

**Cabinet**  
**Wednesday 15 March 2017**  
**10.00 am Luttrell Room - County Hall,**  
**Taunton**



To: The Members of the Cabinet

Cllr J Osman (Chairman), Cllr D Hall (Vice-Chairman), Cllr A Groskop, Cllr W Wallace, Cllr C Le Hardy, Cllr F Nicholson, Cllr H Siggs and Cllr D Fothergill

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Julian Gale, Strategic Manager - Governance and Risk - 7 March 2017

For further information about the meeting, please contact Julia Jones or Scott Wooldridge or 01823 359027 or [jjones@somerset.gov.uk](mailto:jjones@somerset.gov.uk) / 01823 359043 or [swouldridge@somerset.gov.uk](mailto:swouldridge@somerset.gov.uk)

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)



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# AGENDA

Item Cabinet - 10.00 am Wednesday, 15 March 2017

**\*\* Public Guidance notes contained in agenda annexe \*\***

1 **Apologies for Absence**

2 **Declarations of Interest**

Details of Cabinet Member interests in District, Town and Parish Councils will be displayed in the meeting room. The Statutory Register of Member's Interests can be inspected via the Community Governance team.

3 **Minutes from the meeting held on 20 February (Pages 7 - 10)**

4 **Public Question Time**

The Chairman will allow members of the public to present a petition on any matter within the Cabinet's remit. Questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

5 **Report from the Scrutiny for Policies, Adults and Health Committee - Learning Disability Provider Service (Pages 11 - 14)**

To consider the report

6 **Award contract for a carers support service (Pages 15 - 40)**

**Possible exclusion of the press and public**

**PLEASE NOTE:** Although the main report for this item not confidential, supporting appendices available to Members contain exempt information and are therefore marked confidential – not for publication. At any point if Members wish to discuss information within this appendix then the Cabinet will be asked to agree the following resolution to exclude the press and public:

**Exclusion of the Press and Public**

To consider passing a resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the press and public from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

7 **Strategic Board for Somerset discussion paper (Pages 41 - 44)**

To consider the report.

8 **Any other urgent items of business**

Item Cabinet - 10.00 am Wednesday, 15 March 2017

The Chairman may raise any items of urgent business.

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Agenda Annexe

**THE MEETING – GUIDANCE NOTES**

**1 Inspection of Papers or Statutory Register of Member's Interests**

Any person wishing to inspect reports or the background papers for any item on the agenda or inspect the Register of Member's Interests should contact Scott Wooldridge or Julia Jones on (01823) 359027 or 357628 or email [jjones@somerset.gov.uk](mailto:jjones@somerset.gov.uk)

**2 Notes of the Meeting**

Details of the issues discussed and decisions taken at the meeting will be set out in the Minutes, which the Cabinet will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions taken can be obtained from Scott Wooldridge or Julia Jones on (01823) 357628 or 357148 or email [jjones@somerset.gov.uk](mailto:jjones@somerset.gov.uk)

**3 Public Question Time**

At the Chairman's invitation you may ask questions and/or make statements or comments about **any matter on the Cabinet's agenda**. You may also present a petition on any matter within the Cabinet's remit. **The length of public question time will be no more than 30 minutes in total.**

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

**If you wish to speak at the meeting or submit a petition then you will need to submit your statement or question in writing to Julia Jones by 12.00pm on Friday prior to the meeting**. You can send an email to [jjones@somerset.gov.uk](mailto:jjones@somerset.gov.uk) or send post for attention of Julia Jones, Community Governance, County Hall, Taunton, TA1 4DY.

You must direct your questions and comments through the Chairman. You may not take direct part in the debate.

The Chairman will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chairman may adjourn the meeting to allow views to be expressed more freely.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred because you cannot be present at the meeting.

**Remember that the amount of time you speak will be restricted normally to two minutes only.**

#### **4 Hearing Aid Loop System**

To assist hearing aid users, the Luttrell Room has an infra-red audio transmission system. This works in conjunction with a hearing aid in the T position, but we also need to provide you with a small personal receiver. Please request one from the Committee Administrator and return at the end of the meeting.

#### **5 Emergency Evacuation Procedure**

In the event of the fire alarm sounding, members of the public are requested to leave the building via the signposted emergency exit, and proceed to the collection area outside Shire Hall. Officers and Members will be on hand to assist.

#### **6 Cabinet Forward Plan**

The latest published version of the Forward Plan is available for public inspection at County Hall or on the County Council web site at:  
<http://www.somerset.gov.uk/irj/public/council/futureplans/futureplan?rid=/guid/505e09a3-cd9b-2c10-89a0-b262ef879920>.

Alternatively, copies can be obtained by telephoning (01823) 359027 or 357628.

#### **7 Excluding the Press and Public for part of the meeting**

There may occasionally be items on the agenda that cannot be debated in public for legal reasons (such as those involving confidential and exempt information) and these will be highlighted in the Forward Plan. In those circumstances, the public and press will be asked to leave the room while the Cabinet goes into Private Session.

#### **8 Recording of meetings**

The Council supports the principles of openness and transparency, it allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishing to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chairman can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

**CABINET**

Minutes of a Meeting of the Cabinet held in the Luttrell Room - County Hall, Taunton, on Monday, 20 February 2017 at 2.00 pm

**Present:** Cllr J Osman (Chairman), Cllr D Hall (Vice-Chairman), Cllr A Groskop, Cllr W Wallace, Cllr C Le Hardy, Cllr F Nicholson, Cllr H Siggs and Cllr D Fothergill

**Other Members present:** Cllr A Bown, Cllr R Brown, Cllr A Dimmick, Cllr C Lawrence, Cllr N Pearson and Cllr D Yeomans

**Apologies for absence:**

**663 Declarations of Interest - Agenda Item 2**

Members of the Cabinet declared the following personal interests in their capacity as a Member of a District, City/Town or Parish Council:

Cllr A Groskop      South Somerset District Council

Cllr J Osman      Mendip District Council  
Wells City Council

Cllr H Siggs      Mendip District Council  
Wells City Council

Cllr W Wallace      South Somerset District Council

Cllr Fothergill declared a personal interest in agenda item 5 as his daughter works for Avon and Somerset Constabulary.

**664 Minutes from the meeting held on 6 February 2017 - Agenda Item 3**

The minutes of the Cabinet Meeting held on 6 February 2017 were agreed and signed as correct.

**665 Public Question Time - Agenda Item 4**

There were no questions.

**666 Demand Management and Predictive Analytics - Agenda Item 5**

The Chairman introduced the Chief Constable of Avon and Somerset Constabulary Andy Marsh and the Police and Crime Commissioner Sue Mountstevens. He explained that each of them would give a briefing and would answer questions before the confidential presentation for members.

The Chief Constable explained he had been in the post for about a year. In that time there had been a lot of proactive work. Approximately 200 search warrants had been issued with regard to drug dealing, other notable successes had included the conviction of Charlie Broadway for the murder in Ilton last year,

doubling the size of the child internet abuse team which has resulted in more than double the amount of warrants issued on this case and the introduction of mental health professionals for taking police force triage calls.

Concerns included the increase in knife crime and domestic violence as well as rape and serious sexual offences which had doubled since 2012. There was also a major increase in cyber-crime and hate crime. To address these crimes better digital solutions were increasingly being used as desktop resolving crime was becoming more popular as a quicker and more successful way of solving crimes. The Police and Crime Commissioner had given money to the force to equip officers with technology to use away from the office. This would also help to save money. A 3 year financial plan would be in place by April and would help to better meet demand. Better ways were being found to work with partners and there was an assurance that there would be no reduction in the number of neighbourhood police officers and police community support officers. The Constabulary had also been subject to a recent inspection and overall had been graded good.

The Chief Constable then handed over to the Police and Crime Commissioner (PCC) who highlighted the difficult financial context. She also explained that a new funding formula was being discussed at the moment. It was uncertain as to whether this would lead to further funding cuts for the police. The Constabulary had been tasked with finding £20m in savings over the next 4 to 5 years and the PCC had tasked the organisation with finding an additional £5m for investment for the future. There was a need to work smarter and new tools would help spread money more wisely. It was likely that the Constabulary would ask for a 1.99% increase in their share of the council tax precept. It was also felt that a Community Safety Plan which could be shared across all the county authorities would be helpful.

The following points were made during the debate:

- The key priorities for the PCC were protecting the most vulnerable, strengthening and improving local policing teams, ensuring the Constabulary had the right people with the right kit and culture, and to work together with other local authorities effectively.
- Increasing collaboration with the local Fire Authorities and ambulance service
- New governance opportunities were being explored
- The Constabulary move to Taunton Deane Borough Council
- The need to continue with more communication and collaboration between the local authorities sharing data and analytical capabilities.
- Problems faced with Wi-Fi connectivity in some places in Somerset. Every police vehicle was to have a Wi-Fi booster installed to overcome this.
- Meeting public demands for police officers on the streets and public perception of crime. Police were attending public meetings and were investing in technology to allow them to be out and about in the community.
- Underreporting of crime – this was being addressed and had seen a great improvement recently.



- Educating people about parking on yellow lines – police officers can take enforcement action in the case of vehicles causing an obstruction.

The Cabinet then agreed to pass a resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012 to exclude the press and public from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972. The exempt information likely to be disclosed is described as:

- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Sean Price, Head of Performance at Avon and Somerset Constabulary, then gave a presentation to members on demand management and predictive analysis. He showed members the technology being used and informed them this was a problem solving tool.

Further points raised included:

- Areas of greater crime activity and resources allocated. Members were informed that this was not disproportionate to population size and were also reminded of the amount of resources that were deployed for the recent murder case in Ilton.
- The technology was being used to drive business differently. Hot spots were more identifiable.
- It was hoped the police could work more effectively with planning authorities on ensuring housing schemes were more suitable for the future. The police met with local planning authorities every 7-8 weeks but there were no statutory duty for the authorities to listen to the police advice.
- The need for all local organisations technologies to be able to communicate effectively with one another.
- This technology could offer opportunities for the county council and something which it could also contribute to.

The Chairman thanked the PCC, Chief Constable and Mr Price for attending the meeting and assured them that the council would always be a willing partner to them. He looked forward to continual improvements and felt that it would be useful for the Council's business intelligence team to get in contact with the constabulary regarding the new technology. He praised the work of the police officers.

The Cabinet welcomed the update from the Avon and Somerset Police on their use of new technology systems to assist demand management and predictive analytics to support the prevention and prosecution of crime.

The Cabinet also thanked the Chief Constable and the Police & Crime Commissioner for their update on policing priorities and partnership working.

**667 Children's Services update - Agenda Item 6**

The Director of Children's Services gave a presentation to Cabinet updating the improvements that had been made to Children's Services.

The following points were highlighted:

- Regional Adoption Agency in partnership with Devon, Plymouth and Torbay was progressing
- Third Quarter achievements/performance of CYPP reported to Member Scrutiny – Action Plans were being developed for 17/18
- High level meetings were taking place with Avon & Somerset Constabulary
- With regard to improved management capacity, South Somerset Area has caught-up with the improvement journey of the rest of the County
- Succession Planning now in place - Principal Social Worker secured - 3 Permanent Team Managers recruited – 75% were now permanent
- Two new Children's Strategic Managers recruited from outside the South West had started

It was agreed that the average length of time would be included in the children looked after graph for the next presentation.

The Chairman thanked Mr Wooster for the presentation and said it was good to see progress right across the board.

The Cabinet welcomed the update regarding Children's Services from the Director of Children's Services and noted the improvements that had been achieved.

**668 Any other urgent items of business - Agenda Item 7**

There were no other items of business.

**(The meeting ended at 3.58 pm)**

**CHAIRMAN**

Somerset County Council

Cabinet – 15 March 2017

**Report of the Scrutiny for Policies, Adults and Health and People Committee – Learning Disability Provider Service**

Lead Member: Cllr Hazel Prior-Sankey – Committee Chairman

Author: Jamie Jackson – Governance Manager, Scrutiny

Contact Details: 01823 359040

<b>Circulation</b>	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
	Legal	Honor Clarke	7/3/17
	Finance	Kevin Nacey	7/3/17
	Lead Officer	Stephen Chandler	7/3/17
	Monitoring Officer	Julian Gale	7/3/17
	Chairman	Cllr Hazel Prior-Sankey	7/3/17
<b>Summary:</b>	This report contains recommendations from the Scrutiny for Policies, Adults and Health Committee on the implementation of the proposed transfer of the Council’s Learning Disability Provider Service following its meeting on 1 March 2017.		
<b>Recommendation:</b>	<p>The Scrutiny for Policies, Adults and Health Committee agreed the following recommendation to Cabinet:</p> <p>‘Following information which has come to light since the original decision was made, in terms of potential closures of day centres and changes to staff’s pay and conditions and following the total non-assurance from the Cabinet Member that we cannot guarantee that these will not take place, then the Adults and Health Scrutiny Committee wish to refer this back to the Cabinet to ask for a delay of the implementation of this transfer (the Council’s Learning Disability Provider Service) until after the May election and to urgently review the original decision.’</p>		
<b>Reasons for recommendations</b>	See background information.		

## **1. Background**

- 1.1.** The Committee received a detailed report and presentation on the future commissioning of Learning Disability Provider Service (LDPS) and the proposed transfer of service to Dimensions at its meeting on 29 June 2016. Following a detailed debate and consideration of the confidential appendices the Committee noted this report and expressed support and satisfaction with the process at this point, but requested assurances that any surplus would be re-invested in Somerset.
- 1.2.** Following concerns raised by Learning Disability Provider Service (LDPS) staff directly to the Committee Chairman in February 2017 the Director of Adult Social Services (DASS) agreed to provide a further verbal update at the Committee's 1 March 2017 meeting. The Committee were aware that a number of staff had questioned the benefits of the transfer as part of public question time at Full Council on 15<sup>th</sup> February 2017
- 1.3.** The DASS's verbal update on 1 March advised the Committee that the decision to transfer the LDPS was part of a very long process emerging from the need to make significant changes to the way that the service is delivered. The current, in-house, service has become increasingly unsustainable, less competitive and has a number of poor physical environments. Some of the service provision does not readily support positive integration of people with a learning disability within their broader community and in essence segregates them. The service is also limited in the range of support provided. The service needs to modernise and in order to be both attractive to future customers and provide a modern range of support as well as ensuring sustainability the service needs to address its major cost element which is staff costs
- 1.4** The Director stated that the LDPS staff are highly valued and have been critical to providing services. He empathised with staff and understood their anxiety over potential changes to their terms and conditions. He stated that there have been no formal discussions / consultations of this to date with Dimensions about any aspect of the changes. This will instead take place after the transfer.
- 1.5** The Committee were reminded that it is important that people with learning difficulties are supported within a modern service that is affordable. The service will transfer on 1<sup>st</sup> April 2017 and there is a transition team in place to manage this. The Director felt strongly that any delay to this transfer would be detrimental to the experience of the people using the service and their families.
- 1.6** The Committee thanked the Director for his openness and subsequently discussed: whether the original business case had changed; whether Cabinet and the Senior Leadership Team were aware that changes would be made to staff terms and conditions; capital receipts and the use of surplus funds; whether the full implications of the transfer had been explained to the Committee at the 29<sup>th</sup> June 2016 meeting. However a Committee Member felt there was not assurance from the Cabinet Member for Adult Social Care and that he could not guarantee that there would not be changes to staff terms and conditions or potential closures of day centres.
- 1.7** A Committee Member made a proposal on the basis that the terms of the

transfer appear to have changed considerably and that as we are at the end of the current quadrennium, that the Cabinet should be requested to review its decision in July 2016 to proceed with the transfer and instead agree to delay the transfer until after the May 2017 election to enable the new administration the opportunity to decide whether to proceed with the transfer or not. The proposal was seconded and the Committee moved to a vote on the recommendation as detailed in page 1 of this report. There were three votes in favour and three votes against. The Chairman used her casting vote and the vote was carried.

- 1.8** It should be noted that the Committee did not have the benefit of contractual and financial information available at its meeting on 1 March to understand any potential legal or financial implications to the Council regarding its recommended proposal to Cabinet.

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Somerset County Council

Cabinet - 15<sup>th</sup> March 2017

Award contract for Carers Support Service

Cabinet Member(s): Cllr William Wallace – Cabinet Member for Adults and Health

Division and Local Member(s): All

Lead Officer: Tim Baverstock, Strategic Commissioning Manager

Author: Vicky Chipchase, Senior Commissioning Officer

Contact Details: 07976698232

	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
	County Solicitor	Honor Clarke	15.02.17
	Monitoring Officer	Julian Gale	27.02.17
	Corporate Finance	Kevin Nacey	15.02.17
	Human Resources	Chris Squire	15.02.17
	Property / Procurement / ICT	Richard Williams	15.02..17
	Senior Manager	Stephen Chandler	15.02.17
	Local Member(s)	All	N/A
	Cabinet Member	Cllr William Wallace	15.02.17
	Opposition Spokesperson	Cllr Jane Lock	15.02.17
	Relevant Scrutiny Chairman	Cllr Hazel Prior-Sankey	16.02.17
<b>Forward Plan Reference:</b>	FP/16/12/01		
<b>Summary:</b>	<p>This report gives information regarding the recommendation to award a contract for a new Carers Support Service.</p> <p>Carers have:</p> <ul style="list-style-type: none"> <li>• Reviewed existing services and told us what works well and what doesn't</li> <li>• Co-designed the new service</li> <li>• Set up a Carers Panel that worked with commissioners to develop the tender documentation and evaluate the bids</li> <li>• Developed a monitoring framework for Somerset's Commitment to Carers that will contribute towards monitoring the effectiveness of the new service going forward.</li> </ul> <p>Carers are a valued part of the community. The 2011 Census shows that there are approximately 6 million unpaid carers nationally. In Somerset, 58,000 have identified themselves as carers.</p> <p>The Carers' Support service is a universal service for unpaid carers and former carers in Somerset. A carer is anyone who helps another person, usually a relative or friend, in their day to day life.</p>		

Carers are a valued part of the community and Somerset County Council (SCC) and the NHS Somerset Clinical Commissioning Group (CCG) wish to support unpaid carers within their role and also former Carers by jointly commissioning a Carers Support Service as the needs of carers span across health and social care.

The aim of the Carers' Support Service will be to improve the quality of life for carers and former carers living in Somerset and work in partnership with others to ensure equality of access with a coordinated approach to service delivery that is outcome focussed.

The current contract for the Carers Support Service is due to expire on 30 September 2017. An extensive involvement and engagement programme was facilitated by Carers Voice Somerset to ensure that carers could work with Commissioners to review current arrangements. As a result of this involvement, Carers co-produced a new Carers Support Service which is to be commissioned from October 2017. A competitive procurement exercise has been undertaken.

Carers were invited to participate in the procurement process and a Carers Panel was established. The Carers Panel developed their own questions that were part of the tender documentation and also evaluated responses. Joint meetings were held with the Carers Panel and an Officer Panel to score the bids and subsequently determine the successful bidder. Tenders were evaluated on the basis of 60% Quality, 40% Price.

The report requests approval to award a contract for the new Carers Support Service from 1<sup>st</sup> October 2017 which have been tendered in accordance with contract standing orders and the Public Contract Regulations 2015. The contract award is recommended for 3 years with the option for the Council to agree two further periods of up to 12 months.

Bidder A has been selected as the preferred bidder following the outcome of the evaluation process. The report highlights the implications and risks of this decision. Details of the tendering process follows and the identity of the recommended organisation can be found in the confidential Tender Evaluation Report attached as Appendix A.

As the CCG will continue to provide 50% of the funding for the service, this decision report will also be presented to the CCG's Governing Body in March.



<p><b>Recommendations:</b></p>	<p>Following consideration of the officer report, the confidential appendix and the equalities impact assessment Cabinet:</p> <ol style="list-style-type: none"> <li><b>1. Endorses the procurement process and approves the selection of the service provider (Bidder A in Appendix A) to deliver the Carers Support Service from 1<sup>st</sup> October 2017 for three years with the option for the Council to agree two further periods of up to 12 months</b></li> <li><b>2. Agrees that Appendix A be treated as exempt information, and treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.</b></li> <li><b>3. Subject to the approval of recommendation 2 above, agree to exclude the press and public from the meeting where there is any discussion at the meeting regarding exempt or confidential information (appendix A) :</b></li> <li><b>4. Exclusion of the Press and Public To consider passing a resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the press and public from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:</b></li> </ol> <p><b>Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b></p>
<p><b>Reasons for Recommendations:</b></p>	<p>To approve the procurement process followed and the selection of Bidder A within Appendix A to deliver the Carers Support Service.</p> <p>Appendix A to this report contains commercially sensitive information relating to the contract and the Council's financial and business affairs. Officers recommend that this is treated as exempt information. "Exempt information" is defined by Section 100 of the Local Government Act 1972, by Schedule 12A to that Act.</p> <p>Further details are set out within this report.</p>

<p><b>Links to Priorities and Impact on Service Plans:</b></p>	<p><u>County Plan Priorities and Targets:</u></p> <p>Somerset is a safer and healthier place where:</p> <ul style="list-style-type: none"> <li>• Our most vulnerable people have the care they need and the choices they want. <ul style="list-style-type: none"> <li>○ Help vulnerable and elderly people stay in their own homes for longer.</li> </ul> </li> </ul> <p>Somerset is a place where people have the good quality services they need by:</p> <ul style="list-style-type: none"> <li>• Giving residents a voice and acting on what they say.</li> </ul> <p><u>Adult Social Care Commissioning Intentions 2015/16 – 2016/17</u></p> <ul style="list-style-type: none"> <li>• Key Activity 1: Providing high quality care and support in a range of settings including Care at Home, Extra Care Housing and Care Homes.</li> </ul> <p><u>Adult Social Care Market Position Statement 2014</u></p> <p>Develop the service of Extra Care Housing to create greater choice and control for its current tenants and to provide an enhanced level of care and support for those people considering residential care to meet their needs.</p> <p><u>Social Value Policy</u></p> <p>Commissioning and procurement practices and underlying principles of:</p> <ul style="list-style-type: none"> <li>• Sustainable Procurement.</li> <li>• Taking a value for money approach, rather than lowest cost, when assessing contracts.</li> <li>• Considering the most appropriate form of consultation, accounting for requirements of people and organisations being consulted, size of procurement, and likely impact of procurement. Including consulting supply markets, as appropriate, before formal procurement to develop robust and intelligent specifications</li> </ul>
<p><b>Consultations undertaken:</b></p>	<p>Somerset County Council and the CCG have been working with Carers Voice Somerset to produce Somerset’s Commitment to Carers. Carers Voice Somerset have facilitated discussions with carers who have set out within the document a number of priorities and outcomes that they want us to work towards to improve services for the future.</p> <p>Upon completion of this work, SCC working jointly with the CCG, have been reviewing the support service we currently commission through a Carers Support Services Review Board that was set up to oversee the work.</p>

	<p>An extensive engagement and involvement programme was facilitated by Carers Voice Somerset to enable carers, service providers, commissioners and County Councillors to work together to re-design the support service based on what carers have told us.</p> <p>A new service specification and procurement plan was agreed by the Board. The aim of the service is to identify carers, irrespective of age or need, early in their caring 'careers' in order to provide relevant advice, information and support to them in their caring role and to have a life outside of caring. Also to provide support to former carers following the end of their caring role.</p> <p>Supporting carers and former carers in this way helps to prevent them from reaching crisis point and the negative impacts on their physical and emotional wellbeing; as well as the cost of more expensive services to the public purse.</p>						
<p><b>Financial Implications:</b></p>	<p>The maximum annual budget for the contract is set at £400,000 (50% of this funding is provided by the CCG). This expenditure has been accounted in the forward budget and the CCG have also approved expenditure. Bidder A has priced below budget. The full detail is in Appendix A.</p>						
<p><b>Legal Implications:</b></p>	<p>A competitive OJEU tendering process was undertaken from July 2016. Care was taken to ensure all applicable procurement legislation was properly observed; and that UK regulations were fully complied with.</p> <p>The commissioning method followed a new light-touch set of procurement rules. There is no requirement to use the full EU procurement procedures. This gives commissioners more flexibility for the procurement although general principles of procurement law were still applied.</p> <p>The contract includes robust break clauses enabling rapid termination in the event of inadequate delivery.</p>						
<p><b>HR Implications:</b></p>	<p>There are no HR implications for SCC employees.</p>						
<p><b>Risk Implications:</b></p>	<p>There are risk implications in relation to ensuring sufficient continuity of existing carers' services after October 2017, including continuity of support for existing service users. This will be managed by a robust implementation plan review process.</p> <table border="1" data-bbox="513 1951 1465 1995"> <tr> <td>Likelihood</td> <td>2</td> <td>Impact</td> <td>4</td> <td>Risk Score</td> <td>8</td> </tr> </table>	Likelihood	2	Impact	4	Risk Score	8
Likelihood	2	Impact	4	Risk Score	8		
<p><b>Other Implications (including due regard</b></p>	<p>There are no specific equalities or wider social impact considerations as the re-commissioning of the carers support</p>						

<b>implications):</b>	service will build on and take into account existing arrangements.
<b>Scrutiny comments / recommendation (if any):</b>	Not applicable.

## 1. Background

- 1.1. The 2011 Census shows that there are approximately 6 million unpaid carers nationally. In Somerset, 58,000 have identified themselves as carers:-15,491 are 65 and over, 3,306 are 25 and under and it is estimated that more than a thousand are under the age of 16. 12,300 of those people provide more than 50 hours care a week and many will have long term health conditions themselves.
- 1.2. From 2013 to 2021 it is estimated there will be a 46% increase in those aged 90 and over from 6,700 to 9,900, many carers will have significant health issues themselves and will require a high level of support to continue with their caring role.
- 1.3. Somerset County Council jointly commissions a Carers Support Service with the CCG. This service aims to involve carers in identifying their needs, assisting them to continue with their caring role and ensuring their health and wellbeing outcomes are achieved. The current contract for the Carers Support Service is due to expire on 30 September 2017. Commissioners have undertaken a review of the current service and have been working with Somerset's CCG and Carers Voice Somerset to involve carers in this process. As a result of this involvement, a new Carers Support Service is to be commissioned from October 2017. A competitive procurement exercise was undertaken.
- 1.4. An extensive engagement and involvement programme was facilitated by Carers Voice Somerset to enable carers, service providers, commissioners and County Councillors to work together to re-design the support service based on what carers have told us. This work resulted in the production of Somerset's Commitment to Carers which Somerset County Council formally endorsed in 2016. The new service specification was designed using this feedback and the outcomes identified within the Commitment.
- 1.5. The new service was designed around an integrated model that will provide clearer support to carers and former carers in Somerset and better deliver the Council's statutory obligations under the Care Act and Children and Families Act. The new service will be a preventative service that will provide information, advice and support to improve wellbeing and reduce or delay the need for formal care and support services.
- 1.6. The service will have clear pathways to other service providers who support carers with more specific needs such as mental health, learning disabilities and children and young people. The provider will be required to work with these providers to ensure a joined up approach to meeting the needs of all carers in Somerset.
- 1.7. We will require the Service Provider to deliver a "one stop shop" approach to ensure that all carers in Somerset can receive the support they require, when they need it, via a single point of contact. There will be a focus on early

intervention and prevention and the service must help carers to support themselves and not create dependency on the service.

- 1.8. Commissioners from SCC and the CCG worked with a Carers Panel to design the tender process, including the quality questions. The Carers Panel also worked with Commissioners to evaluate the responses we received.

## **2. Options considered and reasons for rejecting them**

- 2.1. Withdrawing all funding and not re-commissioning the service would significantly undermine the County Council's early help and prevention agenda as well as its statutory requirements under the Care Act 2014 to support carers. This option would also create a significant risk to service delivery and service budgets, in particular social care and health, in the form of increased demand and greater intensity of presenting needs in the near future. It would also have an immediate and very significant negative impact on the exiting service users and their families as well as on the current service providers.
- 2.2. Re-commissioning a service through a competitive process has been preferred as this enables service continuity and to build on existing arrangements whilst contributing towards the delivery of Somerset's Commitment to Carers.

## **3. Background Papers**

- 3.1. Somerset's Commitment to Carers 2016

## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance  
[www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

Procuring a new Carers Support Service

**Version**

3

**Date**

28<sup>th</sup> February 2017

### **Section 1 – Description of what is being impact assessed**

Officers are requesting approval of a decision to award a contract for a new carers support service from October 2017. This impact assessment focusses on the effect(s) of this decision. The service will provide information, advice and signposting to unpaid carers in Somerset. This does not include the provision of statutory assessments.

### **Section 2A – People or communities that are targeted or could be affected (taking particular note of the Protected Characteristic listed in action table)**

Existing and potential users of the service who are unpaid carers in Somerset. Somerset County Council is re-commissioning the existing carers support service. This will ensure that the individuals receiving support from this service will continue to do so and that there will be improved outcomes for carers following the re-design of the service using direct feedback from carers, commissioners and providers. The new service will ensure that the authority continues to meet its statutory requirements under the Care Act 2014 and that will also seek to achieve outcomes within Somerset's Commitment to Carers 2016.

### **Section 2B – People who are delivering the policy or service**

It is probable that staff who are currently involved in the delivery of the current service will feel some anxiety about the negotiations and any changes that may follow from them. TUPE may apply. TUPE stands for the Transfer of Undertakings (Protection of Employment) Regulations 1981. The purpose of the Regulations is to protect employment rights when employees transfer from one business ("the transferor") to another ("the transferee"). Employees therefore have the legal right to transfer to the new employer on their existing terms and conditions of employment and with all their existing employment rights and liabilities intact (although there are special provisions dealing with old age pensions under occupational pension schemes). Effectively, the new employer steps into the shoes of the old employer and it is as though the employee's contract of employment was always made with the new employer. For this reason it is essential that employers know all about the employees they might inherit if they are planning to take over a contract or buy a business and that they make sure that the contract protects them from any employment liabilities which arose before they became the employer.

**Section 3 – Evidence and data** used for the assessment (Attach documents where appropriate)

Evidence of current service provision including data on numbers of referrals has been provided by the current service provider – refer to Compass Carers Report Q2 2016 (available upon request). This includes equality data on the current service users. Current data tells us that more women than men access the service. The needs of male carers can be different to those of female carers, many citing that men find it harder to ask for help and support and that balancing work and caring is challenging, particularly if they are the main earner. The majority of services users are between the ages of 40 to 79. Within the new service specification the provider will be required to develop innovative approaches to reaching more young adult carers as well as male carers. A copy of the report can be requested from the report author. Equality questions were built into the tender documentation and there are requirements within the service specification and contract for the provider to have policies that show compliance with the Equality Act 2010.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

Within the new service specification and contract, the service provider will be required to not discriminate against anyone accessing the service; the provider will be expected to have a strong equal opportunities policy and collect equality monitoring data to prove its policy is supported by good practice. Any information it provides will be accessible, free from prejudice and must promote an equality of opportunity.

Carers were very much involved in reviewing the existing service and providing information on what works well and what needed improving. All of this information was used to develop the service specification that will better meet the needs of carers now and into the future. The new specification seeks to address the issues raised by carers whilst building on what already works well. We will specifically ask the provider to find ways of reaching more young adult carers, former carers and male carers.





	Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.	Rachael Pringle October 2017	Ongoing contract management and operational commissioning People with disabilities receive a service that recognises and responds to the full range of their presenting needs.
<b>Gender Reassignment</b>			
It is very important that the specification does not discriminate against those who have undergone gender reassignment who currently use the service or may wish to use it in the future.	The specification will reflect and respond to the full range of needs of people irrelevant of their gender and will protect people from discrimination under the Equality Act.  Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.	Carers Services Review Board September 2016 (completed)  Rachael Pringle October 2017	Contract award report.  Ongoing contract management and operational commissioning People with not be discriminated against as a result of their gender.
<b>Marriage and Civil Partnership</b>			
It is very important that the specification does not discriminate against those who are married or who are in a civil partnership. Those in civil partnerships will be treated the same as those in a marriage.	The specification will reflect and respond to the full range of needs of people irrelevant of their status and will protect people from discrimination under the Equality Act.  Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.	Carers Services Review Board September 2016 (completed)  Rachael Pringle October 2017	Contract award report.  Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status.

<b>Pregnancy and Maternity</b>			
It is very important that the specification does not discriminate against those who are pregnant, who use the service or who wish to use it in the future.	<p>The specification will reflect and respond to the full range of needs of people and will protect people from discrimination under the Equality Act.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.</p>	<p>Carers Services Review Board September 2016 (completed)</p> <p>Rachael Pringle October 2017</p>	<p>Contract award report.</p> <p>Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status.</p>
<b>Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)</b>			
It is very important that the specification reflects the particular needs of carers from all backgrounds who currently use the service or may wish to use it in the future.	<p>The specification will reflect and respond to the full range of needs of carers irrelevant of their race and background.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.</p>	<p>Carers Services Review Board September 2016 (completed)</p> <p>Rachael Pringle October 2017</p>	<p>Contract award report.</p> <p>Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status</p>
<b>Religion and Belief</b>			
It is very important that the specification reflects the particular needs of carers irrelevant of their religions and beliefs who currently use the service or may wish to use it in the future.	<p>The specification will reflect and respond to the full range of needs of carers irrelevant of their religion or beliefs.</p>	<p>Carers Services Review Board September 2016 (completed)</p>	<p>Contract award report.</p> <p>Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status</p>

	Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.	Rachael Pringle October 2017	
<b>Sex</b>			
It is very important that the specification reflects the particular needs of carers irrelevant of their sex who currently use the service or may wish to use it in the future.	<p>The specification will reflect and respond to the full range of needs of carers irrelevant of their sex. It will also require the service provider to focus specifically on reaching more male carers.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.</p>	<p>Carers Services Review Board September 2016 (completed)</p> <p>Rachael Pringle October 2017</p>	<p>Contract award report.</p> <p>Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status</p>
<b>Sexual Orientation</b>			
It is very important that the specification reflects the particular needs of carers irrelevant of their sexual orientation who currently use the service or may wish to use it in the future.	<p>The specification will reflect and respond to the full range of needs of carers irrelevant of their sexual orientation.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.</p>	<p>Carers Services Review Board September 2016 (completed)</p> <p>Rachael Pringle October 2017</p>	<p>Contract award report.</p> <p>Ongoing contract management and operational commissioning People with not be discriminated against as a result of their status</p>
<b>Other (including caring responsibilities, rurality, low income, Military Status etc)</b>			

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

The final assessment and outcomes of the tender process will be communicated through Pro Contract to potential bidders. The implementation of the new service will be monitored closely by Commissioners and operational staff.

<b>Completed by:</b>	Vicky Chipchase
<b>Date</b>	27 <sup>th</sup> February 2017
<b>Signed off by:</b>	Tom Rutland
<b>Date</b>	28 <sup>th</sup> February 2017
<b>Compliance sign off Date</b>	28 <sup>th</sup> February 2017
<b>To be reviewed by: (officer name)</b>	Vicky Chipchase
<b>Review date:</b>	28 <sup>th</sup> February 2018

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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Somerset County Council

Cabinet - 15<sup>th</sup> March 2017

Discussion Paper – Potential new ‘Somerset Board’ Joint Committee

Cabinet Member(s): Cllr John Osman – Leader

Division and Local Member(s): All

Lead Officer: Trudi Grant – Director of Public Health

Author: Trudi Grant – Director of Public Health

Contact Details: 01823 359015

	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
	County Solicitor	Honor Clarke	6 March 2017
	Monitoring Officer	Julian Gale	6 March 2017
	Corporate Finance	Kevin Nacey	6 March 2017
	Human Resources	Chris Squire	6 March 2017
	Property / Procurement / ICT	N/A	
	Senior Manager	Pat Flaherty	6 March 2017
	Local Member(s)		N/A
	Cabinet Member	Cllr John Osman	6 March 2017
	Opposition Spokesperson	Cllr Jane Lock	6 March 2017
	Relevant Scrutiny Chairman	Cllr Leigh Redman for Scrutiny Children & Families Cllr Hazel Prior-Sankey for Scrutiny Adults and Health Cllr Tony Lock for Scrutiny Place	6 March 2017
<b>Summary:</b>	<p>There is a good and growing degree of collaboration across Somerset through various partnership arrangements, both formal and informal. Most of the formal partnership arrangements we have in the county are currently concerned about a specific issue or population, there is a no formal overarching joint committee that takes a broad or longer-term view on the strategic needs and development of the county.</p> <p>This paper is aimed at prompting a discussion in order to gauge interest across key partners for a 'Somerset Board', a formal joint committee that could take more of a strategic co-ordinated approach for our local population.</p>		
<b>Recommendations:</b>	<p><b>That the Cabinet discusses this proposal and endorses the Leader to take forward discussion with wider partners to gauge the degree of support for the approach in the county.</b></p>		

<b>Reasons for Recommendations:</b>	The Somerset Joint Strategic Needs Assessment shows us that, not only are our demographics in the county changing significantly in a relatively short period of time, but also the needs of our population are getting more complex. Our most vulnerable children and adults often have multiple needs which span across all aspects of life, including health, education, housing, employment and financial hardship. These needs do not recognise organisational boundaries; therefore it's important that we all work together across the whole county to improve the lives of the local people we serve.				
<b>Links to Priorities and Impact on Service Plans:</b>	This proposal links to the County Plan.				
<b>Consultations and co-production undertaken:</b>	This is a discussion paper, designed to prompt debate and gauge the level of interest in the county to develop more of a formal joint committee.				
<b>Financial Implications:</b>	There are no financial implications. This proposal could lead to better co-ordination of resources in the County and therefore better use of the 'Somerset Pound'.				
<b>Legal Implications:</b>	There are no direct legal implications of this discussion paper. Should there be a desire to take forward this proposal there will be a need to consider the legal framework in which this could happen.				
<b>HR Implications:</b>	There are no HR implications				
<b>Risk Implications:</b>	There are no identified risk implications.				
	<b>Likelihood</b>		<b>Impact</b>		<b>Risk Score</b>
<b>Other Implications (including due regard implications):</b>	This is a discussion paper, there are no implications identified				
<b>Scrutiny comments / recommendation (if any):</b>	Not applicable.				

## 1. Background

- 1.1. There is a good and growing degree of collaboration across Somerset through various partnership arrangements, both formal and informal. Most of the formal partnership arrangements we have in the county are currently concerned about a specific issue or population; there is a no formal overarching joint committee that



takes a broad or longer-term view on the strategic needs and development of the county.

- 1.2. This paper is aimed at prompting a discussion in order to gauge interest across key partners for a 'Somerset Board', a formal joint committee that could take more of a strategic co-ordinated approach for our local population.

### 1.3. **Making the Case**

The Somerset Joint Strategic Needs Assessment shows us that, not only are our demographics in the county changing significantly in a relatively short period of time, but also the needs of our population are getting more complex. Our most vulnerable children and adults often have multiple needs which span across all aspects of life, including health, education, housing, employment and financial hardship. These needs do not recognise organisational boundaries; therefore it is important that we all work together across the whole county to improve the lives of the local people we serve.

The 2014 peer review challenge for Somerset County Council (SCC) highlighted the need for the Council to take more of a leadership role for the county. In response to this challenge, the Council has taken a leading role in a number of developments including devolution proposals, the Somerset Rivers Authority and recently the development of four longer-term Vision Programmes. It has also taken the significant step in developing with Sustainability and Transformation Plan alongside health colleagues with a view to drive closer working with all elements of the NHS and SCC is also the lead behind the drive to share public sector buildings through the One Public Estate initiative. We already have close working relationships with our district council colleagues and with some of our neighbours with whom we share specific services. All this has been a good step forward; however, there is always more that can be done.

As a result of greater working together we have achieved great progress on some challenging issues that are really important to Somerset residents. The Somerset Growth Board and Health and Wellbeing Boards are excellent examples of what can be achieved with a shared vision and closer, more formal collaboration. Similarly, we have been involved in some very productive discussion with our Devon colleagues around devolution. It seems a natural step to start some discussions about the value of working more closely together in our county.

All public sector organisations are facing significant financial challenge, largely against a backdrop of more complex needs in the population and increasing demand for services. There is a strong argument to be made for a formal joint committee which enables us, as a county, to make best use of the Somerset Pound. It will also enable us to drive agreed strategies and initiatives across Somerset in a co-ordinated and more effective way, for instance the prevention agenda which is underpinning work across all individual parts of the public sector.

### 1.4. **What could it look like?**

What it could look like needs some debate, but just to begin some discussion, initial thoughts are that it could be:

- A formal Joint Committee that could meet in public
- A coordinated body that is empowered to take action and move forward

joint working on some of the important strategic issues we all face, agreeing financing of projects across the public and private sectors

- Made up of senior leaders in the county who have responsibility for significant resources or who can genuinely collaborate and secure real buy-in to provide significant benefit across the population.

## **2. Options considered and reasons for rejecting them**

- 2.1. This is currently a discussion paper; no options have been considered at this stage.

## **3. Background Papers**

- 3.1. Joint Strategic Needs Assessment:  
<http://www.somersetintelligence.org.uk/jsna/>