

Aelod Portffolio ar faterion Gofal Cymdeithasol i Oedolion

Man Cyfarfod

Dyddiad y Cyfarfod
Dydd Mawrth, 21 Mai 2019

Amser y Cyfarfod

I gael rhagor o wybodaeth cysylltwch â
Stephen Boyd
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Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

15/05/2019

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

AGENDA

1.	DATBLYGU FFRAMWAITH BYW GYDA CHYMORTH
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(Tudalennau 1 - 40)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.**Dated 15th May 2019****PORTFOLIO HOLDER DELEGATED DECISION****By****Councillor Stephen Hayes (Portfolio Holder for Adult Social Care)**

**REPORT AUTHOR: Dylan Owen
Head of Transformation for Adult Services**

SUBJECT: Development of Supported Living Framework

REPORT FOR: Decision

1. Summary

- 1.1 In 2014, the provision of support for adults with a learning disability in supported properties was procured via a framework (expired 2015) on 5 year contracts. The existing provision comprises of 23 contracts, all due to expire between November 2019 and April 2020.
- 1.2 This request is for the development and procuring of a new Framework for a Supported Living service (approved List of providers) based on a new service specification.
- 1.3 The purpose of the Framework is to:
- Replace the previous Framework which expired in 2015 Supplier Framework.
 - Pull together individual spot contracting arrangements held with external providers.
 - Support adding social, environmental and economic value through good procurement practice.
 - Ensure that the Council has access to consistent high quality care providers.
 - Ensure that the Council secures best 'market value' in terms of cost and quality of service, driving out any potential cost savings.
 - Provide a more robust mechanism to avoid non-compliance and negate use of spot contracts; thereby reducing scope for inequality of access and outcomes.
 - Ensure legally compliant and transparent commissioning.

- 1.4 It is anticipated that the Framework will be procured in May2019.
- 1.5 Once the Framework is implemented, it is proposed that the Lotting and Procurement timetable options appraisal document will be submitted to Portfolio Holder for approval. This is to support the improved risk management of services, and to reduce the potential of any one provider becoming 'too big to fail'.

2. **Background**

- 2.1.1 The current procurement of Supported Living services from external providers is achieved through a number mechanisms including legacy individual placement agreements from the previous framework contracting arrangements and 'spot purchasing' of individual care packages.

3 **Proposal**

- 3.1.1 This report seeks agreement to develop and implement a 'Accommodation and Support for a Good Life (Supported Living / Supported Housing) Framework'

Setting up the Framework

- 3.2 Setting up the Framework would be undertaken via an advertisement in the Official Journal of the European Union (OJEU), from which providers could apply to be approved by completing a prequalification questionnaire focusing on providers' financial and technical capabilities.

All providers eligible to join the Framework will be required to undertake a qualification process covering quality aspects. Financial qualification will be undertaken at the Lotting and mini competition stage which will allow for individual providers to be regularly reviewed alongside their respective financial sustainability to help maintain appropriate liquidity / cash flow.

- 3.3 Once a provider has been included on the Framework providers will then be able to bid for care packages commissioned via the Framework. Bids received for mini competitions will then be assessed using both cost and quality measures. It is proposed that this will be undertaken using the Bravo eTender Wales portal and will be fully compliant with EU procurement regulations.

The procurement process will be open, fair and transparent in compliance with the County Council's Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015.

3.4 The Framework will be run using Bravo (or any subsequent replacement service), therefore the system will be a fully electronic commissioning approach for setting up and maintaining a list of pre-approved providers reducing the administration required to maintain the Framework.

3.5 Whilst the Council would benefit from using the Framework to procure the above services in the future, the Council can choose when to use the Framework and when it would perhaps prefer to procure services through different mechanism allowing for increased flexibility where appropriate.

4. Options Considered / Available

4.1 On the 18th March 2019 an Options appraisal was considered by the Steering group whose membership included the following council officers:

Rachel Evans – Change Manager - Live Well
Rachel Williams - Senior Manager- Mental Health & Disabilities
Hazel Dukes – Senior Manager Social Care Delivery
Jacqueline Pugh – Finance Manager – Corporate Finance
David Moody – Strategic Commissioning Manager – Live Well
Angela Williams – Procurement Specialist
Samuel Evans – Contracts Monitoring Officer

The following options were considered:

Option 1 - Develop a Dynamic Purchasing System (DPS).

Option 2 - Develop an Accommodation and Support for a Good Life (Supported Living / Supported Housing) Framework

4.2 Preferred Choice and Reasons

4.2.1 Option 2: Develop and implement a new Supported Living Framework

Please see attached **appendix 1** for full options appraisal and recommendation.

4.2.2 Anticipated Benefits

Having a Framework in place the procurement process will be open, fair and transparent in compliance with the County Council's Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015

5. Impact Assessment

5.1 Is an impact assessment required? Yes

5.2 If yes is it attached? Yes

6. Corporate Improvement Plan

This proposal will contribute towards the following aims and objectives:

- Contribution to the Corporate Improvement Plan although this contribution would be limited at the framework stage.
- Supporting individuals who have a disability to live independently in supported living environments supports Vision 2025
- The framework also supports The Health and Care Strategy's intention to support independent living and a choice of appropriate accommodation and support options

7. Local Member(s)

The proposal will affect all electoral divisions.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

If so, please provide their comments

Impacts and mitigation has been considered and detailed within the Impact assessment

9. Communications

Have Communications seen a copy of this report? Yes

Have they made a comment? No proactive media action required at Framework stage.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

Legal:

Legal: The recommendations can be accepted from a legal point of view

Finance:

The Finance Manager notes the content of the report and can confirm Corporate Finance are a member of the Steering group where the Options appraisal was undertaken. At this stage to develop and implement the preferred option of a framework has no cost implications.

Commercial Services:

Commercial Services have contributed to the option appraisal and the Steering Group and the previous framework will be reviewed to ensure that lotting and service delivery are updated to accord with future requirements. Full account will also be take of any TUPE requirements within the framework and subsequent mini-competitions.

11. Scrutiny

Has this report been scrutinised? YES

The Health and Care Scrutiny Committee met on 5 April 2019

12. Statutory Officers

12.1 The Solicitor to the Council (Monitoring Officer) commented as follows : “ I note the legal comments and have nothing to add to the report.”

12.2 The Head of Finance (Section 151 Officer) notes the comments from Finance and Commercial services. The procurement framework will ensure that the procurement process is open, fair and transparent and is compliant with the County Council’s Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015, this will provide assurance of value for money.

13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he/she should declare it, complete the relevant notification for and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
To develop and implement a new supported living framework as outlined in the report	As set out within 4.2 and 4.2.1 of this report

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y – Engagement within budget.

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Dylan Owen
Date By When Decision To Be Implemented:	April 2019

Contact Officer:	Rachel Evans or David Moody
Tel:	
Email:	rachel.evans@powys.gov.uk or david.moody@powys.gov.uk

DELEGATED DECISION REPORT TEMPLATE VERSION 52

Trwy rinwedd paragraff(au) 14 Rhan 1 Atodlen 12A
Deddf Llywodraeth Leol 1972.

Document is Restricted

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

Cyngor Sir Powys County Council

Impact Assessment (IA) *The integrated approach to support effective decision making*



Please read the accompanying guidance before completing the form.

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as "Draft" and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

Service Area	Livewell (Commissioning)	Head of Service	Dylan Owen		Portfolio Holder	Stephen Hayes
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Proposal	Establishment of a Framework for the procurement of supported living accommodation					
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Outline Summary / Description of Proposal

In 2014, the current provision of support for adults with a learning disability in supported properties was procured via a new framework that awarded each provider a 5-year contract. These contracts are now due to expire between November 2019 and April 2020. There are currently 23 contracts. The aim, now, is for the development of a Framework for the procurement of supported living services via an approved list of providers and based on a new service specification. The purpose of the Framework is to:

- Replace the previous framework which expired in 2015 Supplier Framework
- Pull together individual spot contracting arrangements held with external providers.
- Support adding social, environmental and economic value through good procurement practice
- Ensure that the Council has access to consistent high quality care providers
- Ensure that the Council secures best 'market value' in terms of cost and quality of service, driving out any potential cost savings
- Provide equality of opportunity to the external providers
- Provide a more robust mechanism to avoid non-compliance and negate use of spot contracts; thereby reducing scope for inequality of access and outcomes
- Ensure contracts are legally compliant through a robust and transparent commissioning process

It is anticipated that the Framework will be procured in May 2019. Once the Framework is implemented, it is anticipated that an approved lotting and procurement process and timetable will facilitate the procurement of new contracts.

Tudalen 19

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
Version 1	Sue Hall	Project and Contract Officer	29/04/19

2. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
N/A	TBC	£	£	£	£

3. Consultation requirements

Consultation Requirement	Consultation deadline/or justification for no consultation
No consultation required (please provide justification)	This proposal is to improve and support internal commissioning processes and management and does not require consultation.

4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety, Corporate Parenting and Data Protection?)

PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY

- 1) **PCC legal/Financial/HR services:** Inform and engage them of/in the Supported Living Framework (SLF); the rationale for its use and anticipated outcomes and issues/risks.
- 2) **Commercial/Procurement/Commissioning services:** Ensure involvement and support in the planning, implementation and management of the framework and subsequent monitoring of supported living tenancies.
- 3) **Service User Forums (LD):** Inform residents and families of the SLF as appropriate
- 4) **AMs/PMs/Members:** Approval and ongoing communication of the SLF, rationale and anticipated outcomes
- 5) **Community Sector (especially LD services):** Inform them of the SLF, rationale and anticipated outcomes
- 6) **Powys Teaching Health Board:** Inform them of the SLF, rationale and anticipated outcomes.
- 7) **Care Inspectorate Wales (CIW):** Inform them of the SLF, rationale and anticipated outcomes and ensure compliance with CIW regulations etc.
- 8) **Community Health Councils (CHCs):** Inform them of the SLF, rationale and anticipated outcomes
- 9) **Social workers, care staff, senior practitioners and managers across adult learning disabilities services:** Inform them of the SLF and inter-related projects including the Supported Living Review, Accommodation and Ordinary Residence Reviews.
- 10) **Information, advice and assistance services** (including Powys People Direct): Awareness of the SLF and in a position to advise and refer and/or signpost individuals to the allocated social work staff unless the query is SLF related.
- 11) **Supported Living Providers:** Inform them of the SLF, rationale and anticipated outcomes and any potential impact on contract and service delivery.
- 12) **Supported Living Accommodation Providers:** Inform them of the SLF, rationale and anticipated outcomes and any potential impact on contract and service delivery.

Tudalen 20

5. How does your proposal impact on the council's strategic vision?

Council Priority	How does the proposal impact on this priority?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 21</p> <p>The Economy We will develop a vibrant economy</p>	<ul style="list-style-type: none"> • Supports a local and more cost effective and prudent Service Model and Specification • Supports range of providers (locally and nationally) • Offers degree of stability and certainty to commissioners and providers, and service users, families and carers • SMARTer use of money/savings to all parties in time and cost of repeat bidding • Scope for achieving economies of scale • Supports the procurement of SL services through the allocation of lots/mini-competitions 	<p style="text-align: center;">Good</p>	<ul style="list-style-type: none"> • Ensure sufficient resources for a dedicated framework manager and effective contract management • Communication/transparency with all the stakeholders on what the PCC is doing and why (i.e. SLF Communications Plan) • Provide as much information and certainty as possible about the requirement including a new service specification • Provide sufficient time to utilise the learning and outcomes from the Supported Living Review – prior to the contracts being published • Ensure adequate time is provided between Framework ‘awards’ and contract(s) tender to optimise interest and submission of bids • Support the co-production of SMARTer service provision • The application of LTR which could be justification for longer term contracts on top of the Framework maximum of 4 years. And, contractually binding at ‘Call off’ stage, enables multiple ‘call offs’ and there are specific procurement directive requirements • Ensure contingency plans are in place in response to Brexit outcome as directed by PCC/Welsh Government • Assess/scope market place and capacity for achieving economies of scale • Clarity regarding how fees/charges/funding source are set (e.g. fee setting toolkit) including a clear position regarding night -time payments (in accordance with Law/High Court Ruling) 	<p style="text-align: center;">Very Good</p>

Council Priority	How does the proposal impact on this priority?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Tudalen 22 Health and Care We will lead the way in effective, integrated rural health and care	<ul style="list-style-type: none"> • Supports the early promotion and response of/to the new SL Service Specification and outcomes focussed provision/services • Supports the co-production across all aspect of the Supported Living provision • Addresses the outcomes/needs of the Supported Living Review, population data, demand and service user/carer surveys and feedback • Potential changes to resourcing of SL accommodation 	Neutral	<ul style="list-style-type: none"> • Outcomes focussed Service Specification • Partnership working and co-production across/with key stakeholders to improve SL services • Increase opportunities for joined-up, co-ordinated and collaborative working to support and optimise independency • Ensuring cross references with related/inter-dependent LD work/projects • Development of SL Accommodation Commissioning Protocol (including Out of County Placements/Transition/Void Management/Ordinary Residence) • Engage and work together with key health commissioning personnel 	Good

Council Priority	How does the proposal impact on this priority?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Learning and skills We will strengthen learning and skills	<ul style="list-style-type: none"> Provides clarity and helps providers to plan and prepare a 'fit for purpose' workforce in response to the framework and new service specification Supports PCC procurement and commissioning (including contract management) to secure and manage SL contracts The Framework may result in provider/workforce change involving TUPE 	Neutral	<ul style="list-style-type: none"> Quality leadership across commissioning and operational services SMART approaches and best practice with regard to procurement and commissioning practices Evidenced-based procurement and commissioning practices Continual learning from feedback, suggestions and complaints Cross references and learning with/from key interdependent commissioning projects to help realise cross cutting outcomes Joined up and integrated working and co-production across key project stakeholders (include in SLF Communications Plan) Ensure adequate lead-in time will need to be provided to support transition/handover/continuity of services as/if necessary to new providers and consequently support to workforce changes 	Good

Tudalen 23

Tudalen 24

<p>Residents and Communities We will support our residents and communities</p>	<p>The Framework:</p> <ul style="list-style-type: none"> • Supports the new service specification that focuses on outcomes for individuals- personalised and local services (doing 'what matters') • Facilitates the procurement of the right service and the right time in the right place • Is locality based to optimise integration, access to and provision of services/support • Facilitates the procurement of services based on shared and best practice principles including personalisation/promoting independence and healthy lifestyles/progression/choice/ voice and control • Provides clarity and transparency about the intentions/procurement /provision of SL services in Powys • May cause uncertainty amongst current service users/carers/ families in relation to potential change in service/staff • Needs to consider the role of advocacy and potential impact of the introduction of Statutory Independent Advocacy Service (April 2019) 	<p>Neutral</p>	<ul style="list-style-type: none"> • Communication/transparency with all the stakeholders (providers/families/carers/ service users/social workers/day centre staff/property landlords) throughout the procurement process (SLF Communications Plan) • Continual learning from feedback, suggestions and complaints • Ensure adequate lead-in time provided to support transition/handover/continuity of services as/if necessary to new providers • Service Specification to be outcomes focussed with principles and objectives that reflect REACH Standards of Supported Living • Contract 'lots'/'mini-competitions locality focused and cognisant of inter-dependant SL work (including Out of County Placements/ Transition/Void Management/Ordinary Residence) • Awareness of IPA required, although it is unlikely this will impact/delay the SLF delivery - especially as service users are likely to have an advocate in place already 	<p>Good</p>
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Source of Outline Evidence to Support Judgements

- Accommodation and Support for a Good Life (Supported Living / Supported Housing) <https://www.idw.org.uk/wp-content/uploads/2019/03/executive-summary.pdf>
- EU Public Contracts Regulations 2015 (PCR 2015) <https://www.gov.uk/guidance/public-sector-procurement-policy>
- Framework Agreements: Procurement Advice Note (PAN) for the Welsh Public Sector (2017) <file:///Z:/Commissioning/frameworkpanfinal26may2017english.pdf>
- A guide to Dynamic Purchasing Systems within the public sector https://www.local.gov.uk/sites/default/files/documents/4%2030%20DPS%20Guidance_04_Web.pdf
- A commissioning framework for Kent County Council [file:///Z:/Commissioning/Kent%20Commissioning-Framework%20\(2014\).pdf](file:///Z:/Commissioning/Kent%20Commissioning-Framework%20(2014).pdf)
- Pan-Lancashire Transforming Care Partnership: Supported Living Framework <file:///Z:/Commissioning/Pan-Lancashire%20Transforming%20Care%20Partnership%20supported%20living%20framework.pdf>
- Leicestershire Supported Living Framework: Equality & Human Rights Impact Assessment (EHRIA) <file:///Z:/Commissioning/Leicestershire%20supported-living-framework-ehria.pdf>

The Joint Commissioning Strategy: Adults with Learning Disabilities in Powys (2015-2020) provides a clear direction regarding the future planning and delivery of services for adults with a learning disability who live within or have services commissioned by Powys. It describes the core principles that are fundamental to service provision and outlines the key issues that need to be addressed in forthcoming years in order to deliver high quality, safe and cost effective services including:

- **Legislative duties** – PCC need to respond/comply with key LD related legislation including the Social Services and Well-being Act 2014 which is influencing all elements of adult social care practice and the Court of Appeal (July 2018) ruling on allowances for night time work.
- **Demography** - The number of people in Powys with a learning disability is increasing, particularly in the older age categories and this has significant implications for the type and volume of support likely to be needed in the future.
- **What people have said** – People have identified clearly what their priorities (which have been incorporated into strategy and plans), are and that they wish to be involved in choosing their services and support.
- **Financial resources** – The financial climate is difficult and not likely to improve in the foreseeable future. Reductions in spending have been made and further reductions are likely. In the interests of fairness and equity, efficiency has to be a priority but may not alleviate all the reductions. Delivering cost effective services is a key priority.
- **Services** - Currently, there are many people are placed out of county. It is anticipated that by increasing opportunities for move-on from supported tenancies and the uptake of TEC as a result of this project there will be more capacity to enable people who are currently residing in out-of-county or in-county residential services to move closer to home. This would require an appropriate infrastructure within health and Adult social care to sustain them in local placements. Also, the choice and control that people have is limited due to the inflexibility of the current service model and a lack of options.
- **Research** - Just Checking Options Paper Dorset County Council – Learning Disability Service (September 2011) Argyll & Bute Council Delivering person-centred and technology-enabled care for people with learning disabilities (24 September 2018) James Mass and Harmindar Sangha) - Barnet Council, in collaboration with the PA Consulting led Argenti Care Technology Partnership Independent research and cost analysis of the use of Just Checking and the Just Right approach to identify appropriate levels of care for adults with learning disabilities. University of Birmingham Financial Analysis by KPMG (2016).

This strategy sits alongside a wider strategic framework, evidence and research. All are drawn together to make up the Corporate Improvement Plan is the Powys County Council (PCC) road map for Vision 2025, which sets out top priorities and milestones and seeks to draw a golden thread across all key strategic and planning arrangements. The Supported Living Review Project aligns with the CIP Vision 2025.

6. How does your proposal impact on the Welsh Government's well-being goals?

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Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>See 5.1 above</p>	<p>Good</p>	<p>See 5.1 above</p>	<p>Good</p>
<p>A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>Unknown</p>	<p>Unknown</p>	<ul style="list-style-type: none"> Scope and consider the inclusion of ways to support green and sustainable approaches within the new service specification: protecting the environment, minimising waste and energy consumption and using other resources efficiently, within providers' own organisations and within their supply chain, with the Service Specification/SL Contract 	<p>Neutral</p>

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Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p> <p>Public Health (Wales) Act, 2017: Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.</p>	<ul style="list-style-type: none"> • The Framework supports the new service specification that focuses on outcomes for individuals- personalised and local services (doing ‘what matters’) • It will facilitate the procurement of the right service and the right time in the right place • It will provide clarity and transparency about the intentions/procurement/provision of SL services in Powys 	Neutral	<ul style="list-style-type: none"> • Service Specification to be outcomes focussed including Service User/Carer/Citizen, service and systems outcome measures • Robust contract monitoring, data collection, collation and utilisation as part of the service specification outcomes • Transparent and consistent contract management • Consider if a Health Impact Assessment required 	Good
<p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p>	<ul style="list-style-type: none"> • See 5.4 above 	Good	As 5.4 above	Good

Tudalen 28

Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p> <p>Human Rights - is about being proactive (see guidance)</p> <p>UN Convention on the Rights of the Child: The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.</p>	<p>The Framework and Service Specification reflect corporate goals and SSWB Act requirements and principles highlighted above.</p>	<p>Good</p>	<p>As 5.1 above</p>	<p>Good</p>

Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.				
<i>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</i>	Current commissioning, LD services and social care practices support people to communicate in their preferred language and citizens are better able to access information, advice, assistance and advocacy in their preferred formats and to communicate in their language of choice. This is also reflected in the new SL Service Specification	Unknown	<ul style="list-style-type: none"> • Service Specification to be outcomes focussed including Service User/Carer/Citizen, service and systems outcome measures • Robust contract monitoring, data collection, collation and utilisation as part of the service specification outcomes • Transparent and consistent contract management 	Neutral
<i>Opportunities to promote the Welsh language</i>	As above	Unknown	As above	Neutral
<i>Welsh Language impact on staff</i>	As above	Unknown	As above	Neutral
<i>People are encouraged to do sport, art and recreation.</i>	Unknown	Unknown	As above	Neutral

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Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).				
Tudalen 30 Age	The SL Framework concerns adults (18+) with learning disabilities in supported living tenancies in Powys. Currently this is approximately 180 service users in 74 properties receiving support from 14 different providers	Good	<ul style="list-style-type: none"> • Ensure the data/information/learning and outcomes from the Supported Living Review inform the revised contracts in terms of right support/right sizing/right pricing • Service Specification to be outcomes focussed including Service User/Carer/Citizen, service and systems outcome measures • Robust contract monitoring, data collection, collation and utilisation as part of the service specification outcomes • Transparent and consistent contract management 	Good
Disability	As above	Good	As above	Good
Gender reassignment	Unknown	Unknown	TBC	Unknown
Marriage or civil partnership	Unknown	Unknown	As above	Good
Race	Unknown	Unknown	As above	Good
Religion or belief	Unknown	Unknown	As above	Good
Sex	Unknown	Neutral	As above	Good
Sexual Orientation	Unknown	Unknown	As above	Good
Pregnancy and Maternity	Unknown	Unknown	TBC	Unknown
Source of Outline Evidence to support judgements				
SLF Business Case and Option Appraisal and Page 5 references above				

7. How does your proposal impact on the council's other key guiding principles?

Principle	How does the proposal impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Sustainable Development Principle (5 ways of working)				
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 31</p> <p>Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</p>	<p>The Framework:</p> <ul style="list-style-type: none"> • Supports the new service specification that focuses on outcomes for individuals- personalised and local services (doing 'what matters') • Facilitates the procurement of the right service and the right time in the right place • Facilitates the procurement of services based on shared and best practice principles including personalisation/promoting independence and healthy lifestyles/progression/choice/voice and control • Aims to support a vibrant economy (5.1 above), including the potential achievement of economies of scale, geographic development of Powys markets, influence the number of providers operating in individual communities, thereby increasing its influence over the sustainability of commissioned providers. • Support sustainable ways forward in terms of drawing on a range and flexible use of resources and funding sources on a local level (e.g. support and floating support in the locality), as well as provide locality support which may be required in neighbouring or other localities, complimentary 	Neutral	<ul style="list-style-type: none"> • SMART(er) Procurement and Commissioning Practices • Development of independent living and accommodation services • Improved data and real-time information across commissioning and service provision • Robust contract monitoring, data collection, collation and utilisation (including introduction of personal profiles for all services users and feedback questionnaires) • Transparent and consistent contract management • Ongoing monitoring, review and evaluation of SLR • Service User/Carer/Citizen, service and systems outcome measures • Increase in digital solutions that will enable sustainable and more effective social care provision • Responsive to and plan for demographic changes affecting learning disabilities service provision 	Good

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Principle	How does the proposal impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>Collaboration: <i>Working with others in a collaborative way to find shared sustainable solutions.</i></p>	<ul style="list-style-type: none"> The development of the Framework has been supported through collaboration and partnership working with key stakeholders – SL Providers and internally with commercial and commissioning services. It is anticipated that this will not change, rather be reinforced 	<p>Good</p>	<ul style="list-style-type: none"> Continued partnership working and co-production across/with key stakeholders to improve SL services Increase opportunities for joined-up, co-ordinated and collaborative practices to support and optimise independency Ensuring cross references with related/inter-dependent LD work/projects (as 5.2 above) 	<p>Good</p>
<p>Involvement (including Communication and Engagement): <i>Involving a diversity of the population in the decisions that affect them.</i></p>	<ul style="list-style-type: none"> As above Consider Service user/carer/family engagement, involvement with regard the re-tendering of the SL contracts 	<p>Good</p>	<ul style="list-style-type: none"> Communication/transparency with all the stakeholders (providers/families/carers/service users/social workers/day centre staff/property landlords) throughout the procurement process (Communication Plan) Continual learning from feedback, suggestions and complaints Ensure adequate lead-in time provided to support transition/handover/continuity of services as/if necessary to new providers 	<p>Good</p>

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Principle	How does the proposal impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>Prevention: <i>Understanding the root causes of issues to prevent them from occurring.</i></p>	<ul style="list-style-type: none"> The Framework aims to address the outcomes/needs of the Supported Living Review, population data, demand and service user/carer surveys and feedback (page 6 above) The SLR project is currently providing improved data, its collection, collation and utilisation (including introduction of personal profiles for all services users and feedback questionnaires) to provide real-time information to support and enhance SMART commissioning and service provision 	<p>Good</p>	<ul style="list-style-type: none"> Ensure the data/information/learning and outcomes from the Supported Living Review inform the revised contracts in terms of right support/right sizing/right pricing Ensure adequate time is provided between Framework 'awards' and contract(s) tender to optimise interest and submission of bids Ensure adequate lead-in time provided to support transition/handover/continuity of services as/if necessary to new providers Ensure Service Specification is outcomes focussed including Service User/Carer/ Citizen, service and systems outcome measures Robust contract monitoring, data collection, collation and utilisation as part of the service specification outcomes Transparent and consistent contract management 	<p>Very Good</p>

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Principle	How does the proposal impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<p>Integration: <i>Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i></p>	<p>The SL Framework reflects the specific and wider strategic context as outlined in the evidence provided above (page 6)</p>	<p>Good</p>	<ul style="list-style-type: none"> • Quality leadership across commissioning and operational services • SMART approaches and best practice with regard to procurement and commissioning practices • Evidenced-based procurement and commissioning practices • Continual learning from feedback, suggestions and complaints • Joined up and integrated working and co-production across key project stakeholders • Cross references and learning with/from key interdependent commissioning projects to help realise cross cutting outcomes 	<p>Very Good</p>
<p>Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty.</p>	<ul style="list-style-type: none"> • Supports the new service specification that focuses on outcomes for individuals- personalised and local services (doing 'what matters') • Facilitates the procurement of the right service and the right time in the right place • Facilitates the procurement of services based on shared and best practice principles including personalisation/promoting independence and healthy lifestyles/progression/choice/voice and control/prevention of homelessness and poverty 	<p>Neutral</p>	<ul style="list-style-type: none"> • Continue to work in accordance within the context highlighted on page 6 above and the principles and outcomes indicated in the revised service specification are implemented, achieved and sufficiently monitored • See 7.5 above 	<p>Good</p>

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Principle	How does the proposal impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account	Unknown	Unknown	Engage with key stakeholders (and local carers organisations) to scope and join up current work/practices and/or identify gaps from which to ensure engagement and involvement of unpaid carers	Good
Safeguarding: Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	<ul style="list-style-type: none"> Current LD services and social work/PCC practices have been integrated/part of the revised service specification to reinforce and ensure safeguarding is core business. 	Good	As 7.5 above	Good
Impact on Powys County Council Workforce	<ul style="list-style-type: none"> Commercial and commissioning, HR, finance and legal services will need to be confident and competent to manage the establishment and implementation of the Framework The Framework may result in provider/workforce change involving TUPE for two of the current SL properties Social workers, care staff, senior practitioners and managers across adult learning disabilities services. 	Good	<ul style="list-style-type: none"> Engage and involve staff at appropriate stages of the commissioning process and in the Steering Group as necessary if not already involved Consult and engage PCC SL provider staff as/when necessary/advised Inform relevant social care staff of the SLF and inter-related projects including the Supported Living Review, Accommodation and Ordinary Residence Reviews 	Good
Source of Outline Evidence to support judgements				
SLF Business Case and Option Appraisal and Page 5 references above				

8. What is the impact of this proposal on our communities?

Severity of Impact on Communities	Scale of impact	Overall Impact
Medium	Medium	Medium
Mitigation		
See 7.1 above. The Framework will improve the current support individuals receive to meet their outcomes, but it is hoped in a more cost effective environment and to support the efficiencies and so have a sustainable approach to the local economy and communities.		

9. How likely are you to successfully implement the proposed change?

Impact on Service / Council	Risk to delivery of the proposal	Inherent Risk
High	High	High
Mitigation		
Very likely, although the financial cost is unknown.		

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
1. Timescales need to ensure: <ul style="list-style-type: none"> Outcomes and learning from SLR are incorporated into the new service specification and contracts Those providers securing a place on the Framework have adequate time for engagement, consultation and submission on/of the 'Lotting'/'Mini-competition contracts 	Very High	<ul style="list-style-type: none"> Provide sufficient time to utilise the learning and outcomes from the Supported Living Review – prior to the contracts being published for re-tender Ensure adequate time is provided between Framework 'awards' and contract(s) tender to optimise interest and submission of bids Ensure adequate lead-in time will need to be provided to support transition/handover/continuity of services as/if necessary to new providers and consequently support to workforce changes Engagement and communication with key stakeholders (SLF Communications Plan) 	Medium

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2.	Transition of support	Very High	<ul style="list-style-type: none"> Ensure adequate lead-in time provided to support transition/handover/continuity of services as/if necessary to new providers 	Low
3.	Cost of right pricing	Very High	<ul style="list-style-type: none"> Provide sufficient time to utilise the learning and outcomes from the Supported Living Review – prior to the contracts being published for re-tender Clarity regarding how fees/charges are set (e.g. fee setting toolkit) including a clear position regarding night -time payments (in accordance with Law/High Court Ruling) and outcomes of the SLR Engage and work together with key health commissioning personnel to support right pricing/funding source 	High
4.	Engagement, involvement and communication of/with key stakeholders	High	<ul style="list-style-type: none"> Develop and implement SLF Communications Plan 	Medium
5.	Potential transition of workforce	High	<ul style="list-style-type: none"> Ensure adequate lead-in time will need to be provided to support transition/handover/continuity of services as/if necessary to new providers and consequently support to workforce changes 	Medium
6.	Adequate/consistent resources (workforce/time) to support the delivery of the SLF within given procurement and commissioning timescales	Medium	<ul style="list-style-type: none"> Ensure sufficient resources/time for a dedicated framework manager and staff for effective procurement and contract management 	Low

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7.	Impact of Brexit	Unknown	<ul style="list-style-type: none"> Unknown, but the SLF and subsequent re-tendering and procurement of SL services will need to be cognisant of the potential impact of Brexit and ensure contingency plans are in place as directed by PCC/Welsh Government 	Unknown
8.	Learning from/integration with interdependent projects not realised (SLR/review of out of county placements/transitions/ ordinary residence/PCC TEC Programme)	High	<ul style="list-style-type: none"> Co-ordinated and integrated partnership working and co-production across key project stakeholders and, cross references and learning are made with/from key interdependent commissioning projects established in project development Provide sufficient time to utilise the learning and outcomes from the Supported Living Review – prior to the contracts being published for re-tender Development of SL Accommodation Commissioning Protocol (including Out of County Placements/Transition/Void Management/Ordinary Residence) 	Medium
9.	Impact of the introduction of Statutory Independent Advocacy Service (April 2019)	Low	<ul style="list-style-type: none"> Awareness required, although it is unlikely this will impact/delay the SLF delivery - especially as service users are likely to have an advocate in place already 	Low
Very High Risk		High Risk	Medium Risk	Low Risk
		X		

10. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:	Delegated Decision (05/04/19)
This impact assessment has highlighted the impacts/issues anticipated in relation to the application of a Framework for the procurement of supported living accommodation. Section 9 provides a summary of the impact/issues and mitigating action that is recommended to support the establishment of the Framework.		

11. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?

All evidence highlighted above. And, the minutes and recommendations of the Health and Care Scrutiny Committee held at Council Chamber, County Hall - County Hall, Friday, 5 April 2019

12. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?
Fortnightly SLF Steering Group Meetings/Communication Monthly Corporate Improvement Plan Reports Reporting to Livewell Accommodation Group and Livewell Board
Please state when this Impact Assessment will be reviewed.
TBC – Post Framework Award

13. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	Rachel Evans / Dave Moddy		
Head of Service:	Dylan Owen		
Director:	Alison Bulman		
Portfolio Holder:	Stephen Hayes		

14. Governance

Decision to be made by	Council	Date required	XXX
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FORM ENDS

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol