

RECOMMISSIONING OF DAY OPPORTUNITIES CENTRES FOR ADULTS WITH LEARNING DISABILITIES

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1.0 Summary

- 1.1 This report outlines the proposed procurement process for the recommissioning of two day opportunities centres, in Shrewsbury, for Adults with Learning Disabilities during the first part of 2014 and seeks approval for the recommissioning of other Council provided day opportunities over a further period of 18 months to 2 years. It is envisaged that the first tranche of recommissioning will be through a competitive procurement process with one or more lots, and bidders will be able to bid for one or more lots.
- 1.2 The two centres to be considered initially for recommissioning are:
- Aquamira, Primrose Drive, Shrewsbury, SY3 7TP
 - Albert Road, Shrewsbury, SY1 4HY.
- 1.3 As part of the modernisation and transformation of adult social care services a number of Council provided day opportunity services for adults with learning disabilities will be retained. However, it is the intention of Shropshire Council to become a commissioning council rather than a provider of services therefore an alternative provider with the appropriate and relevant skills and expertise will be sought through a competitive procurement process.

2.0 Recommendations

- 2.1 Cabinet are requested to:
- A. Agree that a procurement process should be undertaken to appoint an alternative service provider for Aquamira and Albert Road day opportunities as set out in this report.
- B. Agree that other day opportunity services which will remain following the transformation of services and currently provided by the Council be recommissioned through a competitive procurement process in order to appoint an alternative Provider during 2014 and 2015.

REPORT

3.0 Risk Assessment and Opportunities Appraisal

- 3.1 The services will be procured through a competitive tendering process which will be published on the Shropshire Council website.
- 3.2 There is the opportunity for the successful provider to expand and develop the services within the local community to include at Aquamira, evening and weekend services, should individuals as commissioners with a personal budget wish to procure such a service. At Albert Road the building is already used by Mencap during the evenings and weekends.
- 3.3 In relation to Aquamira there is an additional business opportunity to develop the use of the hydrotherapy pool thus broadening its use and generating additional income for investment back into the service.

4.0 Financial Implications

- 4.1 The two day opportunities referred to in this report are being retained as part of the modernisation of services and the transformation of adult social care albeit with a different provider. The current budgets are known and are routinely monitored.
- 4.2 Whilst actual savings are unknown at this time, and won't be apparent until the tender process has been completed and costs negotiated with a preferred provider, it is expected, as with any externalised service that savings are achieved over time through staff turnover with new staff being employed on different terms and conditions. Assumptions have already been built into the Council's Business Plan and Financial Strategy, but will need to be finalised following the tender process.
- 4.3 There is also the potential for transport savings and premise related savings and the opportunity to generate additional income to offset overheads.
- 4.4 Should the competitive procurement process be unsuccessful in reducing costs, the Council does not have to proceed with award of contract. Any award decision will be subject to Cabinet approval.
- 4.5 The recommissioning of these services is a workstream relating to the adult services business plan of day services modernisation and the wider council objective of becoming a commissioning council.

5.0 Equalities & Human Rights

- 5.1 The procurement process is compliant with the Human Rights legislation.
- 5.2 An Equality Impact Needs Assessment (EINA) has been completed and is attached at Appendix A.

5.3 Service Users will be involved in the procurement process and this will be facilitated with the support of local Advocacy organisations. Any documents will be produced in easy read format and the Learning Disability Partnership Board will be kept apprised of progress.

5.4 Consultation with staff will be required throughout the process and this has commenced with an initial communication advising the 27 staff currently employed at these two bases of the intention to reprocure these services subject to Cabinet approval.

6.0 Background

6.1 The services which will be initially recommissioned through the proposed procurement process are as detailed in 7.0 and 8.0 below.

7.0 Aquamira, Primrose Drive, Shrewsbury, SY3 7TP

7.1 This is a day opportunities service, in a purpose built building which includes a hydrotherapy pool, for multiple and profoundly disabled adults aged 18-65.

7.2 The property is owned by Shropshire Council and the procurement process will invite prospective purchasers to submit their bids in providing the service by leasing the building. This option allows Shropshire Council to retain the asset but without the management and maintenance overheads of the building.

7.3 It is possible however that a prospective Provider will propose a capital purchase which would provide a capital receipt for the Council. Should this be an outcome of the procurement process it will be carefully considered in light of any adverse impact on the on-going revenue costs of purchasing the service.

7.4 Additionally the relevant approvals would be sought for the disposal of the asset should this overall deliver best value for the Council.

7.5 Aquamira has capacity for 25 places per week and employs 15 staff. Staff currently employed at the service, other than those taking Voluntary Redundancy would TUPE transfer to the successful provider.

7.6 The outsourcing of this service will require:

- a transfer agreement to include TUPE;
- a care agreement;
- a pensions agreement;
- A lease agreement.

8.0 Albert Road, Shrewsbury, SY1 4HY

8.1 This is a day opportunities centre for adults with learning disabilities.

- 8.2 The building is currently leased from Mencap and it is anticipated that subject to Mencap approval an under lease may be assigned to the successful provider.
- 8.3 Albert Road has capacity for up to 35 places and currently employs 12 staff. Staff currently employed at the service, other than those taking VR, would TUPE transfer to the successful provider.
- 8.4 The outsourcing of this service will require:
- a transfer agreement to include TUPE;
 - a care agreement;
 - a pensions agreement.
- 8.5 Additionally, at both centres there is the potential for service user transport to be provided by the successful provider. This will be included in the Invitation to Tender and if awarded will also require a transport agreement and potentially the transfer of existing specialist vehicle(s) subject to the appropriate approvals.

9.0 Timescales

- 9.1 It is anticipated that subject to Cabinet approval the indicative procurement timetable below can be achieved. Cabinet will be required to approve the contract award.

Scoping of requirements and putting together project team	throughout December 2013
Consultation –	Starting November 2013 and continued throughout process
Cabinet Approval for Procurement	January 2014
Preparation of tender pack	December 2013/January 2014
Place Notice	End January 2014
Tenders in	End March 2014
Evaluation of tenders and selection of preferred bidder –	April 2014
Negotiations with preferred bidder	May 2014
Award process and standstill	End of May 2014
Contract Signature and all legalities including staff transfer issues, all practicalities (including. IT, equipment and asset transfer issues) etc.	June /July 2014
Contract Commences	August 2014

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Portfolio Holders Decision Making Meeting, Thursday 1st August 2013 – Day Service Reconfiguration

Cabinet Member (Portfolio Holder)

Councillor Lee Chapman, Portfolio Holder: Adult Services and Local Commissioning (South)

Local Member

Albert Road – Councillor Kevin John Pardy (Sundorne)

Aquamira – Councillor John Tandy, Councillor Ted Clarke, Councillor Jane MacKenzie - (Bayston Hill, Column and Sutton)

Appendices

Appendix A – Equality Impact Needs Assessment