

Safeguarding and Education Overview and Scrutiny Committee – 12th September 2024

Recommissioning Options for Childrens Community Support (including domiciliary care)

Recommendations

I recommend that the Committee:

- a. Supports the open framework approach and implementation of a Flexible Framework (including delegated approval to relevant officers to award associated contracts) detailed in the costed Options Appraisal in accordance with the Procurement Act 2023, to procure a new commissioned childrens community support (including domiciliary care) service, at optimal value for money commencing from October 1st 2025;
- b. Supports the proposal that approval be granted to the Director of Children’s Services, in consultation with Cabinet Member for Children and Young People to make a delegated decision to extend the contract as per for Contract Particulars for the extension periods after the initial term of the contract. The initial term of the contract will be for two years, to 1 October 2025 to September 2027, with two potential extension periods of 12 months (to 30 September 2028) and 12 months (to 30 September 2029).
- c. That delegated authority for alternative approval of individual call-off contracts will be sought as per D13.5 of the Council’s Procurement Regulations
- d. Fully supports and endorses the option to recommission the new Children’s Community Support Service via a new open framework from 1 October 2025, based on option 3.

Local Member Interest:

N/A

Report of Cabinet Member for Children and Young People

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. Support the open framework approach and implementation of a Flexible Framework in accordance with the Procurement Act 2023 (including delegated approval to relevant officers to award associated contracts) to secure the required provision (Children's Community Support, including Domiciliary Care) at optimal Value for Money commencing from 1 October 2025.
2. Supports the proposal that approval be granted to the Director of Children's Services, in consultation with Cabinet Member for Children and Young People to make a delegated decision to extend the contract as per the Contract Particulars for the extension periods after the initial term of the contract. The initial term of the contract will be for two years, from 1 October 2025 to 30 September 2027, with two potential extension periods of 12 months (to 30 September 2028) and 12 months (to 30 September 2029).
3. That delegated authority for alternative approval of individual call-off contracts will be sought as per D13.5 of the Council's Procurement Regulations.
4. Endorse the option to expand the existing step up/step down service for the future Children's Community Support Flexible Framework.
5. The observations and comments of the Overview and Scrutiny Committee will be reported to the Cabinet at their meeting on 20th November for them to take into account in their consideration of this matter.

Reasons for Recommendations:

6. The current arrangements for Children's Community Support expire on the 30 September 2025.
7. Ability to better meet the needs of Children and Young People within the Councils area of responsibility and within the existing affordability financial envelope.
8. Allowing for different levels of support within one contracting arrangement, resolving the current service issues
9. Access to a wide range of providers with various specialisms ensuring we can respond appropriately to the needs of Children and Young People and fulfil our statutory duties.

Report

Background

10. In Staffordshire there are around 17,000 Children and Young people with SEND living with their families who need support to remain together at home, in the family unit. It is recognised that early help and support is vital to help families stay together and sustain their own caring responsibilities.
11. 7,000 of these Children and Young People have an Education Health and Care Plan (EHCP) maintained by the Council and around 550 have been assessed as needing support from the Children with Disability Social Care teams.
12. As of August 2024, 208 of these Children and Young People access support via the existing Children's Community Support Flexible Framework (including domiciliary care), 163 receiving statutory support.
13. Children and Young People who receive this support have a range of needs, this includes physical and learning Disabilities, autism and have behaviours that challenge.
14. The Council's involvement with families and children needs to be reliable, relevant and meet children and their family's needs. .
15. The existing Children's Community Support Flexible Framework (including domiciliary care) expires on 30th September 2025

Statutory Duties

16. The Council's legal duties in relation to Community Support (including Domiciliary Care) are set out in.
 - a. Section 17 & 20 of the Children Act 1989
 - b. The Chronically Sick & Disabled Persons Act 1970
 - c. The Children & Families Act 2014
 - d. The SEND Code of Practice 2014
 - e. The Breaks for Carers of Disabled Children Regulations 2011
17. The Council must ensure appropriate provision is in place to support Children and Young People with a range of disabilities, who have been assessed by Childrens Social Care, as being eligible for personal care services within the family home and their local community.

Current arrangements

18. The current Children's Community Support Flexible Framework ('the Framework') has 28 Providers who provide tailored packages of support to eligible Children and Young People.
19. There are 4 different Framework 'Lot's' which can be categorised into different care types (see appendix 3 – Framework 'lots').
 - a. Lot 1. Life Skills and Independence – this is the only element of the Framework that does not require a social care assessment and is not a statutory service. This support provides a 'bridge' between the short breaks activities and statutory social care support of Lots 2,3 and 4.
 - b. Lot 2. Community & Home Care Support Socialisation
 - c. Lot 3. Sitting Service
 - d. Lot 4. Urgent & Complex Care
20. The Framework operates across the 8 districts of Staffordshire. Providers offer support in their chosen districts and according to their specialism, therefore not all Framework Providers support in each district and/or each 'Lot.'
21. The value of the current framework is circa £3m.
22. In 2023 the Framework was reopened with the view to create additional capacity and increase the volume of Framework providers. This was successful and means that the Council are no longer reliant on high cost off-contract providers. This supports the Council's ambition of ensuring packages of support are quality assured and value for money. Families also have choice due to the increased number of providers on the framework.
23. While the number of Children and Young People receiving the statutory element of support has increased by 207%, the spend has only increased by 20% with the cost per Child / Young Person decreasing from £12,343 to £4,547 PA. This has been achieved through the reduction in off contract provision.
24. Offering early support from Lot 1. Life Skills and Independence have proven successful in preventing the need for intensive high-cost S17 support and allowing Children and Young People to transition to short break activities in their community.
25. The time taken to arrange provision from the date of initial referral has reduced from an average of 114 days to 2 days.

26. The voice of families has been put at the heart of the service with the introduction of a complaints process and a family feedback survey.
27. Links have been nurtured with Adult Social Care to 'Prepare for Adulthood' with clarity of support, shared best practice and knowledge. 21% of our current Children and Young People accessing community support turn 18 in the next 3 years.
28. This provision plays an extremely important part in helping reduce or prevent unplanned entry to care for Children and Young People in receipt of support, by helping families sustain their own caring responsibilities. It is recognised that early help and support is vital to help families stay together and the cost of this type of care is very much more effective than residential care.

Rationale for proposed changes

29. Demand for this service has increased significantly over the last 3 years. In 2020-21, 56 Children and Young People were in receipt of home care and community support packages. This compares to 90 in 2022-23 an increase of 61%. A total of 130 was forecast for 2023/4 and 151 actual support packages were in place an increase of 68% year on year.
30. With 163 Children and Young People already receiving statutory element of support in 2024/5 an additional 30 support packages are forecast for the remainder of the year (above natural migration) – growth of 28% year on year. See Appendix 5 for Lot 1 budget.
31. Some of this growth is due to the improvement in medical interventions and health support which are enabling some Children and Young People with highly complex, life-limiting conditions to live longer than they would have done even a few years ago. This is reflected in the increase in Lot 4 provision. However, Lot 4 is also supporting many Children and Young People with needs which are currently unmet, and the proposed changes would offer more provision to support challenging behaviours, edge of care and complex care.
32. Over the last 12 months there has been a significant increase in the use of the Framework to meet the needs of Children and Young People with unmet needs. Carers are now being utilised in other settings to help with overnight support, school attendance and intensive packages of support to keep families together and prevent children coming into care. The growing requests from outside the CDS teams means the framework needs to adapt to support services with the clear objective of earlier support and keeping families together.

33. Similarly, the number of Children and Young People are increasing who require specialist support such as PEG feeding, catheter management, manual handling, tracheotomy support as well as a knowledge and training in a variety of medical conditions. More specialist care and nursing staff are required to support these families.
34. Due to the current specification, there are a limited number of Providers with care staff who are trained to care for children whose behaviour is challenging to manage. The development of the new specification will incorporate these requirements meaning the Framework will be better equipped to support these Children and Young People.
35. Support for Children and Young People with behaviours that challenge has increased over the last 3 years, accelerated by the impact of the pandemic, with carers required to have breakaway, de-escalation and restraint training.
36. More work is being done to analyse the needs of these Children and Young People to determine how we can improve the support we offer them and how we can prepare adult services for the support they need to put in place for transition. The break clauses in the proposed contract will allow time to develop approaches around need.
37. Capacity in the social care sector continues to be a challenge. The impact of the pandemic has increased the void of skilled workers. This is further exacerbated in the childrens market due to the hours of care required (before and after school). Many providers have sought to support in both adults and childrens markets as it enables carers to work throughout the day, supporting adults during school time and C/YP before and after school. However, the two markets are vastly different and there are many factors in childrens care that support workers from the adult market are not aware of or able to adjust to.
38. Some providers have sought to fill capacity by obtaining sponsorship licences. While this increases volume it does not always translate to increased quality of care.
39. Recruitment of skilled staff remains a risk, particularly where wages are often poor which devalues such an important service. Consideration of development of more in-house provision would give opportunities for better involvement and ease of awareness of the service provided.

Options Appraisal

40. Considering the data and evidence collated and the current market dynamics, the following options have been evaluated to develop the service from October 2025.
41. Each option was evaluated based on the following outcomes:
- a. Enables delivery of statutory duties and responsibilities
 - b. Supports with the delivery of strategy objectives/priorities.
 - c. Financially sustainable and value for money
 - d. Offers social value by supporting to increase individual and community resilience.
 - e. Manages operational and reputational risk



No:	Option:	Strengths:	Opportunities:	Risks:	Cost per annum
1	<p>Option One: Continue with current commissioned services i.e. framework and independence programme in current format of care types.</p>	<ul style="list-style-type: none"> ▪ Continues to meet statutory duties for Children’s Community Care. ▪ SCC is compliant with appropriate requirements as outlined in guidance, regulation and legislation, including those set out in the Children Act 1989, Working Together to Safeguarding Children (2013) and the Children & Families Act 2014. ▪ Allows for moderate levels of access. ▪ Has been effective in supporting some children and young people. ▪ Creates an outcomes commissioning environment that can secure value for money through better relationships with other bodies: public, private and voluntary. ▪ Offers value for money in challenging market environments. ▪ Promotes responsible commissioning in terms of addressing social, economic and environmental issues, equality and diversity. ▪ Helps deliver a consistent shared understanding of Staffordshire’s Vision, Values and Principles for delivering Children’s Domiciliary Care. 	<ul style="list-style-type: none"> ▪ Ensure the market has the right skills, knowledge, and experience to provide high quality support and care which is focused on outcomes as opposed to “time and task.” Deliver outcomes based, individual bespoke results. ▪ Providers can excel in a specific area of the care market. ▪ Providers can enter the market at different levels of involvement. 	<ul style="list-style-type: none"> ▪ Does not meet the needs of all children’s/young persons. ▪ Cannot increase or decrease support easily, in line with the needs of the individual. ▪ May still require some packages sourced off the framework. (especially complex care) ▪ Relatively low numbers of children, young people and families requiring Community Support Services has made it difficult to encourage providers to enter the market as it is difficult to provide assurances on volumes and likely demand. ▪ More complex providers offer hours above the assessed need, as agencies block charge for 3-4 hours minimum, irrespective of the requirements of the care plan. ▪ Framework does not allow for additional providers to join in the same way as a DPS. ▪ C/YP information on different systems i.e. Capita and CareDirector with no overall “vision” 	<p>Community Care = £800k</p> <p>Life Skills & independence = £150K</p> <p>Total = c£950K</p>

		<ul style="list-style-type: none"> Ensure openness, transparency and value for money, at all times, through the application of consistent commissioning standards and approaches across the commissioning of children's care needs. Offer payment by results. 			
2	<p>Option Two: In House Delivery Children's Community Care is provided directly by SCC through the Children & Families System. This provides an increased opportunity for SCC to maximise the resources available to Children's Community Care to ensure affordable, accessible, efficient,</p>	<ul style="list-style-type: none"> Continues to meet statutory duties for Children's Home Care. Provides the Local Authority control to ensure fast and response services, which have a consistent level of quality. SCC is compliant with appropriate requirements as outlined in guidance, regulation, and legislation, including those set out in the Children Act 1989, Working Together to Safeguarding Children (2023) and the Children & Families Act 2014. Enables SCC to develop a workforce with specific skills, knowledge and experience in order to meet the specific needs of individual children, young people and families. Deliver services that meet the holistic needs of children, young people and families. Seek to improve services through innovation. 	<ul style="list-style-type: none"> Market facilitation in order to meet the holistic needs of children, young people and families. SCC can support the market to capture and share market intelligence in order to influence and support market development. Ensure the market has the right skills, knowledge and experience to provide high quality support and care which is focused on outcomes as opposed to "time and task." Enables SCC to develop robust Quality Assurance and contract management. 	<ul style="list-style-type: none"> Relatively low numbers of children, young people and families requiring Community Support Services may make it difficult to develop an internal service delivery model which is sustainable. An internal delivery model may lead to increased staffing costs leading to the total spend on Children's Community Care increasing (because of the uncertain nature of demand). An internal service would lead to challenges in the delivery of specialist specific services to meet the holistic care children, young people and families which would normally be provided by specialist providers. C/YP moving above tier 2 unnecessarily if integrated into SCC services. 	<p>£650k (Not inclusive of additional costs if emergency /on call care staff required, or specialist training costs)</p> <p>+£150k 1-1 Life skills & Independence</p> <p>=£800K</p>

	<p>outcome focussed, flexible and high-quality care services to meet the individual assessed needs and demonstrate progress towards agreed outcomes. This option suggests that the service would be fully integrated with the wider Children & Families System.</p>	<ul style="list-style-type: none"> ▪ Allows SCC more control over quality, cost and capacity within the marketplace. 	<ul style="list-style-type: none"> ▪ Allows SCC to access emergency support packages. ▪ Local delivery of services 	<ul style="list-style-type: none"> ▪ Could still become reliant on non-framework provision due to breadth of need in Childrens market. ▪ Difference of approach to ASC makes transition difficult for CYP 	
3	<p>Option Three: Expanding the existing step up/down service, To be delivered by a range of providers which</p>	<ul style="list-style-type: none"> ▪ Continues to allow access at different levels of support but expands the Lots to be clearer. ▪ Access to a wider range of providers ▪ Flexibility to step up/down support as required across all community support. 	<ul style="list-style-type: none"> • Encourages more providers who can offer differing levels of support onto the framework, could also lead to providers wishing to ‘upskill’ carers to obtain more packages, enabling 	<ul style="list-style-type: none"> • Could mean reduced volumes for agencies through more Lots. • Potential for framework to mask resource challenges in other services 	<p>Community Care = £800k</p> <p>Life Skills & independence = £150K</p> <p>Total = c£950K</p>

	includes complex care/needs.	<ul style="list-style-type: none"> ▪ More choice of service types to offer families. ▪ Potential cost saving by decreasing duplication of services. ▪ Ability to meet the needs of more children using less resources. ▪ Enabling CYP with complex needs to access other family services (HAF/Aiming High) with support from framework much like a TA in school. ▪ offer more provision to support challenging behaviours, edge of care and complex care. ▪ Introduce more centre-based providers – lower cost, stable support, increases independence, less intrusive for families. ▪ Introduce overnight Lot – if required this would mean a fixed cost instead of additional costs. ▪ Introduce nursing Lot – again, a fixed cost via the framework. ▪ Introduce emergency care – short intensive support to keep families together. Accessed by the AST teams – shorter notice period reflecting timeframe. Avoid emergency high cost off contract and/or longer-term placement costs. ▪ Offers real choice to families 	<p>greater financial security.</p> <ul style="list-style-type: none"> • Opportunities for joint working across organisations as children step up and down the service. ▪ Competitive costings as the number of providers who can offer support will be greater. ▪ Providers can excel in a specific area of the care market. ▪ Providers can enter the market at different levels of involvement. 		
4	Option Four: Aligning children's community care	<ul style="list-style-type: none"> ▪ Access to a bigger market of providers, more choice for families ▪ Bigger pool of care staff, to meet growing demand. 	<ul style="list-style-type: none"> ▪ Encourages more providers to engage further with the delivery of children's care. 	<ul style="list-style-type: none"> ▪ Lack of continuity of care for our children's families due to the upskilling of the staff within each provider 	17.89 (adult framework provider rate) x hours of care =

	<p>with adult framework, children's community support framework is an additional part of the adult's domiciliary care framework.</p>	<ul style="list-style-type: none"> ▪ Allows joint working across SCC children and adults, enabling fluidity when transitioning to adulthood (Preparing for Adulthood Pathway) ▪ Creates more competition within all age care market, helping to drive down costs, whilst encouraging a high quality of service ▪ Consistency in regulatory body i.e.CQC 	<ul style="list-style-type: none"> ▪ Encourages current adult providers to 'upskill' current carers i.e. complex health children's packages. ▪ Learning and development opportunities for carers 	<ul style="list-style-type: none"> ▪ Difference of care offering for CYP compared to adults. Many staff prefer one or the other to suit personal circumstance/training/interest. ▪ Systemic quality issues identified in adults may filter into children's services due to factors such as a high turnover of staff and increased pressure with stretched capacity. ▪ Currently, commissioning cycles with adults SCC not aligned. ▪ Already targeted ASC providers to join Childrens framework and only a handful are on both. Loss of quality childrens agencies. 	<p>£513K (figure IF all hours of care were delivered at framework rate) + 1.1 Lifeskills budget of up to £150K</p> <p>=£663k total</p>
5	<p>Option Five: One lead provider to deliver all services for children with SEND across a range of needs.</p> <p>Step up/down service all lots to be delivered by one lead provider.</p>	<ul style="list-style-type: none"> • Continues to allow access at different levels within the service. • Flexibility to step up/down support as required across all community support. • One singular point of contact for practitioners. • Continuity of care for children/young people and their families • Enables the delivery of a personalised bespoke service. 	<ul style="list-style-type: none"> ▪ Ability to enhance quality by directly working with one singular organisation/provider. ▪ Capital investment for one service that can utilise funding in a proactive way, ensuring quality services can be delivered in terms of the number of skilled staff working in the service. 	<ul style="list-style-type: none"> ▪ Potentially a significant financial risk for SCC and families supported by the service should there be quality concerns/provider breakdown. ▪ Limits engagement with wider care markets ▪ Lack of market stimulation and growth ▪ Cost of management fee for one provider to coordinate all care and support. ▪ Limits choice for families 	<p>£750k</p>

			<ul style="list-style-type: none"> ▪ Opportunity to enhance all staff skill set, within lead provider. ▪ Enables SCC and families to build a strong rapport with the provider. ▪ Allows SCC to establish key contract management and delivery. 		
6	<p>Option Six A hybrid of Option 2 and 3 with Lifeskills in house and Statutory Support agencies by</p>	<ul style="list-style-type: none"> • One singular point of contact for practitioners for Life skills and Independence • Opportunity to expand Lifeskills & Independence beyond CDS into CIC, EHE and other C&F services for holistic approach. • Statutory provision includes all strengths of Option 3 	<ul style="list-style-type: none"> • Soft build into full in-house service building capacity and learning. • Spreads risk. • SCC responsible for market development and build capacity in required/focused areas rather than dependent on provider locations. • Statutory provision includes all strengths of Option 3 	<ul style="list-style-type: none"> • Additional resource required to deliver Lifeskills & Independence Programme. Recruitment across all districts may be a challenge and restrict accessibility to some families. • May weaken the link between short breaks and statutory support 	<p>Community Care = £800k</p> <p>Life Skills & independence = £130K</p> <p>Total = c£930K</p>

42. Scores from the evaluation matrix indicate **Option 3** (extending the existing step up/down service) is the preferred option.

43. Options 2 and Option 6 - full or part in house delivery- require further investigation for future service delivery as a significant number of strengths and opportunities were established over the course of the evaluation panel which is also reflected in the scoring of the evaluation matrix.

Strategic Implications

44. This decision will support us to continue to deliver against our:

- a. Staffordshire Special Educational Needs and Disabilities (SEND) Strategy (2021-2025) Our highest priority is to ensure that children with Special Educational Needs and Disabilities (SEND) receive the support they need to achieve the best possible Outcomes in life. This strategy sets out our vision and future strategic aims for Staffordshire that places children's Outcomes at the forefront. These shared aims have been endorsed by all stakeholders. The SEND and Inclusion Partnership Group are responsible for setting the vision and direction of services that support CYP from 0-25 years with special educational needs and Disabilities.
- b. Staffordshire County Council Strategic Plan 2022-26: The delivery of the outlined proposals supports the vision and outcomes of an innovative, ambitious and sustainable county, where everyone has the opportunity to prosper, be healthy and happy.

45. Our three priority outcomes are that the people of Staffordshire will:

- a. have access to more good jobs and share the benefit of economic growth.
- b. live in thriving and sustainable communities.
- c. be healthier and independent for longer.

Link to Other Overview and Scrutiny Activity

46. N/A

Community Impact

47. A Community Impact Assessment has been completed, please see attached appendix 6.

List of Background Documents/Appendices:

Appendix 1 - Childrens Community Support Draft Cabinet Paper
Appendix 2 - Current Provision
Appendix 3 - Framework 'Lot's'
Appendix 4 - CWD options appraisal V1
Community Impact Assessment

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