

# 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:

22/00034

## For publication

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

**Title of Decision:** External Community Opportunities for People with Learning and Physical Disabilities

**Decision:** As Cabinet Member for Adult Social Care and Public Health, I agree to:  
a) **APPROVE** the procurement of external community opportunities for people with Learning and Physical Disabilities; and  
b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health and Corporate Director Children Young People and Education to take relevant actions, including but not limited to finalising the terms of entering into required contracts or other legal agreements, as necessary to implement the decision.

**Reason(s) for decision:** The current Community Day Opportunities for Individuals with Disabilities framework contract is due to expire and will end on 30 September 2022, new arrangements need to be in place by 1 October 2022.

The new service specification will be outcome focused, based on the Making a Difference Everyday (MADE) and Provider Services design principles (which have been part of a separate engagement process) and align with a Self-Directed Support approach of Adult Social Care.

It is recognised that a traditional approach to 'day opportunities' is reducing in demand, but still an important provision for some individuals and their families. The support through the new Community Opportunities Offer will be a flexible, adaptable and evolving model to include traditional day opportunities and wider community support outside of traditional times and settings. The future support offer will also align with other Adult Social Care projects such as the Micro-Enterprises development.

**Financial Implications:** All current external Learning Disability and Physical Disability Day Opportunities are funded through the operational teams.

The total forecast spend (across Adult Social Care and Children and Young People's Services) for 2021-22 is £10,065,200 for service provisions (see table below for split).

	Forecast 2021/22
People with a disability (26 and over) – includes Sensory and Autism	£7,392,400
Young People (18 – 25)	£2,672,800

There are associated transport costs which are also funded through the operational teams, the table below outlines the forecast for 2021-22. Again, this is likely to be lower this year due to the

pandemic.

	Forecast 2021/22
People with a disability (26 and over) – includes Sensory and Autism	£1,593,900
Young People (18 – 25)	£850,200

Due to the COVID pandemic, the forecast spend during 2021/22 is lower than the allocated budget. This has been a result of some services being closed for periods of time. Client charging has also been suspended which impacts on this commitment.

Through benchmarking other neighbouring Local Authorities, Kent County Council pay lower day and half day rates. A risk of the new procurement will be providers submitting higher fees for support. It is proposed to mitigate some of this risk through the procurement, by requesting flexible fees depending on the activity/support delivered and to work with providers and people we support through utilising various methods of payment through a self-directed support approach, such as direct payments and individual service funds.

The Council budget was approved at County Council on 10 February 2022. It is acknowledged that there are significant pressures on the Adult Social Care and Children's and Young People's budgets. As such there are identified savings for these budgets. Table below sets out the identified savings.

	Savings identified
People with a disability (26 and over) – includes Sensory and Autism	£1,000,000

The savings will be realised through the offer of support and choice available and will be tracked through a benefits realisation group, as there is a risk the spend on this type of support could move across various budget lines.

**Legal Implications:** The procurement of the new External Community Opportunities will be undertaken in line with the Public Contract Regulations (2015) and legal advice will be sought as necessary regarding contractual terms and conditions. There will need to be resource allocated at the end point contract award for contracts to be sealed. The new contracts will be taken forward in a way which ensures the Council's statutory responsibilities are discharged accordingly. These services support an individual with an assessed care and support need and therefore fall under the guidance laid out by the Care Act (2014).

**Equality Implications:** An Equality Impact Assessment (EqIA) has been carried out and is appended to the decision paperwork.

**Data Protection Implications:** It is likely that a Data Protection Impact Assessment will be required, and this will be completed once the specification is produced.

**Cabinet Committee recommendations and other consultation:** The proposed decision was discussed at the Adult Social Care Cabinet Committee on 31 March 2022 and the recommendations were endorsed by the majority.

Mr Streatfeild, Mr Campkin and Mr Shonk asked that it be noted that they did not endorse the decision.

**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

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Signed

.....19 May 2022.....  
date