

REPORT TO:	CABINET 10 December 2018
SUBJECT:	Support for Young Carers (7-25 years)
LEAD OFFICER:	Eleni Ioannides Executive Director of Children, Families & Education Guy Van Dichele Interim Director of Adult Social Care and 0-65 Disability
CABINET MEMBER:	Councillor Alisa Flemming Cabinet Member for Children, Young People and Learning and Councillor Simon Hall, Cabinet Member for Finance and Treasury and Councillor Jane Avis, Cabinet Member for Families, Health & Social Care
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON This report supports 2 key priorities of the Council's Corporate Plan 2018-2022 Priority 10: People live long, healthy, happy and independent lives Priority 12: Our children and young people thrive and reach their full potential	
FINANCIAL IMPACT: Currently, funding of the Young Carers Support Service (7-25 years) is split across the Council and the CCG. There are 3 separate contracts/agreements and specifications for what is, effectively, the same service. Through this report, the Council is seeking to consolidate these 3 separate contracts/agreements into one through: <ul style="list-style-type: none"> - Requesting a variation to extend the current Young Carers Contract (7-17 years) for a period of up to 12 months, from the 1st April 2019 to the 31st March 2020. - Varying the current Young Carers Contract (7-17) years to include the funding elements (2&3) detailed in the table at 3.11. The Council element of the contract in 2019/20 (£162,500) will be funded existing general fund budgets. The CCG element of the contract in 2019/20 (£57,000) will still be funded by the CCG separately, and the organization will invoice the CCB directly. The same commissioner manages the spend for the CCG and the Council. The Council will not be liable for the	

payment of the CCG funded element. The Council has received email confirmation that the CCG accepts this approach.

KEY DECISION REFERENCE NO.: N/A

The leader of the Council has delegated to the Nominated Cabinet Member for Children, Young People & Learning

1. RECOMMENDATIONS

The Nominated Cabinet Member for Children, Young People and Learning is recommended by the Contracts and Commissioning Board to approve

- 1.1 The nominated Cabinet Member for Children, Young People and Learning, is recommended by the Contracts & Commissioning Board, in accordance with Regulation 29 of the Council's Tenders and Contracts Regulations, for the reasons set out in this report, to approve the variation to extend the current Young Carers Support Contract (7-17 years), with Off The Record, for a further contract period of up to twelve (12) months (6+3+3), from the 1st April 2019 to the 31st March 2020.
- 1.2 Additionally, in accordance with Regulation 29 of the Council's Tenders and Contracts Regulations, for the strategic commissioning reasons set out in this report, to approve a variation (in terms of an increased level of service as a consequence of consolidating funding) to the contract for Young Carers Support (7-17 years) to enable the following elements to be included in the contract, from the 1st April 2019 to the 31st March 2020.
 - LA funding of £50,000 for Young Carers Support 18-25 years
 - CCG funding of £57,000 for Young Carers Support 7-25 years
- 1.3 To note that, **the total Council value**, with the variation to add the additional Adults funding, **is £500,000, from the 1st April 2016 to the 31st March 2020**. This represents a 48% increase from the original contract value of £337,500.
- 1.4 To note that, for contracting and PCR purposes, the **aggregate total value of the Contract for the Council and the CCG is £557,000 from the 1st April 2016 to the 31st March 2020**. This represents a 65% increase from the original contract value of £337,500. Whilst this is over the PCR 2015 threshold of 50%, it has been evaluated that this increase does not constitute a substantial modification of the contract and presents a low risk of challenge, for the reasons outlined in this report.
- 1.5 To note that, the variation of the contract will include a commitment to service delivery within localities, including the Gateway Hubs.
- 1.6 To note that, the contract for Young Carers Support (18-25) that is currently in place until the 31st June 2019, will be terminated three months early as these services will be consolidated into the Young Carers Support Contract (7-17

years) as above.

- 1.7 To note that the specification and associated performance management framework will be reviewed and updated by Early Help, Health & Social care teams, to ensure services in 19/20 are fit for purpose. This will form part of the variation.
- 1.8 To recommend an exception to Regulation 27d, to delegate authority to the Director of Commissioning & Procurement, to be able to approve the 6+3+3 extension periods, so they are not required to come back to CCB for approval.

2. EXECUTIVE SUMMARY

2.1 The purpose of this report is to advise members of the Contracts and Commissioning Board of the rationale to consolidate commissioning of Young Carers Support across the Council and the CCG from the 1st April 2019 to the 31st March 2020. The main reasons are as follows:

- The Council's and local NHS commissioning of services to support carers has developed over the last ten years being directly influenced by government policy, regulation, government funding and, at times, ring-fenced grants. Government funds have come from both the Department of Health & Social Services and the Department for Education.
- In 2017, the Council agreed a new Carers Strategy, which clearly sets out how the Council, Croydon CCG and, other NHS partners will work with the voluntary and community sector to support the capacity and capability of the c. 35,000 people in Croydon who hold responsibilities for caring for others. Supporting carers plays a key role in the Council priorities for preventative services and increasing employment.

Work is now taking place to align the Council's and CCGs contracted carer support services in response to this strategy. The aim is to jointly commission and contract for these services, in partnership with the CCG, for carers of all ages.

The proposal to undertake a variation to extend/variation of the current Young Carers Support (7-17 years) contract to Off The Record a period of up to twelve (12) months, will enable the Council and the CCG to make the following changes to services for Young Carers 7-25 years:

- Integrate the provision of Young Carers Support 7-25 years (Adults & Children's Services) and Croydon CCG into a single contractual agreement with a single provider (Off the Record). The Council will be the lead commissioner on behalf of the CCG and a Council Contract will be utilised.
 - Contract administration and contract management will be streamlined

- Further to the consolidation of commissioning across Adults & Children's services and the CCG, the service will be put to competitive tender in 2019, for services to start from the 1st April 2020.
 - This will enable appropriate time and resource to consolidate commissioning for the 1st April 2019 and to prepare the subsequent tender with CCG partners, which will go out to the market around September 2019.
- The specification and associated performance management framework will be reviewed as part of the variation for 19/20, with existing providers, to ensure services are fit for purpose.
- Value for Money gains will be sought from Off The Record to reflect the consolidation of contracts across the Council and the CCG, through stretched targets for 19/20.
- Re-tendering during 19/20 will enable the new procurement strategy and service specification to respond to the Carers Strategy (in place) and other key strategies that are currently under development for Children's Services, notably the Early Help Strateg & Joint commissioning plan.
- There are risks associated with de-commissioning this provider. They are a key provider for Croydon's Stage 2 CAMHS offer and have been heavily involved in the development of the CAMHS transformation plan. Funding for the local CAMHS transformation plan ends in 2020/21. De-commissioning now would risk de-stabilising these other elements of their service provision. Off The Record attracts numerous additional external funding sources. This enables Young Carers in Croydon to be provided with a holistic service, including education support and art therapy.

2.2 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB Approval Date	CCB ref. number
21st November 2018	CCB1427/18-19

3. DETAIL

- 3.1 The service delivers support to Young Carers (7-25 years) living in Croydon, currently through 3 different contracts/ agreements (funded by the CCG & the Council – Adults & Children's Services), but for the same holistic service. The main purpose of the service is to enable Young Carers to have the same access to education, career choices and wider opportunities as other children in the community, without care responsibilities.

Young Carers (7- 17 years) – Overview

- 3.2 A young carer is someone under the age of 18 or in transition to adulthood at ages 18 or 19. A young carer may provide care to an older person, or a young person, such as a sibling. They may be the main carer, or one of a number of carers for the 'cared for' person.
- 3.3 Amendments to the Children Act 1989 (introduced by the Children and Families Act 2014) places a duty on the local authority to assess the need for support of young carers in their area while the Young Carers (Needs Assessments) Regulations 2015 details the manner in which such assessments must be carried out.
- 3.4 Young carers have the right to have their needs assessed. If both the young carer and the person for whom they care agree, those needs can be assessed in conjunction with the needs of the person for whom they care. Those undertaking the assessment should utilise a "whole family approach" to the assessment, taking into account the care and carer needs of all family members.
- 3.5 Young carers also have a right to have their needs as carers reassessed when transitioning to adulthood.

Young Carers (18-25 years) – Overview

- 3.6 Young carers (18-25 years) provide care to an older person, such as a parent or a younger person, such as a sibling. They may be the main carer, or one of a number of carers for the 'cared for' person.
- 3.7 Young carers (18-25 years) frequently report feeling isolated, stressed and pressurised. Evidence tells us that in comparison with their peers, young adults with a caring role often have fewer and lower qualifications, are often bullied and will have had a lower school attendance rate. It is estimated that there will be 2,358 young adult carers aged 16 to 24 living in Croydon.
- 3.8 Supporting young carers (18-25 years) in education, employment and training results in an increased income for carers, fewer financial pressures, increases carer's independence and reduces their chances of becoming socially isolated. It also helps prevent breakdowns in care, reducing emergency admissions.
- 3.9 The Council is required to support carers to continue in their caring role and may be required to undertake a carer assessment in addition to preventing, reducing and delaying future needs for support.
- 3.10 Under the Care Act 2014, carers have the right to refuse to continue caring for a person they support and in these circumstances the Council would become responsible for this care.

Overview of contracts & governance

- 3.11 Currently, Off the Record provide support to Young Carers (7-25 years) and are funded by the Council and the CCG. Where contracts are in place, these are not aligned. The table below provides further details:

Funding Organisation	Contract Description	Provider	Funding total (per annum)	Total contract value	Current term
1) Council	Young Carers Support (7-17 years)	Off The Record	£112,500	£337,500 (3 years)	2+1 Contract (1/04/16 – 31/03/19) Currently in 1 year extension period
2) Council	Young Carers Support (18-25 years)	Off The Record	£50,000	£100,000 (2 years)	1 year contract (1/07/17 – 31/06/18) + further 1 year extension agreed (1/07/18 – 31/06/19)
3) CCG	Young Carers Support (7-25 years)	Off The Record	£57,000	£57,000	Rolling annual funding agreement
			£219,500		

Proposal to align and streamline contracts & governance arrangements for 1 year

- 3.12 The Council's and local NHS commissioning of services to support carers has developed over the last ten years being directly influenced by government policy, regulation, government funding and, at times, ring-fenced grants. Government funds have come from both the Department of Health & Social Services and the Department for Education.
- 3.13 In 2017, the Council agreed a new Carers Strategy, which clearly sets out how the Council, Croydon CCG and, other NHS partners will work with the voluntary and community sector to support the capacity and capability of the c. 35,000 people in Croydon who hold responsibilities for caring for others. Supporting carers plays a key role in the Council priorities for preventative services and increasing employment.
- 3.14 Work is now taking place to align the Council's and CCGs contracted carer support services in response to this strategy. The aim is to jointly commission and contract for these services in partnership with the CCG for carers of all ages.

The proposal to undertake a variation to extend/variation of the current Young Carers Support (7-17 years) contract to Off The Record a period of up to twelve (12) months, will enable the Council and the CCG to make the following changes to services for Young Carers 7-25 years:

- Integrate the provision of Young Carers Support (7-25 years) across the Council (Adults & Children's Services) and Croydon CCG into a single

contractual agreement with a single provider (Off the Record). The Council will be the lead commissioner on behalf of the CCG and a Council Contract will be utilised.

- Contract administration and Contract Management will be streamlined
- Further to the consolidation of commissioning across Adults & Children's services and the CCG, the service will be put to competitive tender in 2019, for services to start from the 1st April 2020.
 - This will enable appropriate time and resource to consolidate commissioning from the 1st April 2019 and to prepare the subsequent tender with CCG partners, which will go out to the market c. September 2019.
- The specification and associated performance management framework will be reviewed as part of the variation for 19/20, with existing providers, to ensure services are fit for purpose.
- Value for Money gains will be sought from Off The Record to reflect the consolidation of contracts across the Council and the CCG, through stretched targets for 19/20.
- Re-tendering during 19/20 will enable the new procurement strategy and service specification to respond to the Carers Strategy (in place) and other key strategies that are currently under development for Children's Services, notably the Early Help Strategy / Joint commissioning plan which will.
- There are risks associated with de-commissioning this provider. They are a key provider for Croydon's Stage 2 CAMHS offer and have been heavily involved in the development of the CAMHS transformation plan. Funding for the local CAMHS transformation plan ends in 2020/21. De-commissioning now would risk de-stabilising these other elements of their service provision. Off The Record attracts numerous additional external funding sources. This enables Young Carers in Croydon to be provided with a holistic service, including education support and art therapy. The Council is therefore benefitting from the added value that this organisation provides.

Performance of current contracts

3.15 The Young Carers project continues to engage, register and support young people, preventing escalation and ensuring the same access to education, career choices and opportunities as children and young people without care responsibilities. There is an estimate of over 3000 young carers in Croydon.

- A total of 200 new referrals were received in 2017/18 of which 28 were

discharged. Based on Q1 2018/19 monitoring, performance is expected to exceed the 100% target set for the year.

- baseline caseload numbers of registered young carers and young adult carers as 536 (7 to 17 year olds) and 208 (18 to 25 year olds) are being maintained. There has been a 9% increase (53) achieved in the total baseline caseload for Q1 2018/19.
- The target waiting time set for initial carer assessment is 95% (within 8 weeks of contact) has been achieved.
- 100% target for the production of the assessment report (initial assessment reports to be produced and circulated within 2 weeks of assessment), which has been achieved.

3.16 An evaluation of the Young Carers Service (18-25) performance has concluded that the new service was successful in working with young adult carers to:

- Reduce their isolation
- Improve their independence
- Improve their financial situation
- Improve relationships within their family
- Be better safeguarded, and
- Improve their access to adult services

Through the extending the contract and integration, it is intended to extend the reach of the service into schools, colleges and those attending higher education and working in apprenticeships.

3. 17 It is recommended that the extension period is written as follows - 6 months + 3 months + 3 months to enable the Council to go to competitive tender sooner, if possible.

3.18 Through the contract variation, the specification will be updated to include a requirement to deliver through localities, including the Gateway Hubs.

3.19 Additionally, through the variation, the commitment to the London Living Wage will be emphasised (already with the current contract) and be applicable across CCG funding.

3.20 As part of implementing the variation to the existing contract to include the CCG as party, there will be assessment of any measures required to comply with GDPR.

Assessment of proposal for variation of contract against PCR 2015

3.21 The proposal to vary the contract and add additional Council and CCG funding represents an increase of 65% against the original contract value. This is over PCR threshold of 50%. However, further to an assessment against Regulation 72 1e (Paragraph 8) of the PCR 2015, the Council conclusion is that whilst this

may constitute a substantial change to the original contract, the risk of challenge is low since:

- Services remain the same and will be consolidated to include 18-25 years and CCG funded services.
- The value of the 1 year extension is below the Light Touch Regime threshold of £615,278.
- The previous contracts were directly awarded without challenge and the proposal to issue a PIN notice will alert the market to a new procurement opportunity.

4. CONSULTATION

- 4.1 Young Carers (7-25 years) supported the development of the Council's Carer's Strategy 2018 – 2023 and attended consultation groups. Internally, the provider holds regular consultation groups with a) parents of young carers b) young carers c) young adult carers. Service users are able to shape the service through these groups and provide recommendations on service development and activities.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

1 Revenue and Capital consequences of report recommendations

2019/20	2019/20 Budget available	2019/20 Contract value
Young Carers Support (7-17 years)	£113,000	£112,500
Young Carers Support (18-25 years)	£50,000	£50,000
Total	£163,000	£162,500

The contract extension is for one year from 1 April 2019 to 31 March 2020. There is sufficient budget to cover the cost of the contract.

The total (Council) spend resulting from the proposed variation to extend the Young Carers (7-17 years) contract from the start of the contract on the 1st April 2016 to the 31st March 2020 will be £500,000.

The funding for this contract is from a combination of:

Young Carers 7-17 years: Early Help commissioning (£50,000 per annum) & Children With Disabilities budgets (£62,500 per annum).

Young Carers 18-25: £50,000 per annum.

The CCG element of the contract (£57,000 per annum) will still be funded by the CCG separately, and the organisation will invoice the CCG directly. The same commissioner manages the spend for the CCG and the Council. The Council will not be liable for payment of the CCG funded element. Confirmation that the CCG are accepting this approach and hold responsibility for funding their element is currently being sought.

2 The effect of the decision

Funding Organisation	Contract Description	Provider	Funding total (per annum)	Total contract value	Current term
4) Council	Young Carers Support (7-17 years)	Off The Record	£112,500	£337,500 (3 years)	2+1 Contract (1/04/16 – 31/03/19) Currently in 1 year extension period
5) Council	Young Carers Support (18-25 years)	Off The Record	£50,000	£100,000 (2 years)	1 year contract (1/07/17 – 31/06/18) + further 1 year extension agreed (1/07/18 – 31/06/19)
6) CCG	Young Carers Support (7-17 years)	Off The Record	£57,000	£57,000	Rolling annual funding agreement
			£219,500		

Total Council Value

Through the proposed variation to extend and variation to add the additional funding elements detailed above, **the total (Council) value of the Contract, from the 1st April 2016 to the 31st March 2020 will be £500,000 in total.** This is an increase of £162,500 from the original contract value of £337,500. and includes the following:

- £112,500 Young Carers 7-17: Year 1 16/17
 - £112,500 Young Carers 7-17: Year 2 17/18
 - £112,500 Young Carers 7-17: Year 3 18/19
 - £112,500 Young Carers 7-17: Proposed Year 4 19/20 (additional)
 - £50,000 Young Carers 18-25: Proposed Year 4 19/20 (additional)
- = £500,000 total Council value of contract

Total aggregate value for the Council and the CCG

The **aggregate total value of the contract, covering Council and CCG funding, from the 1st April 2016 – to the 31st March 2020 is £557,000.** This is an increase of £219,500 from the original contract value of £337,500 and includes the following:

- £337,500 Young Carers 7-17: Years 1-3 (16/17 – 18/19)
 - £112,500 Young Carers 7-17: Proposed Year 4 19/20 (additional LA element)
 - £50,000 Young Carers 18-25: Proposed Year 4 19/20 (additional LA element)
 - £57,000 Young Carers 7-25 CCG: Proposed Year 4 19/20 (additional CCG element)
- = £557,000 aggregate total value of contract for Council & CCG

3 Risks

If a decision was taken not to approve this variation to extend, the Council would not be meeting its statutory duty in supporting this group of carers.

There is a small risk that other providers may challenge the variation to extend/variation and a PIN notice will be published to provide advance warning of the future competitive tender exercise that will begin in 2019 for services to start from the 1st April 2020.

4 Options

That the Council goes out to competitive tender. This is not recommended for this year (19/20) for the reasons outlined in this report (points 3.12 to 3.14 and point 12).

5 Future savings/efficiencies

Through the consolidation of contracts across the Council and the CCG, it is anticipated that greater value for money will be achieved through the setting of more stretching targets and outcomes, within the same financial envelope. This is in line with the council's prevention agenda and the Carers Strategy 2018 – 2022.

Opportunities to seek cost avoidance savings will be more fully explored during this year, to be realised through an open competitive tender process for a new service to be in place from the 1st April 2020.

Approved by: Josephine Lyseight, Head of Finance

6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

- 6.1 The Solicitor to the Council comments that legal considerations are set out in the body of the report..

Approved for and on behalf of Sean Murphy, Head of Commercial and Property Law & Deputy Monitoring Officer on behalf of the Director of Law & Monitoring Officer.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no direct HR implications that arise from the recommendations in this report for Croydon Council staff.

Approved by: Debbie Calliste, Head of HR – People Department, on behalf of the Director of Human Resources

8. EQUALITIES IMPACT

- 8.1 The service is focussed on providing support to young people in a caring role, to ensure they have the same opportunities as their peers, without a caring role.
- 8.2 An EA was conducted as part of the Croydon Carers Strategy 2018 – 2020, this included the consideration of young carers.
- 8.3 The development of this strategy has involved a wide cross-section of carers from different protected groups to ensure it is fully representative and will support all carers in the borough.
- 8.4 Overall, the impact of this strategy is likely to have a positive impact on all groups of carers in the borough and highlights the importance of all carers and the need for equitable treatment and support. The main outcomes are to support carers to continue their caring role which can otherwise result in a care breakdown and lead to an emergency admission for either the carer or the cared for person.
- 8.5 An EA for Young Carers will be undertaken prior to the award of the contract on the 1st April 2019. Off the Record (the provider of this service) will be asked to provide a full demographic breakdown of their caseload as part of this process. Their approaches for ensuring they are implementing their responsibilities under the Equality Act and related Codes of Practice will also be reviewed.

9. ENVIRONMENTAL IMPACT

- 9.1 N/A

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 N/A

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 To approve the variation to extend and vary the Young Carers Support Contract (7-17 years) to Off The Record for a term of one (1) year, for a total aggregate (Council) contract value in the sum of £500,000, to enable a fully integrated commissioning approach to be taken across the Council and the CCG, for the reasons set out throughout this paper.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 A competitive tender process is not recommended for this year for the following reasons

- Time is needed prior to 19/20 to fully consolidate commissioning and contracts across the Council and the CCG
- This does not allow sufficient time for a full tender process to be conducted for services to start on the 1st April 2019.
- There is a possible risk of destabilisation of current services to carers, the next 12 months will enable officers to mitigate the risk of this possible destabilisation

CONTACT OFFICER: Sally Wadsworth and Rachel Carse
Joint Head of Integrated Commissioning Children and
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BACKGROUND PAPERS: None

APPENDICES: None