of the request to provide two additional forms of support:
 - Extend the age range from 18 down to 16 (to join up the commissioning of this service for the 16-25 age group)
 - Include advocacy support for adults with learning disabilities in child protection cases where referred by a Care Manager
- 4.3 The current value of the Kent Advocacy Hub Contract is £1.2 million per annum, the new Contract value including Learning Disability Community Advocacy will be £1.5 million per annum.

5. Legal Implications

- 5.1 Throughout the tender process for the Kent Advocacy Contract it was clearly stated that although Community Advocacy for People with a Learning Disability was currently out of the scope of the Contract the right had been reserved to include this provision within the Contract at a later date. By stating this throughout the tender and contract documentation, the Council's Procurement division are satisfied that the Contract can legally be varied to incorporate Community Advocacy for People with a Learning Disability into the existing Kent Advocacy Contract.
- 5.2 Initial discussions with seAp indicate that they are very keen to deliver the service within the Kent Advocacy Contract using the existing delivery partner, Advocacy for All.

6. Equality Implications

- 6.1 An EqIA was completed when the Kent Advocacy Contract was originally tendered. The EqIA has been updated to include this proposed change in contract (Attached as Appendix 2). Based on our recommendation there are no further risks highlighted.

7. Conclusions

- 7.1 By varying the Kent Advocacy Hub Contract to incorporate Community Advocacy for People with a Learning Disability there will be a model where Kent's entire Advocacy provision is delivered by a lead provider working with a delivery network to provide differing elements of our advocacy offer.
- 7.2 As Advocacy for All is a delivery partner of the Kent Advocacy Hub, current service users accessing Community Advocacy for People with a Learning Disability will have consistency in their provision.
- 7.3 By stating throughout all tender documentation for the Kent Advocacy Hub that we would be including Community Advocacy for People with a Learning Disability at a later date the Contract can legally be varied.
- 7.4 Proposals to change the scope of the contract are intended to fit within changing requirements, whilst achieving financial efficiencies, yet keeping the delivery model as closely as possible to how the service is currently being delivered.

8. Recommendations

8.1 Recommendation(s): The Adult Social Care and Health Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (attached as Appendix A) to:

a) **APPROVE** a variation to the Kent Advocacy Contract to include Community Advocacy for People with a Learning Disability; and

b) **DELEGATE** authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision.

9. Background Documents

None

10. Contact details

Report Author

Sarah Challiss
Commissioning Officer
03000 415266

Sarah.challiss@kent.gov.uk

Relevant Director

Mark Lobban
Directory of Commissioning
03000 415393

Mark.lobban@kent.gov.uk