



SOCIAL SERVICES, HOUSING AND COMMUNITY SAFETY CABINET BOARD

***IMMEDIATELY FOLLOWING SOCIAL SERVICES, HOUSING AND COMMUNITY SAFETY SCRUTINY COMMITTEE
MONDAY, 27 JUNE 2022***

MULTI-LOCATION MEETING – COUNCIL CHAMBER PORT TALBOT AND MICROSOFT TEAMS

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Webcasting/Hybrid Meetings:

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Part 1

1. Appointment of Chairperson
2. Chairpersons Announcement/s
3. Declarations of Interest
4. Public Question Time
Questions must be submitted in writing to Democratic Services, democratic.services@npt.gov.uk no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

5. Commissioning Of Care And Support Services In A 'Step Up To Step Down' Scheme (*Pages 3 - 40*)
6. Arrangements for the Provision of Domiciliary Care Services (*Pages 41 - 100*)
7. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Statutory Instrument 2001 No. 2290 (as amended).
8. Access to Meetings - Exclusion of the Public (*Pages 101 - 106*)
To resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

Part 2

9. Contractual Arrangements For The Prevention And Wellbeing Service (Exempt under Paragraph 14) (*Pages 107 - 142*)

K.Jones
Chief Executive

Civic Centre
Port Talbot

21 June 2022

Social Services, Housing and Community Safety Cabinet Board
Members:

Councillors. J.Hale, S.Harris and A.Llewelyn



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNCIL

SOCIAL SERVICES, HOUSING AND COMMUNITY SAFETY CABINET BOARD

27 June 2022

Report of the Head of Adult Services – A. Thomas

Matter for Decision

Wards Affected

The Scheme will be located in Sandfields East, but people eligible for the service will be referred from across all ward areas and the ongoing floating support will be delivered across all ward areas.

COMMISSIONING OF CARE AND SUPPORT SERVICES IN A 'STEP UP TO STEP DOWN' SCHEME.

Purpose of the Report

To obtain Member approval to undertake a procurement exercise for the provision of care and support within a 'Step Up to Step Down' Scheme and for the Head of Adult Services to receive delegated authority to enter into a contract with the winning bidder.

Executive Summary

This report sets out a proposal to undertake a procurement exercise in order to appoint an experienced provider to deliver a 'Step Up to Step Down' care and support service to a number of people with mental health and/or learning disability needs.

Background

For a number of years a Supported Living Scheme has been delivered from a property located in the Sandfields East ward area.

Supported Living is a Scheme in which a small number people (normally 2-4) with care and support needs live together, with 24 hour specialist care and support provided to them within the accommodation. Each person residing in the Scheme have their own tenancy agreement, they have their own bedroom and will share facilities such as a kitchen and living room.

The property in Sandfields East was specially developed by First Choice Housing Association to meet the accommodation needs of people with a learning disability that have care and support requirements. It provided a home for up to four people, who required 24 hours support to remain independent and safe.

Within the next few months this property will become vacant as the tenants are planning to move into a different property. Due to the upcoming vacancies, a review was undertaken to identify the best use for this property.

The review identified that there was no longer a need for this property to be utilised as a Supported Living Scheme for people with a learning disability. The reason for this is that there is a sufficient number of vacancies within other Supported Living Schemes to meet projected demand.

Over the last four years, Neath Port Talbot Council (the Council) have been utilising opportunities to access capital funding provided by Welsh Governments Integrated Care Fund and Social Housing Grant, to develop a range of new accommodation and support models that offer more independence to people with social care needs. This includes the development of Extracare, where people have their own flats within a building that has communal areas and 24 hour support. Independent Living Flats have also been developed, where people

have their own specially adapted flat with targeted floating support delivered to them.

After reviewing the support and accommodation needs of people that will require a social care intervention over the next few years and matching this to what supported accommodation services are available now, as well as what we plan to develop over the next five years, it was identified that Neath Port Talbot would benefit from a 'Step Up to Step Down' Scheme.

'Step Up to Step Down' is where specialist support is provided to people with a learning disability and/or mental ill health that have reablement potential and would like support in order to live more independently. It is called 'Step Up to Step Down' as a person will receive specialist intensive support for a period of 18-24 months, in order to develop their daily living skills and maximise achievement of their independence outcomes (i.e. stepping up the level of support provided). Once their independent living skills have been developed, the person can then move into their own home without the need for ongoing 24 hour support (i.e. stepping down the level of support provided).

People that are assessed as being eligible for the 'Step Up to Step Down' would move into the Scheme for a period of 18-24 months and receive specialist support so that they can develop the skills to live more independently. Once a person has maximised their independent living potential, they will be supported to move into their own home. Some people will need ongoing targeted floating support and the provider of the 'Step Up to Step Down' will continue to deliver this in the person's new home, so that the person receives continuity of care.

In accordance with the Public Contract Regulations 2015 (PCR) and the Council's Contract Procedure Rules (CPR), Officers are required to undertake a competitive procurement exercise for the delivery of a 'Step Up to Step Down' service within the identified accommodation.

Providers wishing to be considered for this opportunity will be evaluated based on their quality and cost, in order to identify which bidder will offer the most economically advantageous tender. The bidder offering the most economical advantageous tender will be awarded the contract to deliver the 'Step Up to Step Down' service for a period of four years, with an option to extend the contract for an additional period of up to four years, subject to a 90 day no-fault termination clause.

Financial Impacts

The net budget for Mental Health and Learning Disability placements (after client contribution and budgeted Health Board contributions) in the 2022-2023 financial year is:

Learning Disability Placements	-	£16,560,400
Mental Health Placements	-	£3,060,680

The above figures are for all placements, including direct payments, care homes and supported living. The average cost of a supported living placement is £1,583.38 per person per week (including Housing Support Grant funding), which is the closest model to project the cost the proposed 'Step Up to Step Down' scheme.

It is not possible to indicate the total financial impact of this proposal until the services have been tendered and the Council has evaluated the bids as the providers will be required to submit costings. The procurement process will ensure that the Council contracts with a provider that is able to offer best value for money, taking into account both the quality and cost of the bidder's submissions.

The costs of a person's ongoing care and support package once they have moved on from the 'Step Up to Step Down' Scheme will be less than the cost of their care package prior to entering the Scheme. This is because the person will require significantly less ongoing care and support to remain safe and independent.

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the

Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage impact assessment has indicated that a more in-depth assessment was required.

An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at Appendix 1, for the purposes of the meeting.

Equalities: Overall there will be more positive than negative impacts. Any potential negative impacts can be mitigated and the positive impacts outweigh the potential negative impacts.

Systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people with a protected characteristic.

Socio Economic Disadvantage: The indication is that the proposal will have a positive impact; however, systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to social economic disadvantages.

Community Cohesion/ Social Exclusion/Poverty: The indication is that the proposal will have a positive impact; however, systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to community cohesion, social exclusion and/or poverty.

Welsh Language: The indication is that the proposal will have a positive impact; however, systems will be in place that will allow officers to

check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people wishing to use the Welsh Language.

Biodiversity: Not applicable for the proposal to commission a care and support service.

Well-being of Future Generations: The indication is that the proposal will have a positive impact; however, systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences against the aims of the well-being of future generations.

Valleys Communities Impacts

The Scheme will be located in an identified property within Sandfields East. However, people eligible for the service from across Neath Port Talbot, including the valleys, will be referred to the service.

This Scheme should have a positive impact for valley communities, as the service intends to develop people's independence and daily living skills so that they do not need to live in 24 hour support models. This means that when a person with care needs due to their learning disability and/or mental ill health has received this service and is ready to move into their own accommodation, they can choose to live in their valley community with floating support. Without this service, the person may have needed to permanently move away from their local valley community in order to reside in a 24 hour support model, such as a specialist care home.

Workforce Impacts

No implications.

Legal Impacts

It is anticipated that the contract value will exceed the threshold of £663,540 (inclusive of VAT) for the Light Touch Regime set out in the

Public Contract Regulations 2015. In addition the Council must comply with its own Contract Procedure Rules which apply to the letting of contracts.

Under the Public Contract Regulations 2015, the Council is obliged to act in an open fair and transparent manner, ensuring that contract opportunities for such social care services are advertised to reach a wide market in order to encourage competition and to ensure equal treatment of all bidders.

As such, the Council is required to undertake a competitive procurement exercise for the service in accordance with the Light Touch Regime under Public Contract Regulations 2015 and its Contract Procedure Rules. The tender process to be undertaken will comply with relevant legislative and procedural requirements. Contract terms will be drafted to govern the relationship between the Council and appointed provider in relation to the provision of the service.

Risk Management Impacts

Risks associated with not implementing the proposal:

The Council is responsible for paying First Choice Housing Association's rental voids, since there is no longer a demand for this property to be used as a Supported Living Scheme, there is a high risk of voids. The void payment cost is £201.26 per bedroom, per week. The intention to repurpose the property into a 'Step Up to Step Down' Scheme intends to mitigate this risk.

This development will play a key role in enabling people to live more independent and fulfilled lives. If this Scheme was not taken forward it would present a risk to people's independence and quality of life outcomes, as they would need to remain living in more institutionalised support models and would be unable to safely live independently without high levels of care.

Risks associated with implementing the proposal:

There is a theoretical risk that there may be no ongoing demand for a

'Step Up to Step Down' Scheme and that this would have a negative financial impact on the Council. Officers have mapped the needs of people already known to social services and are confident that there is enough ongoing demand for this type of service, as such the risk of paying long term rent voids is low. Furthermore the contract for the delivery of care services will be for an initial period of four years, which equates to delivering a Service to around 8-10 people, if after four years there is no ongoing demand, the Council can choose not extend the contract for a further period. In addition, the Council will be able to issue a 90 day no fault notice on the care service contract if significant long term voids occur. The Council will only pay the care provider for the hours that are delivered to people living in the Scheme, this means that the Council would not pay for care and support if there were no people requiring a service.

If there is no suitable accommodation for a person to move into once they have achieved maximisation of their independent living skills in the 'Step Up to Step Down' Scheme, there is a risk that the person cannot move out of the Scheme. This would cause a delay in moving new eligible people into the Scheme, as well as causing a delay in enabling the person to move into their own home. Officers intend to work closely with Registered Social Landlords to identify suitable accommodation and to apply for the available Welsh Government capital funding (e.g. the new Housing with Care Fund) for the development of new accommodation.

There can be risks associated with establishing a new service. The winning bidder will be required to submit a contract mobilisation plan to ensure a smooth establishment of the service. The implementation of this mobilisation plan will be monitored by Officers within the Common Commissioning Unit. This will mitigate any risks associated with setting up a new service.

Consultation:

There is no requirement for external consultation on this item.

The proposal for this Scheme has arisen in response to feedback from people receiving services, who have indicated that they would like to move into more independent living arrangements.

Recommendations

Having had due regard to the integrated impact assessment it is recommended that agreement is given for:

- a. The undertaking of a procurement exercise to commission care and support services for a 'Step Up to Step Down' Scheme,
- b. Following the procurement process, for the Head Adult Services to be granted delegated authority to enter into a contract with the bidder evaluated as offering the most economically advantageous tender (taking into account the quality and cost of the bids), for the provision of care and support for a 'Step Up to Step Down' Scheme.

Reasons for Proposed Decision

Undertaking a procurement exercise for the delivery of care and support services within the 'Step Up to Step Down' Scheme will ensure that the Council is legally compliant when purchasing these services. In addition, the establishment of this Scheme will ensure that the Council is best placed to continue meeting the needs and demands of those that require support to develop their independent living skills, so that they are able move into less institutionalised accommodation.

Implementation of Decision

The decision is proposed for immediate implementation, with the agreement of the Scrutiny Chair.

Appendices

Appendix 1: Integrated Impact Assessment

List of Background Papers

None.

Officer Contact

Name: Angela Thomas, Head of Adult Services, Phone: 01639 68 3328, Email: a.j.thomas@npt.gov.uk

Name: Chelé Zandra Howard, Principle Officer for Commissioning
Phone: 01639 685221, Email: c.howard@npt.gov.uk

Integrated Impact Assessment (IIA)

This Integrated Impact Assessment considers the duties and requirements of the following legislation in order to inform and ensure effective decision making and compliance:

- Equality Act 2010
- Welsh Language Standards (No.1) Regulations 2015
- Well-being of Future Generations (Wales) Act 2015
- Environment (Wales) Act 2016

Version Control

Version	Author	Job title	Date
Version 1	Chelé Zandra Howard	PO Commissioning	27.05.22

1. Details of the initiative

	Title of the Initiative: Commissioning of Care and Support Services in a ‘Step Up to Step Down’ Scheme.
1a	Service Area: Adult Services
1b	Directorate: Social Services, Health and Housing
1c	Summary of the initiative: To obtain Member approval to undertake a procurement exercise for the provision of care and support within a ‘Step Up to Step Down’ Scheme and for the Head of Adult Services to receive delegated authority to enter into a contract with the winning bidder.
1d	Is this a ‘strategic decision’? Yes
1e	Who will be directly affected by this initiative? People with a learning disability and/or mental ill health support need that are assessed as requiring a service to develop their daily living skills and independence outcomes so that they enabled to move out of their current institutionalised care models and into their own independent accommodation. Alternatively people may be referred that are living with informal carers or transitioning from children services.

1f	<p>When and how were people consulted?</p> <p>The development of this proposed scheme is as a result of feedback from service users on what is important to them as part of their social care assessment and care plan review.</p>
1g	<p>What were the outcomes of the consultation?</p> <p>There are a number of people with a learning disability and/or mental ill health that are currently living in services, such as care homes, but would like the opportunity to live independently in their own accommodation.</p>

2. Evidence

What evidence was used in assessing the initiative?

- Care assessment and plans
- Housing assessments and plans
- Social Services routinely collects data as part of the assessment/review process of individuals which is reported to Welsh Government.
- Western Bay Population Needs Assessment <http://www.westernbaypopulationassessment.org/en/learning/>
- Summary Statistics for South West Wales Region <https://gov.wales/sites/default/files/statistics-and-research/2020-05/summary-statistics-south-west-wales-region-2020-958.pdf>
- Daffodil data <http://www.daffodilcymru.org.uk/>
- Stats Wales <https://statswales.gov.wales/Catalogue/Population-and-Migration/Population/Estimates/Local-Authority/populationestimates-by-localauthority-year> and <https://statswales.wales.gov.uk/Catalogue/Equality-and-Diversity/Sexual-Identity/SexualIdentity-by-Area-IdentityStatus>
- ONS data from 2011 <https://www.ons.gov.uk/census>
- NPT CBC Adults Plan <https://www.npt.gov.uk/media/14700/plan-for-adult-social-care-2019-2022.pdf?v=20210914151908>

The following summarises some of the information recorded about people with learning disabilities and mental health needs known to Social Services (note that not all data fields have been completed in all cases, and this relates to all services received):

	People with learning disabilities				People with learning disabilities		
Age group	Female	Male	Total	Ethnicity	Female	Male	Total
20s	33	66	99	CHINESE		2	2
30s	33	44	77	OTHER		1	1
40s	25	25	50	OTHER MIXED		1	1
50s	28	21	49	WELSH	16	17	33
60s	21	23	44	WHITE BRITISH	136	163	299
70s	15	13	28	WHITE OTHER	1	1	2
80s	3		3	Not stated	5	7	12
Total	158	192	350	Total	158	192	350

Based on recorded data, those aged in their 20s represent the largest age group for people with learning disabilities, while 55% are male.

For people with mental health needs, those in their 50s represent the largest age group, with almost two-thirds (62%) of the total being male.

	People with mental health needs				People with mental health needs		
Age group	Female	Male	Total	Ethnicity	Female	Male	Total
40s	2		2				
50s	3	8	11	WELSH	3	2	5
60s	2	6	8	WHITE BRITISH	6	10	16
70s	1	4	5	Not stated	2	6	8
80s	1		1				
Total	11	18	29	Total	11	18	29

To provide geographical context, the following shows the wards where the clients reside:

Ward	People with learning disabilities	Ward	People with learning disabilities
ABERAVON	8	GWYNFI	4
ALLTWEN	3	LOWER BRYNAMMAN	4
BAGLAN	17	MARGAM	3
BLAENGWRACH	3	NEATH EAST	28
BRITON FERRY EAST	15	NEATH NORTH	10
BRITON FERRY WEST	12	NEATH SOUTH	14
BRYN AND CWMAVON	14	ONLLWYN	6
BRYN-COCH NORTH	4	PONTARDAWE	17
BRYN-COCH SOUTH	15	PORT TALBOT	9
CADOXTON	4	RESOLVEN	2
CIMLA	6	RHOS	9
COEDFFRANC CENTRAL	14	SANDFIELDS EAST	19
COEDFFRANC NORTH	2	SANDFIELDS WEST	12
COEDFFRANC WEST	8	SEVEN SISTERS	3
CRYNANT	3	SWANSEA	9
CWMLLYNFELL	1	TAI-BACH	23
CYMMER	3	TONNA	6
DYFFRYN	9	TREBANOS	7
GLYNCORRWG	4	UNKNOWN OUTSIDE NEATH PORT TALBOT	1
GLYNNEATH	7	Not stated	2
GODRE'R GRAIG	3	Total	350
GWAUN-CAE-GURWEN	7		

Ward	People with mental health needs
ABERAVON	4
COEDFFRANC WEST	1
DYFFRYN	2
GWAUN-CAE-GURWEN	1
MARGAM	1
NEATH EAST	3
NEATH NORTH	2
PONTARDAWE	1
PORT TALBOT	1
RESOLVEN	2
SANDFIELDS EAST	1
SANDFIELDS WEST	6
TAI-BACH	2
TREBANOS	1
YSTALYFERA	1
Total	29

3. Equalities

a) How does the initiative impact on people who share a **protected characteristic**?

Protected Characteristic	+	-	+/-	Why will it have this impact?
Age	x			Based on recorded data, those aged in their 20s represent the largest age group for people with learning disabilities that are known to social services, while those in their 50s represent the largest age group for people with mental ill health that are known to social services.

			<p>The service to be commissioned will be delivered to adults across the spectrum of ages, who have an eligible assessed care and support need for the service. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their age. A person's eligibility to receive a service is not based on their age (other than being over the age of 18).</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care and support plan will identify any specific needs, including those relating to any protected characteristics that the person may have, which will ensure that there is equality of outcomes.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident's feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts.</p>
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			<p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Disability	x		<p>People that receive this service will all have a protected characteristic due to having a disability.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care and support plan will identify any specific needs, including those relating to any protected characteristics that the person may have, which will ensure that there is equality of outcomes.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>Although all the people identified will have indicated that they would like to receive this service, it is acknowledged that moving into a new service can be difficult and this can cause some anxiety, which may be intensified in people with a disability (for example somebody may have a diagnosis of anxiety and find the process of moving to be overwhelming, or somebody may have a learning difficulty/disability that means they find it hard to understand information, or somebody may have a neurological difficulty/disability that makes it harder for them to get used to new routines and people) . We will have in place a transition plan to support people to develop new skills in readiness for the move and to help people transition into the new scheme, which will include spending time with staff and the other residents prior to the move. We will also commission some additional hours of support for the first few weeks (number of weeks will be dependent on the needs of the individual person) to help ensure that they have all the support they need to settle into their new home.</p>

			<p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident's feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Gender reassignment	x		<p>The service to be commissioned will be delivered to adults across the spectrum of gender identities and/or gender transitioning status, who have an eligible assessed care and support need for the service.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their gender identity/ gender transition (for example they may need support in making and attending medical appointments or support with medication relating to the gender reassignment process, or they may also need help to identify and attend support/social groups relating to gender reassignment). Their eligibility to receive a service is not based on their gender identity and they would be able to continue to receive the service if their gender identity</p>

			<p>changed at a later date, as long as the service is still suitable to meet their eligible needs (i.e. a change of service would not be because of a change to their gender identity).</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident’s feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Marriage & civil partnership		x	<p>Of the people currently identified to be eligible for this service, none are currently married or in a civil partnership. However it is possible that a person may enter into a marriage/civil partnership at a later date.</p>

			<p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. However, only people that meet the eligibly criteria are able to move into the scheme, which would mean that a person's partner would not be able to move into the scheme if they did not have an eligible assessed need for the service. This could present a barrier for people that are married/in a civil partnership form wishing to move into the Scheme. If such a situation occurs, we would work with the individual to identify how to best meet their outcomes in a different way and identify a different service for them.</p> <p>In addition, it could cause a barrier for a person to remain in the service if they enter into a marriage/civil partnership whilst living in the scheme. However, if the person continues to have eligible care and support needs that requires social services intervention, a new service will be identified in partnership with the person that would better meet their needs. Moving from the scheme may be unsettling for the person, however this would be taken into account when supporting the person to move into a different service.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident's feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected</p>
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			<p>characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
<p>Pregnancy and maternity</p>		<p>x</p>	<p>Of the people currently identified to be eligible for the scheme, none have a protected characteristic by virtue of their pregnancy/maternity status. However, it is possible that a person may experience pregnancy/maternity at a later date.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. However the accommodation will be one bedroom so potentially the service would no longer be suitable to meet the person’s needs due to maternity as the accommodation is not big enough to accommodate babies/children. However, if the person continues to have eligible care and support needs that requires social services intervention, a new service will be identified in partnership with the person that would better meet their needs. Moving from the scheme may be unsettling for the person, however this would be taken into account when supporting the person to move into a different service.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities</p>

			<p>legislation. In addition, the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident's feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Race	x		<p>Based on recorded data, the majority of people with a learning disability or mental ill health that are known to social services identify as 'White British'.</p> <p>The service to be commissioned will be delivered to adults across all races, who have an eligible assessed care and support need for the service.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their race (for example support to access social activities or groups). Their eligibility to receive a service is not based on their race.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give</p>

			<p>equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident’s feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Religion or belief	x		<p>The service to be commissioned will be delivered to adults across all religions/beliefs, who have an eligible assessed care and support need for the service.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their religion/belief (for example support accessing a place of worship, attending groups, managing a particular diet, etc.). Their eligibility to receive a service is not based on their religion/belief.</p>

			<p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit (which includes receiving resident's feedback) and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
Sex	x		<p>Based on recorded data, the majority of people with a learning disability or mental ill health that are known to social services identify as male.</p> <p>The service to be commissioned will be delivered to adults across the spectrum of sexes, who have an eligible assessed care and support need for the service.</p>

			<p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their sex. Their eligibility for the service is not based on their sex.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
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<p>Sexual orientation</p>	<p>x</p>		<p>The service to be commissioned will be delivered to adults across the spectrum of sexual orientations, who have an eligible assessed care and support need for the service.</p> <p>All the people identified for the service will have agreed to receive this service and will be involved the development of their individual care and support plan. The care will be person centred based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their sexual orientation (for example support to access social activities or groups). Their eligibility to receive a service is not based on their sexual orientation.</p> <p>The service intends to have a positive impact as it delivers specialist support in line with a persons identified needs and preferred outcomes, so that they are able to gain the skills to live more independently in their own accommodation. This aims to give equality of opportunity to people with care and support needs by increasing the range of accommodation and support options for people with a disability.</p> <p>The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.</p> <p>The service will be monitored by the Common Commissioning Unit and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts.</p>
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			<p>The Service is regulated by Care Inspectorate Wales and inspections will take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All staff delivering the service will receive equality and diversity training.</p>
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What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the Common Commissioning Unit
- Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit
- Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit
- Analysis of Provider monitoring data by the Common Commissioning Unit
- Contractual clauses around equalities

b) How will the initiative assist or inhibit the ability to meet the **Public Sector Equality Duty**?

Public Sector Equality Duty (PSED)	+	-	+/-	Why will it have this impact?
To eliminate discrimination, harassment and victimisation				Enables people with a disability to gain the skills to live independently in their own tenancies within the community. As such, people will not be discriminated against being able to have their own tenancy and home due to having a disability.
To advance equality of opportunity between different groups				People with a disability will gain the skills so that they have an equal opportunity to live in their own home within their community. This advances equality of opportunity between people with a disability and people without a disability.
To foster good relations between different groups				The service will help people to access community services and be active members of their local community. This helps to foster good relations between people with a disability and people without a disability.

What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the Common Commissioning Unit
- Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit
- Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit
- Analysis of Provider monitoring data by the Common Commissioning Unit

4. Socio Economic Duty

Impact	Details of the impact/advantage/disadvantage
Positive/Advantage	<p>Will have a positive impact as people will be supported to access eligible benefits and also supported, where appropriate, to access education, employment or volunteering opportunities.</p> <p>People will be supported to make informed lifestyle choices, including nutrition, exercise and social activities.</p> <p>Development of independence will help to improve socio-economic disadvantages that people with a lifelong disability may experience in terms of their personal and social outcomes.</p> <p>People will be supported to develop the skills to move into suitable long term housing.</p>
Negative/Disadvantage	
Neutral	<p>There will be no change to the Council's fairer charging policy in relation to people receiving the service. The fairer charging thresholds are set by Welsh Government.</p> <p>Rent levels and housing management charges will not be set at a level that exceeds the amount provided by housing benefit.</p>

What action will be taken to reduce inequality of outcome

- Monitoring of the Service by the Common Commissioning Unit
- Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit
- Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit
- Analysis of Provider monitoring data by the Common Commissioning Unit

5. Community Cohesion/Social Exclusion/Poverty

	+	-	+/-	Why will it have this impact?
Community Cohesion	x			Enables people with care needs to gain the daily living skills and independence outcomes so that they can live in their local communities as opposed to having to move out of their local area and into institutionalised care settings.
Social Exclusion	x			The community based nature of the service will help people gain the skills so that they can access community services and develop friendships groups.
Poverty	x			<p>People will be supported to access eligible benefits and also supported, where appropriate, to access education, employment or volunteering opportunities.</p> <p>There will be no change to the Councils fairer charging policy in relation to people receiving the service. The fairer charging thresholds are set by Welsh Government.</p> <p>Rent levels and housing management charges will not be set at a level that exceeds the amount provided by housing benefit.</p>

What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the Common Commissioning Unit
- Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit
- Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit
- Analysis of Provider monitoring data by the Common Commissioning Unit

6. Welsh

	+	-	+/-	Why will it have this effect?
What effect does the initiative have on: – people’s opportunities to use the Welsh language	x			The contract will obligate the provider to deliver the service in the residents chosen first language
– treating the Welsh and English languages equally	x			The contract will obligate the provider to deliver the service in the residents chosen first language

What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the Common Commissioning Unit
- Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit
- Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit
- Analysis of Provider monitoring data by the Common Commissioning Unit

7. Biodiversity

How will the initiative assist or inhibit the ability to meet the **Biodiversity Duty**?

Biodiversity Duty	+	-	+/-	Why will it have this impact?
To maintain and enhance biodiversity			x	Not applicable to this proposal to commission a care and support service
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.			x	Not applicable to this proposal to commission a care and support service

What action will be taken to improve positive or mitigate negative impacts?

Not applicable

8. Well-being of Future Generations

How have the five ways of working been applied in the development of the initiative?

Ways of Working	Details
i. Long term – looking at least 10 years (and up to 25 years) ahead	The service intends to provide enabling support that helps people to maximise their long term independence.
ii. Prevention – preventing problems occurring or getting worse	This is a more enabling service that will help people to build on and develop their independence and prevents the need for more institutionalised care models.
iii. Collaboration – working with other services internal or external	The service to be commissioned will work with the RSL and non-statutory services to deliver personalised care and support to the person. There will be clauses in the contract and requiring the provider to work in collaboration to deliver the overall service that the person receives.
iv. Involvement – involving people, ensuring they reflect the diversity of the population	The things that are important to the people identified to move into the scheme will form the basis of the persons care and support plan.
v. Integration – making connections to maximise contribution to:	The service is community based and people will be supported to become active members of their local communities.
Council's well-being objectives	To improve the well-being of all adults who live in the county borough.
Other public bodies objectives	

9. Monitoring Arrangements

Provide information on the monitoring arrangements to:

Monitor the impact of the initiative on Equalities, Community Cohesion, the Welsh Measure, Biodiversity Duty and the Wellbeing Objectives.

The service will be monitored by the Common Commissioning Unit and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts.

10. Assessment Conclusions

Please provide details of the conclusions reached in relation to each element of the assessment:

	Conclusion
Equalities	<p>Overall there will be more positive than negative. Any potential negative impacts can be mitigated and the positive impacts outweigh the negative.</p> <p>Systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people with a protected characteristic.</p>
Socio Economic Disadvantage	<p>The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to social economic disadvantages.</p>
Community Cohesion/ Social Exclusion/Poverty	<p>The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to community cohesion, social exclusion and/or poverty.</p>

Welsh	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people wishing to use the Welsh Language.
Biodiversity	Not applicable for the proposal to commission a care and support service.
Well-being of Future Generations	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences against the aims of the well-being of future generations.

Overall Conclusion

Please indicate the conclusion reached:

- **Continue** - as planned as no problems and all opportunities have been maximised

Please provide details of the overall conclusion reached in relation to the initiative

The service will support people with a disability to live more independently and integrate into their local community. The service is person centred so that each resident will receive support that takes into account their individual needs. The intention of the service is to improve life outcomes for people with a disability.

11. Actions

What actions are required in relation to obtaining further data/information, to reduce or remove negative impacts or improve positive impacts?

Action	Who will be responsible for seeing it is done?	When will it be done by?	How will we know we have achieved our objective?
Monitoring of the Service by the Common Commissioning Unit	Chelé Zandra Howard	Within first 3 months of service commencing and then annually. Additional monitoring if issues identified	Monitoring report

Analysis of any complaints and safeguarding referrals relating to the Service by the Common Commissioning Unit	Chelé Zandra Howard	As required	Monitoring report
Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit	Chelé Zandra Howard	As published by CIW	Monitoring report
Analysis of Provider monitoring data by the Common Commissioning Unit	Chelé Zandra Howard	Annually	Monitoring report
Provider to implement monitoring systems	Provider	Before service commences	Monitoring reports
Implement transition plan for those moving into the service	Lisa Morris	Throughout the period of transition into the scheme, exact timescales will be dependent on the persons individual needs	Resident's feedback via care plan reviews and residents sustained in their tenancy.
Accommodation will be one bedroom so potentially the service may no longer be suitable to meet the person's needs due to maternity if the flats were not big enough to accommodate babies/children. However, if the person continues to have eligible care and support needs that requires social services intervention, a new service will be identified in partnership	Lisa Morris	This is a future potential situation that could occur, at this point in time no further action required	People able to access services to meet their individual requirements.

with the person that would better meet their needs. Moving from the scheme may be unsettling for the person, however this would be taken into account when supporting the person to move into a different service.			
Only people that meet the eligibility criteria are able to move into the scheme, which would mean that a person's partner would not be able to move into the scheme if they did not have an eligible assessed need for the service. This could present a barrier for people that are married/in a civil partnership form wishing to move into the Scheme. If such a situation occurs we will work with the individual to identify how to best meet their outcomes in a different way and identify a different service for them.	Lisa Morris	This is a future potential situation that could occur, at this point in time no further action required	People able to access services to meet their individual requirements.
Contract clauses relating to ensuring compliance with the relevant equalities legislation.	Chelé Zandra Howard	In line with procurement timeline	Contract includes required clauses
Procurement process to include questions regarding equalities legislation	Chelé Zandra Howard	In line with procurement timeline	Procurement questions to include relevant questions

Contract to obligate the provider to deliver the service in the residents chosen first language	Chelé Zandra Howard	In line with procurement timeline	Contract includes required clauses
All staff delivering the service will receive equality and diversity training.	Provider	As part of staff induction training	Training records
Link in with non-statutory and third sector services to help connect people to their communities	Lisa Morris	As part of developing care and support plan and at review	Referral into appropriate services

12. Sign off

	Name	Position	Signature	Date
Completed by	Chelé Zandra Howard	PO Commissioning	C.Z.Howard	27.05.22
Signed off by	Angela Thomas	Head of Service	A.Thomas	27.05.22

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNCIL

SOCIAL SERVICES, HOUSING AND COMMUNITY SAFETY CABINET BOARD

27 June 2022

Report of the Head of Adult Services – A. Thomas

Wards Affected

All Wards, however this report also provides information on a proposed pilot that would affect the following wards only:

- Lower Brynamman
- Gwaun-Cae-Gurwen
- Cwmllynfell
- Pontardawe
- Ystalyfera
- Godre'r Graig
- Rhos
- Alt-Wen
- Trebanos
- Crynant
- Seven Sisters
- Resolven
- Blaengwrach
- Glynneath
- Olwyn

ARRANGEMENTS FOR THE PROVISION OF DOMICILIARY CARE SERVICES

Purpose of the Report

To:

- Inform Members of the Head of Adult Services intention to implement a pilot within the Upper Valley Network area relating to the delivery of domiciliary care.
- Request that Members suspend Rule 11 of the Contract Procedure Rules (CPRs) and grant permission for the Head of Adult Services to extend the life of the current Dynamic Purchasing System (DPS) to allocate packages of domiciliary care within the Neath Port Talbot unitary area.
- Inform Members that Officers are currently developing proposals to rebalance the domiciliary care market.

Executive Summary

In 2017 Neath Port Talbot Council (the Council) established a DPS in order to commission individual packages of domiciliary care for people assessed as having an eligible need for such services.

The DPS went live on 14.08.2017 and was established for a period of five years. As such the current arrangement will end on 13.08.2022.

The planned intention was to undertake a competitive procurement process in order to establish a new DPS that would run from 14.08.22 onwards and that there would be a continuation of the current service model and commissioning approach.

Due to the impact of COVID-19 on the social care system, Officers have been unable to undertake a competitive procurement process in order to re-procure a new DPS by 14.08.22.

COVID-19 has created a level of market instability, resulting in a significant number of people waiting to commence a package of domiciliary care.

In response to these challenges, it is proposed the Council pilot a new model of domiciliary care for a period of six months, within the Upper Valley Network area.

It is requested that Officers extend the current DPS, whilst they undertake a pilot to test a new model of domiciliary care. This pilot will inform the re-procurement of a new DPS.

The Public Contract Regulations 2015 require contracts for social services of a value exceeding £663,540 (inclusive of VAT) to be advertised on the UK e-notification service (Find a Tender). Furthermore, the Council's Contract Procedural Rules (CPRs) state that social care contracts which exceed the light touch regime threshold are subject to a requirement for competitive tendering.

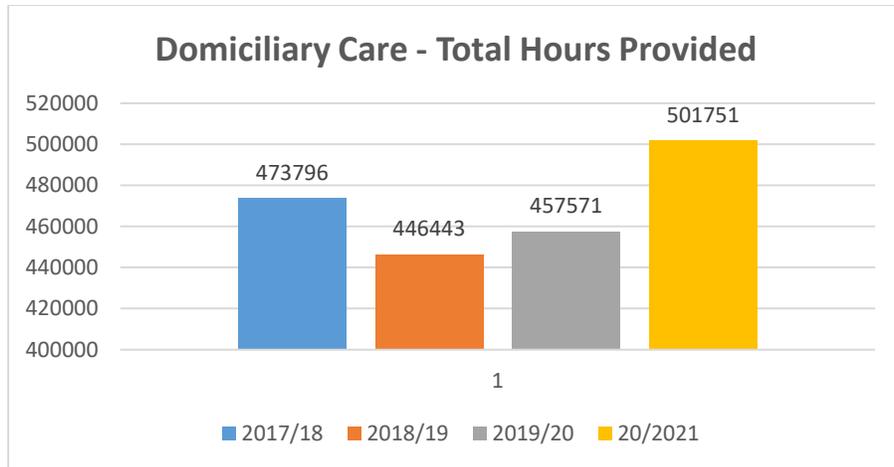
It is therefore requested that Members give permission to suspend Rule 11 of the Council's CPRs and give permission for the Head of Adult Services to extend the current DPS for a period of 12 months, with an option to extend for a further period of 12 months. This period being subject to the Council being able to terminate the DPS early by providing three months' notice to the providers.

It is also proposed that the Council begin to rebalance the domiciliary care market by increasing its in house provision (Community Wellbeing Team – CWT).

Background

Domiciliary care is support that is delivered within people's homes to help people remain independent and safe. Over the years there has been an increasing demand for domiciliary care due to people with care needs choosing to remain in their own homes, rather than enter a care home. As at 04.05.22 the Council supported 712 people through the delivery of 9,699 hours of domiciliary care per week, this figure includes both externally commissioned provision and in-house provision (Community Wellbeing Team - CWT).

The below graph shows how the demand for domiciliary care has increased, with a 17% rise in 20/21 when compared to 2017/18. It is likely that this demand will continue to increase.



In 2017, a DPS was established in order to allocate individual packages of domiciliary care to providers that had passed the Council's quality assurance process and subsequently issued a contract.

There are 16 providers on the DPS that have contracts with the Council to provide domiciliary care. The breakdown of the market share of these providers is:

	NUMBER	NUMBER OF SERVICE USERS	PERCENTAGE OF MARKET	ANNUAL CONTRACT VALUE
	1	2	0.30%	£36,010.52
	2	28	8%	£735,548.84
	3	4	0.50%	£50,166.48
	4	52	9%	£820,790.36
	5	26	5.60%	£507,497.64
	6	57	6.60%	£599,451.84
	7	39	7.10%	£653,622.84
	8	29	8.00%	£723,698.04
	9	15	2.00%	£170,504.88
	10	27	5.00%	£464,148.36
	11	21	5.10%	£474,617.00
	12	3	0.50%	£54,017.60
	13	42	3.10%	£288,306.20
	14	145	25.00%	£2,269,049.12
	15	74	9.00%	£813,707.96
	16	41	5.20%	£477,067.76
TOTAL	16	605	100.00%	£9,138,205.44

The above providers deliver a total of 8,017 hours of domiciliary care per week. The average hourly rate paid to these providers is £21.20.

The current DPS is due to expire on 13.08.22. The original intention was for Officers to undertake a procurement exercise for the establishment of a new DPS, based on the current service model and contract.

Over the last 9 months, there has been significant and unprecedented pressure within the domiciliary care market. This has been negatively impacting on the Council's ability to offer timely and sustainable services to those assessed as requiring domiciliary care.

The impact of COVID-19 has been significant in regards to the sustainability of domiciliary care services, with a noticeable number of care workers leaving the care sector around mid-2021 and providers subsequently reporting an inability to recruit new carers in sufficient numbers. This, alongside contained rising demand for domiciliary care has resulted in delays to people commencing a package of care.

The below table demonstrates the rising number of referrals per month to brokerage in 2021, compared to 2019 and 2020.

Referral numbers by year		
Period	Total to Date	Monthly Average
1 st January -31 st December 2019	505	43
1 st January -31 st December 2020	641	53
1 st January -31 st December 2021	793	66
01 st January 2022 – 30 th April 2022	245	61

As at 04.05.22, there were 154 people waiting for a new package of domiciliary care to be arranged.

Challenges in sourcing packages of care impacts on families, who often need to support their loved ones whilst a package is obtained and is also negatively impacting on timely hospital discharge. When it is not possible to implement interim community arrangements whilst waiting for a package of care to commence (such as family support), there is sometimes a need to temporarily move a person into a care home in order to keep them safe, which presents a risk to their independence.

This current situation is far from ideal in terms of the Council supporting people to achieve their preferred outcomes. Although significant work has already been undertaken to help improve domiciliary care capacity, such as working with the sector to improve workforce terms as conditions, the Council is still facing ongoing challenges to meet demand.

In light of these challenges, Officers have been reviewing how the current domiciliary care model operates in order to explore opportunities to improve the way in which people receive these services.

The present domiciliary care model is not as personalised or outcome focused as it could be, as it is not flexible in line with people's changing needs and requirements. In addition, the way in which times and tasks are prescribed makes it more difficult for providers to be able to take new clients into their service, as they currently need to 'slot' new clients into their existing staff rotas.

In light of these challenges and the need to further build upon the Council's outcome focused approach, there is a need to consider fundamentally changing the way in which we provide domiciliary care.

A pilot is being developed that looks to move away from a social worker prescribing daily tasks, times and call lengths. Instead the social worker will work with the person to identify the type of service that is needed in order to help that person remain safely in their home. Once a domiciliary care provider is identified, that provider will meet with the person requiring a service and agree a plan for how the service will be delivered over the course of a week.

Rather than the Council prescribing what happens each day, the provider can deliver the services more flexibly over the course of the week, in line with the needs and requirements of the person. This will help to ensure that the support is tailored to how a person's needs and level of support might change over the week.

Some people require what is known as a 'time sensitive call'. This means that a person needs a service to be delivered at a particular time, often this due to the administration of certain medication. In these cases, the social worker will notify the provider of this requirement and the provider will be required to attend to the person at the specified time.

This is a fundamental but positive change to the way that the Council currently arranges the delivery of domiciliary care. As such, we are intending to pilot the proposal over a six month period within the Upper Valley Network area. This area has been chosen because it is a location where the Council has historically experienced issues sourcing sufficient domiciliary care to meet demand.

The pilot will be closely monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care.

Part of this monitoring will involve undertaking spot checks of a providers Electronic Call Monitoring (ECM). ECM logs the times in which a care worker arrives and leaves a person's property and can be used to help ensure that care is being delivered in line with the agreed weekly hours and also can be used to ensure that care workers are spending appropriate lengths of time with the person requiring care.

In addition, contract monitoring will visit a selection of people that are part of this pilot to get their feedback on the care they receive. Further quality assurance will also come from the usual reviewing process undertaken by a member of the social work team.

An evaluation of this pilot will take place in order to understand its impact and whether it has achieved its intended aims. The outcome of

this evaluation will be brought back to Members in order to agree whether to implement this model across Neath Port Talbot.

It is anticipated that the work to take forward and evaluate the pilot, review the current service model, consult on the proposals (if it is decided to implement a different model to that which we currently deliver) and procure a new DPS through a competitive tender process will take around 18-24 months.

In order to complete this work, it is requested that Members approve the suspension of Rule 11 of the Council's CPRs and provide delegated authority for the Head of Adult Services to extend the current DPS for a period of 12 months, with an option to extend for a further period of 12 months. The DPS contract will include a no-fault termination clause, which will enable the Council to end the agreement by providing three months' notice. This means that the Council can end the arrangements earlier if there is an ability to conclude the re-procurement of a new DPS within a shorter timeframe.

Market testing indicated that all domiciliary care providers on the existing DPS were in agreement to delay the re-procurement of a new DPS and to extend the current DPS. Providers noted that ongoing pressures within the sector would make it difficult for them to allocate the resources needed to apply for a new DPS.

The above resource pressure facing existing providers could present a risk of the Council receiving a low number of submissions to enter a new DPS by suitably experienced domiciliary care providers if we were to go out to tender in the next few months. This would then result in the Council having a reduced number of providers contracted to deliver domiciliary care, thereby exacerbating current pressures on sourcing packages of care and the overall sustainability of the market.

New organisations will still be able to apply to be placed onto the Councils existing DPS within the proposed extension period. Those that are able to meet our quality assurance measures will be granted a contract, so that they can deliver domiciliary care on behalf of the Council. This should significantly reduce the risks associated with not undertaking a procurement process to re-establish a new DPS.

Furthermore the current DPS has a competitive process to award individual packages of domiciliary care. This means that continuing to use the DPS will ensure that the Council can demonstrate value for money, taking into account the quality and cost of the providers, again reducing the risks associated with extending the DPS.

Officers also wish to review the current market split between domiciliary care delivered by a commissioned provider and domiciliary care delivered by the Council's CWT.

Over the years, the number of people receiving domiciliary care by CWT has significantly reduced and the number of people receiving a domiciliary care service through the Council commissioning an external provider has significantly increased.

The breakdown of services as at 04.05.22 was:

Provider	Service Users	Weekly Hours
CWT (Council)	130	1,682
External (Commissioned)	582	8,017

The primary reason for this change was that the cost of commissioning an external provider is much lower than the cost of delivering the same service in-house. The average hourly rate for external providers is £21.20 per hour, whereas the hourly rate for CWT in 2021/22 is £50.62

Overall there is no difference between external providers and CWT in regards to the quality of service a person receives. However, Officers are becoming increasingly concerned about the ongoing viability and sustainability of the external market.

Commissioned providers are increasingly finding themselves in situations where they are unable to deliver services in line with their contract. Since August 2021, Officers have experienced ongoing situations where external providers have been unable to continue delivering contracted services. In a significant number of cases the Council has been required to find alternative provision with less than

48 hours' notice. To date, Officers have been successful in sourcing alternative interventions; however there is concern that this ongoing issue will eventually become unmanageable.

Furthermore, in the last year a number of providers have either handed back all their contracts to the Council or have been bought out by another company. Over the last 12 months five providers have been taken over by a different company. In the last four years, contracts with two external providers were terminated due to financial failure, including one provider in the last 12 months where they were unable to meet their payroll expenses.

Although it is acknowledged that external provision is less costly than CWT, this does not necessarily mean that it represents best value for the Council, when taking into account the wider concerns with service sustainability.

Officers believe that there is a need to re-balance the market in order to reduce the risks of market failure by increasing the market share of CWT, so that the Council are not over-reliant on external companies for our provision. In doing this, the Council will be mindful of how recruitment may impact on external providers to ensure that it does not further de-stabilise external provision.

Financial Impacts

The current annual allocated budget for commissioned domiciliary care is £10,037,850 and the current annual allocated budget for CWT is £3,700,560.

The pilot should not have a noticeable impact on the domiciliary care budget. However financial monitoring will take place. This will include analysing any differences between the pilot and non-pilot areas in regards to the average price for a weekly package of care and the average size of a weekly package of care.

Re-balancing the market so that more domiciliary care is delivered by CWT is likely to have a budgetary impact, as the costs of providing an in-house service is higher than providing commissioned care. This

rebalancing would be undertaken in a planned way so that any additional costs are in line with the Directorate's available budget.

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016). The first stage impact assessment has indicated that a more in-depth assessment was required.

An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that the Members read the Integrated Impact Assessment, which is attached to the report at Appendix 1, for the purposes of the meeting.

- Equalities - The indication is that the proposal will have a positive impact; however, systems will be in place that will allow Officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people with a protected characteristic.
- Socio Economic Disadvantage - The indication is that the proposal will have a positive impact; however, systems will be in place that will allow Officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to social economic disadvantages.
- Community Cohesion/ Social Exclusion/Poverty - The indication is that the proposal will have a positive impact; however, systems will be in place that will allow Officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to community cohesion, social exclusion and/or poverty.
- Welsh Language - The indication is that the proposal will have a positive impact; however, systems will be in place that will allow Officers to check that the proposal is having its intended

outcomes and not resulting in any unintended negative consequences for people wishing to use the Welsh Language.

- Biodiversity - Not applicable.
- Well-being of Future Generations - The indication is that the proposal will have a positive impact; however, systems will be in place that will allow Officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences against the aims of the well-being of future generations.

Valleys Communities Impacts

It is proposed that the pilot will be delivered within the Upper Valley Network areas of:

- Lower Brynamman
- Gwaun-Cae-Gurwen
- Cwmllynfell
- Pontardawe
- Ystalyfera
- Godre'r Graig
- Rhos
- Alt-Wen
- Trebanos
- Crynant
- Seven Sisters
- Resolven
- Blaengwrach
- Glynneath
- Olwyn

Valley communities are traditionally harder areas to source social care services, due to the challenges of attracting staff from these areas and the time carers have to travel in order to attend care calls. As such, some valley communities are at higher risk of providers no longer being able to deliver existing services, or experiencing increased waiting times for a package of care to commence.

It is for this reason that the Upper Valley Network area has been selected for the pilot. The expectation is that this pilot will have a positive impact on residents within these valley areas by providing a more outcome focused service and reducing waiting times to commence a package of care.

The pilot will be for new placements and will not impact on existing placements. However for information purposes, the below shows a breakdown of service delivery in the Upper Valley Network areas.

Ward	Clients	Providers	Weekly hours	Avg hrs per client
Alt-Wen	10	6	337.5	33.75
Blaengwrach	10	4	142.5	14.25
Crynant	13	3	242.8	18.68
Cwmllynfell	5	2	95.7	19.14
Glynneath	20	4	203.3	10.17
Godre'r Graig	2	2	29.8	14.90
Gwaun-Cae-Gurwen	18	3	167.2	9.29
Lower Brynamman	8	3	86	10.75
Onllwyn	4	1	47.8	11.95
Pontardawe	23	7	288.5	12.54
Resolven	14	4	152.2	10.87
Rhos	12	6	240.5	20.04
Seven Sisters	11	2	99.5	9.05
Trebanos	6	5	39.7	6.62
Ystalyfera	12	5	152.2	12.68
Total	168		2325.2	13.84
As at 5th May 2022				

Workforce Impacts

Whilst the pilot will be delivered by CWT as well as commissioned providers, it will not result in any changes to employee's workforce terms and conditions or job specification.

Rebalancing the care sector would result in a need to recruit more people into CWT. This recruitment would be in line with established recruitment policies.

Legal Impacts

Extending the current contracts

The intention is for Officers to extend the current DPS for a period of 12 months, with an option to extend this for a further period of up to 12 months. This would amount to a direct award for the providers that are already allocated a position on the DPS.

Contracts for social services of a value exceeding £663,540 (inclusive of VAT) fall into the light touch regime under the Public Contract Regulations 2015 and require advertisement on the UK e-notification service (Find a Tender). Based on the value of the contract set out above, the contract is above the light touch regime threshold and therefore the associated requirements apply.

The awarding of contracts must also comply with the Council's CPRs. The Council's CPRs require a competitive tender process for contracts which exceed £25,000 in value.

Technically the Council could potentially be exposed to the risk of legal challenge from potential providers when there is a direct award. They may wish to challenge by way of Judicial Review the Council's decision which could risk the particular decision being declared unlawful.

Alternatively an aggrieved provider could bring a challenge under the Public Contract Regulations if they have a cause of action under these regulations. Such a challenge could result in the particular arrangement being declared ineffective and a claim for monetary loss.

It would be contended that the risk of legal challenge is considered to be low in the circumstances due to the intention to carry out a competitive procurement exercise for a new DPS within the next 18-24 months.

The fact that perspective providers will still be able to apply for a place on the DPS means that any perspective provider will not lose out on an opportunity to apply for a place on the DPS, which further reduces the risk of challenge. In addition, the DPS, is a way of transparently and competitively allocating contracts to ensure that the Council

obtains best value for money. The risk is also lowered due to the current providers agreeing with the proposal to extend the current DPS.

In any case, any risk is deemed to be outweighed by the operational need to ensure that the Council is able to continue providing these important services after the ending of the existing DPS and also the need to make sure that the model of domiciliary care services commissioned in the future sufficiently meets demand.

Pilot

Commissioned providers that work in the pilot area will be issued with a contract variation letter that sets out the changes between the current contractual delivery of services and the pilot.

Where a contract variation satisfies any of the six permissible grounds under regulation 72 of the Public Contract Regulations 2015, it can be made without the need to follow a new procurement exercise. In particular, a variation that is otherwise not substantial, irrespective of its value, is permitted without a new procurement procedure under regulation 72(1)(e).

A substantial variation is defined under regulation 72(8) as one satisfying one or more of the following conditions: the variation renders the contract or the framework agreement materially different in character from the one initially concluded; the variation introduces conditions which, had they been part of the initial procurement procedure, would have allowed for the admission of other candidates than those initially selected; allowed for the acceptance of a tender other than that originally accepted, or attracted additional participants in the procurement procedure; the variation changes the economic balance of the contract or the framework agreement in favour of the contractor in a way not provided for in the initial contract or framework agreement; the variation extends the scope of the contract or framework agreement considerably or the variation replaces a contractor in cases other than those provided for in regulation 72(1)(e).

It is contented that the contract variations here would not be substantial as none of the aforementioned conditions are satisfied on the facts. In addition the variation is considered to be a de minimis variation as the

contract values are not affected and the overall nature of the contracts are not altered, in accordance with Regulation 72(5) and rule 23.4.5 of the Council's Contract Procedure Rules.

Delivering more outcome focused services, as the pilot proposes, is in line with the aims of the Social Services and Wellbeing Act 2014. Part 4 Code of Practice places a duty on Local Authorities to ensure that domiciliary care call lengths are sufficient to meet the assessed needs and outcomes of the person requiring care. The pilot should enhance the achievement of this aim by enabling more flexibility in line with a person's changing needs. The monitoring process noted within this report will place a safeguard against call lengths being insufficient.

Risk Management Impacts

The purpose of this proposal is to help manage the risks associated with the Council's current and future ability to achieve its statutory duty to meet a person's assessed eligible social care needs.

Potential risks of this pilot in relation to finance and service user experience will be managed through planned monitoring as set out in the main body of this report.

The risks associated with delaying the procurement process and extending the DPS can be managed as set out in the legal section of this report.

Consultation

There is no requirement for external consultation on this item.

Recommendations

Having had due regard to the integrated impact assessment it is recommended that Members:

- a) Endorse the intention to implement a pilot within the Upper Valley Network area,
- b) Agree to suspend Rule 11 of the Council's Contract Procedural Rules,
- c) Provide permission for the Head of Adult Services to extend the current DPS for a period of 12 months, with an option to extend for a further 12 months. This period being subject to the Council

- being able to terminate the DPS early by providing three months' notice to the providers,
- d) Endorse the Officers proposals to rebalance the domiciliary care market through the recruitment of additional CWT members.

Reasons for Proposed Decision

So that there is a legally binding contract enabling the continuation of essential services whilst Officers undertake a pilot and develop recommendations for a new service model that ensures the Council is best placed to meet its statutory duties and that the Council has a more resilient domiciliary care market.

Implementation of Decision

The decision is proposed for immediate implementation with the agreement of the Scrutiny Chair.

Appendices

Appendix 1: Full Integrated Impact Assessment

List of Background Papers

None.

Officer Contact

Angela Thomas, Head of Adult Services Phone: 01639 68 3328

Email: a.j.thomas@npt.gov.uk

Chelé Zandra Howard, Principal Officer for Commissioning Phone: 01639 685221 Email: c.howard@npt.gov.uk

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Integrated Impact Assessment (IIA)

This Integrated Impact Assessment considers the duties and requirements of the following legislation in order to inform and ensure effective decision making and compliance:

- Equality Act 2010
- Welsh Language Standards (No.1) Regulations 2015
- Well-being of Future Generations (Wales) Act 2015
- Environment (Wales) Act 2016

Version Control

Version	Author	Job title	Date
Version 2	Chelé Zandra Howard	PO Commissioning	06.05.22

1. Details of the initiative

	Title of the Initiative: Arrangements for the Provision of Domiciliary Care Services
1a	Service Area: Adult Services
1b	Directorate: Social Services, Health & Housing
1c	Summary of the initiative: <p>In 2017 Neath Port Talbot County Borough Council (the Council) established a DPS in order to commission individual packages of domiciliary care for people assessed as having an eligible need for such services.</p> <p>The DPS went live on 14.08.2017 and was established for a period of five years. As such the current arrangement will end on 13.08.2022.</p> <p>The planed intention was to undertake a competitive procurement process in order to establish a new DPS that would run from 14.08.22 onwards and that there would be a continuation of the current service model and commissioning approach.</p> <p>Due to the impact of COVID-19 on the social care system, Officers have been unable to undertake a competitive procurement process in order to re-procure a new DPS by 14.08.22.</p>

	<p>COVID-19 has created a level of market instability, resulting in a significant number of people waiting to commence a package of domiciliary care.</p> <p>In response to these challenges, it is proposed the Council pilot a new model of domiciliary care for a period of six months, within the Upper Valley Network area.</p> <p>It is requested that Officers extend the current DPS, whilst they undertake a pilot to test a new model of domiciliary care. This pilot will inform the re-procurement of a new DPS.</p> <p>The Public Contract Regulations 2015 require contracts for social services of a value exceeding £663,540 (inclusive of VAT) to be advertised on the UK e-notification service (Find a Tender). Furthermore, the Councils Contract Procedural Rules (CPRs) state that social care contracts which exceed the light touch regime threshold are subject to a requirement for competitive tendering.</p> <p>It is therefore requested that Members give permission to suspend Rule 11 of the Councils CPRs and give permission for the Head of Adult Services to extend the current DPS for a period of 12 months, with an option to extend for a further period of 12 months. This period being subject to the Council being able to terminate the DPS early by providing three months' notice to the providers.</p> <p>It is also proposed that the Council begin to rebalance the domiciliary care market by increasing its in house provision (Community Wellbeing Team – CWT).</p>
1d	Is this a 'strategic decision' Both Strategic and operational
1e	<p>Who will be directly affected by this initiative?</p> <ul style="list-style-type: none"> • People requiring domiciliary care • Staff delivering domiciliary care
1f	<p>When and how were people consulted?</p> <p>The commissioning proposals are informed by information received through the following means:</p> <ul style="list-style-type: none"> • Service User feedback collected as part of our annual contract monitoring. • Social work assessments and reviews, which are person centred and based on the views and wishes of service users. • Complaints from service users and/or their families and/or advocate

	<ul style="list-style-type: none"> • MP and Elected Member contact
1g	<p>What were the outcomes of the consultation?</p> <p>Service user's value domiciliary care but waiting times to commence a service can be long, which can impact on the outcomes and wellbeing of service users and their families.</p>

2. Evidence

What evidence was used in assessing the initiative?

- Monitoring reviews of the services
- Brokerage data
- Social Services routinely collects data as part of the assessment/review process of individuals and carers, which is reported annually to Welsh Government.
- Data on complaints, MP and Elected Member contact
- Data on people receiving domiciliary care
- Daffodil data <http://www.daffodilcymru.org.uk/>
- West Glamorgan Population Needs Assessment <http://www.westernbay.org.uk/1306-2/>
- NPT CBC Adults Plan <https://www.npt.gov.uk/media/14700/plan-for-adult-social-care-2019-2022.pdf?v=20210914151908>

The below shows a breakdown of service delivery in the Upper Valley Network area. However, please note that the pilot will be for new placements and will not impact on existing placements.

Ward	Clients	Providers	Weekly hours	Avg hrs per client
Alt-Wen	10	6	337.5	33.75
Blaengwrach	10	4	142.5	14.25
Crynant	13	3	242.8	18.68
Cwmllynfell	5	2	95.7	19.14
Glynneath	20	4	203.3	10.17
Godre'r Graig	2	2	29.8	14.90
Gwaun-Cae-Gurwen	18	3	167.2	9.29
Lower Brynamman	8	3	86	10.75
Onllwyn	4	1	47.8	11.95
Pontardawe	23	7	288.5	12.54
Resolven	14	4	152.2	10.87
Rhos	12	6	240.5	20.04
Seven Sisters	11	2	99.5	9.05
Trebanos	6	5	39.7	6.62
Ystalyfera	12	5	152.2	12.68
Total	168		2325.2	13.84
As at 5th May 2022				

The below information is in relation to all people receiving a domiciliary care service in NPT

Age group	Clients
20s	2
30s	9
40s	17
50s	37
60s	81
70s	155
80s	250
90s	146
100+	7
Grand Total	704

Gender	Clients
FEMALE	456
MALE	248
Grand Total	704

Nationality	Clients
BANGLADESHI	1
BLACK CARIBBEAN	2
OTHER	2
OTHER BLACK	1
WELSH	229
WHITE BRITISH	336
WHITE IRISH	2
WHITE OTHER	2
WHITE/SCOTTISH	2
Not stated	127
Grand Total	704

Marrital Status	Clients
DIVORCED	43
MARRIED	229
NOT DISCLOSED	1
PARTNERS	5
SEPARATED	8
SINGLE	84
WIDOWED	235
NOT STATED	99
Grand Total	704

3. Equalities

a) How does the initiative impact on people who share a **protected characteristic**?

Protected Characteristic	+	-	+/-	Why will it have this impact?
Age	x			<p><u>Pilot</u> The majority of people receiving a service will be aged over 65.</p> <p>77% of people already receiving a domiciliary care service in the Upper Valley Network area are 70+</p> <p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p> <p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p>

			<p>All domiciliary care services operating on behalf of NPT CBC are monitored by the Common Commissioning Unit (CCU), which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>NPT in house domiciliary care service (Community Wellbeing Team) have monitoring systems in place to ensure that staff are adequately trained and meet relevant standards (i.e. for administration of medication, manual handling). Further monitoring systems are in place to ensure that the service delivered is of a good quality and meets a person's personal outcomes. These monitoring systems will also enable the service to identify whether there are unintended consequences which may impact on people with a protected characteristic.</p> <p>The pilot will be monitored and evaluated to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee's current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u> The majority of people receiving a service will be aged over 65.</p>
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			<p>78% of people receiving a service are over the age of 70</p> <p>The age range for people delivering the services will be over the age of 16.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p>
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			<p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> The age range of staff is mixed</p> <p>Staff will have the relevant qualifications and be registered with Social Care Wales</p> <p>Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Disability	x		<p><u>Pilot</u> The majority of people receiving a service will have a disability or old age frailty.</p> <p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service, as well as reducing waiting times for commencing a package of care.</p>

			<p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p>
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			<p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u> The majority of people receiving a service will have a disability or old age frailty.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p>
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			<p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will be have the relevant qualifications and be registered with Social Care Wales</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Gender reassignment	x		<p><u>Pilot</u> This service is delivered across all genders and gender identities. Staff employed by the providers will be from across the spectrum of genders and gender identities.</p> <p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p>

			<p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p>
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			<p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u></p> <p>This service is delivered across all genders and gender identities. Staff employed by the providers will be from across the spectrum of genders and gender identities.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can</p>
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			<p>identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will be have the relevant qualifications and be registered with Social Care Wales</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Marriage & civil partnership	x		<p><u>Pilot</u> People that are part of this pilot may be married or in a civil partnership. Staff that the deliver the service may be married or in a civil partnership.</p>

			<p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care. In addition long waiting times to commence a package of care can put strain on informal caring relationships, such a husband/wife careering for their partner.</p> <p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p>
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			<p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u> People that receive services may be married or in a civil partnership. Staff that the deliver the service may be married or in a civil partnership.</p> <p>33% of people receiving a service are married</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p>
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			<p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will have the relevant qualifications and be registered with Social Care Wales</p>
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			There will be no changes to staff terms and conditions, including job descriptions.
Pregnancy and maternity		x	<p><u>Pilot</u> It is unlikely that people impacted by the pilot will have a protected characteristic due to their pregnancy/maternity status. Employees of providers may have a protected characteristic due to their pregnancy/maternity status.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u> There will be no changes to an employee’s current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Race	x		<p><u>Pilot</u> This service is delivered across all ethnic groups. Employees of providers may have a protected characteristic due to their race.</p> <p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p>

			<p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPTCBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p>
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			<p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u></p> <p>This service is delivered across all ethnic groups. Employees of providers may have a protected characteristic due to their race.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can</p>
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			<p>identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will have the relevant qualifications and be registered with Social Care Wales</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Religion or belief	x		<p><u>Pilot</u> This service is delivered to people across all religions/beliefs. Employees of providers may have a protected characteristic due to their religion/belief.</p>

			<p>The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p> <p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person</p>
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			<p>waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u></p> <p>This service is delivered to people across all religions/beliefs. Employees of providers may have a protected characteristic due to their religion/belief.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p>
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			<p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will be have the relevant qualifications and be registered with Social Care Wales</p>
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			There will be no changes to staff terms and conditions, including job descriptions.
Sex	x		<p><u>Pilot</u> This service is delivered across all genders. Employees of providers may have a protected characteristic due to their sex.</p> <p>60% of people already receiving a domiciliary care service in the Upper Valley Network area are female.</p> <p>This service is delivered to people across all religions/beliefs. The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p> <p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p> <p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will</p>

			<p>ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee's current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u></p> <p>This service is delivered across all genders. Employees of providers may have a protected characteristic due to their sex.</p> <p>64% of people receiving a service are female.</p> <p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p>
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			<p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with</p>
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			<p>exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> The majority of domiciliary care workers are female.</p> <p>Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will be have the relevant qualifications and be registered with Social Care Wales</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
Sexual orientation	x		<p><u>Pilot</u> This service is delivered across all sexual orientations. Employees of providers may have a protected characteristic due to their sexual orientation.</p> <p>This service is delivered to people across all religions/beliefs. The pilot should have a positive impact as it aims to offer people a more flexible, personalised and outcome focused service as well as reducing waiting times for commencing a package of care.</p> <p>The pilot does not make any changes to the eligibility criteria for domiciliary care.</p> <p>Providers of domiciliary care (both commissioned and in-house) develop a service delivery plan in conjunction with the service user. This plan is person centred and will take into account any specific requirements resulting from a persons protected characteristic to ensure that there is equality of outcomes</p>

			<p>The contract with commissioned providers has clauses relating to ensuring compliance with the relevant equalities legislation.</p> <p>Domiciliary care is regulated by Care Inspectorate Wales and inspections take place to ensure that the Provider meets the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>All domiciliary care services operating on behalf of NPT CBC are monitored by the CCU, which includes receiving staff and service user feedback and the Unit will also analyse any complaints and safeguarding referrals relating to the services. This will ensure that the Council can identify if there are any concerns about the service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>Commissioned providers are contractually required to implement monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will be monitored to understand if its impact has positively improved outcomes for people requiring domiciliary care, including reducing the time a person waits to commence a package of care. This will also help to identify any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The pilot will not result in changes to employee’s current terms and conditions.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Entering Into a New Contract</u></p> <p>This service is delivered across all sexual orientations. Employees of providers may have a protected characteristic due to their sexual orientation.</p>
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			<p>Entering into new contracts should have a positive impact because it enables the continuation of an existing service and so there will be no disruption to services that people rely on.</p> <p>There are no changes to the nature or scope of services to be provided (with exception of the 6 month pilot – please see above), the proposal is to enter into a new contract on the same terms as the previous contract.</p> <p>The new contract does not make any changes to the current provision or eligibility criteria for service users.</p> <p>All employees of the provider will, or has, received equality and diversity training.</p> <p>The contract will have clauses relating to ensuring providers compliance with the relevant equalities legislation.</p> <p>The Service is regulated by Care Inspectorate Wales and inspections take place to ensure that the providers meet the relevant Statutory Regulations. This includes Regulations on equality and diversity.</p> <p>The Service will be monitored by the CCU (which includes receiving staff and service user feedback) and the Unit will also analyse any complaints and safeguarding referrals relating to the Service. This will ensure that the Council can identify if there are any concerns about the Service, including any unintended/unidentified negative impacts on people with a protected characteristic.</p> <p>The provider is contractually required to implement monitoring systems, which will also help to identify if any aspect of the Service has led to unintended/unidentified negative impacts on people with a protected characteristic.</p>
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			<p>Entering into a new contract will result in no changes to employees of the Provider that deliver the Service.</p> <p>There are no changes to the nature or scope of services to be provided, the proposal is to enter into new contracts to continue with the current provision (with exception of the 6 month pilot – please see above). As such there will not be changes to employee’s current working arrangements.</p> <p>There are contractual clauses within the contract relating to compliance with employment law.</p> <p><u>Rebalancing the Market</u> Staff recruitment will be in line with HR policies, process and all relevant legislation.</p> <p>Staff will have the relevant qualifications and be registered with Social Care Wales</p> <p>There will be no changes to staff terms and conditions, including job descriptions.</p>
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What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the CCU
- Analysis of any complaints and safeguarding referrals relating to the Service by the CCU
- Analysis of CIW Inspection Reports on the Service by the CCU
- Analysis of Provider monitoring data by the CCU
- Monitoring of the pilot by the CCU
- Spot checking Electronic Call Monitoring logs by the CCU
- Obtaining feedback from service users involved in the pilot by the CCU
- Feedback from social worker assessment and reviews of those service users involved in the pilot
- Evaluation of the pilot by the CCU

b) How will the initiative assist or inhibit the ability to meet the **Public Sector Equality Duty**?

Public Sector Equality Duty (PSED)	+	-	+/-	Why will it have this impact?
To eliminate discrimination, harassment and victimisation				Will support people with care needs to remain safe in their own home.
To advance equality of opportunity between different groups				Enables people with care needs to have equality of opportunity to remain living in their own home.
To foster good relations between different groups				Enables people with care needs to remain in their local communities.

What action will be taken to improve positive or mitigate negative impacts?
<ul style="list-style-type: none"> • Monitoring of the Service by the CCU • Analysis of any complaints and safeguarding referrals relating to the Service by the CCU • Analysis of CIW Inspection Reports on the Service by the CCU • Analysis of Provider monitoring data by the CCU • Monitoring of the pilot by the CCU • Spot checking Electronic Call Monitoring logs by the CCU • Obtaining feedback from service users involved in the pilot by the CCU • Feedback from social worker assessment and reviews of those service users involved in the pilot • Evaluation of the pilot by the CCU

4. Socio Economic Duty

Impact	Details of the impact/advantage/disadvantage
Positive/Advantage	<p>Domiciliary care helps to support people that may be more likely to have a low socio-economic status to manage their health and wellbeing needs and enables people to achieve their personal outcomes.</p> <p>Rebalancing the market will create new employment opportunities within the Council, which will have a positive economic impact within Neath Port Talbot.</p>
Negative/Disadvantage	
Neutral	<p>There will be no change to the Councils fairer charging policy in relation to receiving domiciliary care.</p> <p>For employees of the providers, their employment will continue.</p>

What action will be taken to reduce inequality of outcome

- Monitoring of the Service by the CCU
- Analysis of any complaints and safeguarding referrals relating to the Service by the CCU
- Analysis of CIW Inspection Reports on the Service by the CCU
- Analysis of Provider monitoring data by the CCU
- Monitoring of the pilot by the CCU
- Spot checking Electronic Call Monitoring logs by the CCU
- Obtaining feedback from service users involved in the pilot by the CCU
- Feedback from social worker assessment and reviews of those service users involved in the pilot
- Evaluation of the pilot by the CCU

5. Community Cohesion/Social Exclusion/Poverty

	+	-	+/-	Why will it have this impact?
Community Cohesion	x			Enables people with care needs to remain in their local communities.
Social Exclusion	x			Enables people with care needs to remain in their local communities.
Poverty	x			<p>There will be no change to the Councils fairer charging policy in relation to receiving domiciliary care.</p> <p>Rebalancing the market will create new employment opportunities within the Council, which will have a positive economic impact.</p> <p>For employees of the providers, their employment will continue.</p>

What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the CCU
- Analysis of any complaints and safeguarding referrals relating to the Service by the CCU
- Analysis of CIW Inspection Reports on the Service by the CCU
- Analysis of Provider monitoring data by the CCU
- Monitoring of the pilot by the CCU
- Spot checking Electronic Call Monitoring logs by the CCU
- Obtaining feedback from service users involved in the pilot by the CCU
- Feedback from social worker assessment and reviews of those service users involved in the pilot
- Evaluation of the pilot by the CCU

6. Welsh

	+	-	+/-	Why will it have this effect?
What effect does the initiative have on: – people’s opportunities to use the Welsh language	x			The contract will continue to require commissioned providers to deliver the service to the service users in their chosen first language. Domiciliary care providers are bound by employment legislation relating to the Welsh Language Staff recruitment into CWT will be in line with HR policies, process and all relevant legislation.
– treating the Welsh and English languages equally	x			The contract will continue to require commissioned providers to deliver the service to the service users in their chosen first language. Domiciliary care providers are bound by employment legislation relating to the Welsh Language Staff recruitment into CWT will be in line with HR policies, process and all relevant legislation.

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What action will be taken to improve positive or mitigate negative impacts?

- Monitoring of the Service by the CCU
- Analysis of any complaints and safeguarding referrals relating to the Service by the CCU
- Analysis of CIW Inspection Reports on the Service by the CCU
- Analysis of Provider monitoring data by the CCU
- Monitoring of the pilot by the CCU
- Spot checking Electronic Call Monitoring logs by the CCU
- Obtaining feedback from service users involved in the pilot by the CCU
- Feedback from social worker assessment and reviews of those service users involved in the pilot
- Evaluation of the pilot by the CCU

7. Biodiversity

How will the initiative assist or inhibit the ability to meet the **Biodiversity Duty**?

Biodiversity Duty	+	-	+/-	Why will it have this impact?
To maintain and enhance biodiversity			x	N/A
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.			x	N/A

What action will be taken to improve positive or mitigate negative impacts?

N/A

8. Well-being of Future Generations

How have the five ways of working been applied in the development of the initiative?

Ways of Working	Details
i. Long term – looking at least 10 years (and up to 25 years) ahead	These services play an essential part in supporting people to retain their independence and live safely within their own homes and local communities. The services help to support people with achievement of their long term health and wellbeing outcomes.

	The pilot proposal will help to ensure that there are sustainable services that are more reactive and responsive to individual need.
ii. Prevention – preventing problems occurring or getting worse	<p>The pilot will prevent deterioration of a service user’s independence that could be caused by delays in commencing a package of support. In addition it will help prevent deterioration in a person independence due to delayed hospital discharge.</p> <p>These services will prevent the need for more institutionalised care such as a care home admission.</p>
iii. Collaboration – working with other services internal or external	Involves working with providers of domiciliary care and the in-house CWT. It also involves more personalised working with service users in the development of their care.
iv. Involvement – involving people, ensuring they reflect the diversity of the population	<p>The pilot aims to offer a more person centred approach to the delivery of care, which is more flexible to a person’s individual needs. Feedback from service users and providers (including staff) will be obtained as part of the pilot evaluation.</p> <p>Providers are asked to obtain service user feedback in order to inform the delivery and performance of the service. Service user feedback is also gathered as part of contract monitoring.</p>
v. Integration – making connections to maximise contribution to:	Is underpinned by the values and principles of the Social Services and Wellbeing Act 2014, by offering maximum voice and control to service users and by ensuring market stability.
Council’s well-being objectives	To improve the well-being of all adults who live in the county borough by delivering services that support their independence and safeguards them from harm.
Other public bodies objectives	The pilot aims to support the reduction of delayed transfer of care from hospitals.

9. Monitoring Arrangements

Provide information on the monitoring arrangements to:

Monitor the impact of the initiative on Equalities, Community Cohesion, the Welsh Measure, Biodiversity Duty and the Wellbeing Objectives.

- Monitoring of the Service by the CCU
- Analysis of any complaints and safeguarding referrals relating to the Service by the CCU
- Analysis of CIW Inspection Reports on the Service by the CCU
- Analysis of Provider monitoring data by the CCU
- Monitoring of the pilot by the CCU
- Spot checking Electronic Call Monitoring logs by the CCU
- Obtaining feedback from service users involved in the pilot by the CCU
- Feedback from social worker assessment and reviews of those service users involved in the pilot
- Evaluation of the pilot by the CCU

10. Assessment Conclusions

Please provide details of the conclusions reached in relation to each element of the assessment:

	Conclusion
Equalities	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people with a protected characteristic.
Socio Economic Disadvantage	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to social economic disadvantages.
Community Cohesion/ Social Exclusion/Poverty	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people in regards to community cohesion, social exclusion and/or poverty.

Welsh	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences for people wishing to use the Welsh Language.
Biodiversity	Not applicable to the proposal under review.
Well-being of Future Generations	The indication is that the proposal will have a positive impact, however systems will be in place that will allow officers to check that the proposal is having its intended outcomes and not resulting in any unintended negative consequences against the aims of the well-being of future generations.

Overall Conclusion

Please indicate the conclusion reached:

- **Continue** - as planned as no problems and all opportunities have been maximised

Please provide details of the overall conclusion reached in relation to the initiative

<ul style="list-style-type: none"> • No negative impacts identified at this stage and the indication is that the impact will be positive. • Processes are in place to monitor the impact for any unintended negative consequences.
--

11. Actions

What actions are required in relation to obtaining further data/information, to reduce or remove negative impacts or improve positive impacts?

Action	Who will be responsible for seeing it is done?	When will it be done by?	How will we know we have achieved our objective?
Monitoring of the Service by the Common Commissioning Unit	PO Commissioning	Annually	Monitoring reports
Analysis of any complaints and safeguarding referrals	PO Commissioning	Ongoing as they are received	Investigation reports and corrective action plans

relating to the Service by the Common Commissioning Unit			
Analysis of CIW Inspection Reports on the Service by the Common Commissioning Unit	PO Commissioning	As they are published	Monitoring reports
Analysis of Provider monitoring data by the Common Commissioning Unit	PO Commissioning	Annually	Monitoring reports
Development of evaluation criteria to monitor impact of the pilot	PO Commissioning	Prior to commencement	Evaluation tools
Monitoring of the pilot by Common Commissioning Unit	PO Commissioning	On commencement of pilot	Evaluation report
Spot checking Electronic Call Monitoring logs by Common Commissioning Unit	PO Commissioning	On commencement of pilot	Evaluation report
Obtaining feedback from service users involved in the pilot by Common Commissioning Unit	PO Commissioning	On commencement of pilot	Evaluation report
Feedback from social worker assessment and reviews of those service users involved in the pilot	PO Integrated Community Services	On commencement of pilot	Assessment and review documentation
Evaluation of pilot by Common Commissioning Unit	PO Commissioning	On conclusion of pilot	Evaluation report
Ensure contract has clauses relating to compliance with relevant equalities legislation	PO Commissioning	Before service commences	Contract
Ensure contract has clauses around Welsh Language	PO Commissioning	Before service commences	Contract
Provider to implement own monitoring systems	Provider	On commencement of service	Monitoring reports

12. Sign off

	Name	Position	Signature	Date
Completed by	Chelé Zandra Howard	PO Commissioning	C.Z.Howard	06.05.22
Signed off by	Angela Thomas	Head of Service	A.Thomas	06.05.22



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Report of the Head of Corporate and Legal Services

Social Services, Housing and Community Safety, 27 June 2022

ACCESS TO MEETINGS/EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.
Item (s):	Item 9 – Contractual Arrangements For The Prevention And Wellbeing Service
Recommendation(s):	That the public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.
Relevant Paragraph(s):	Item 9 – Exempt Paragraph 14

1. Purpose of Report

To enable Members to consider whether the public should be excluded from the meeting in relation to the item(s) listed above.

Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.

Such a resolution is dependent on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public/Public Interest Test

In order to comply with the above mentioned legislation, Members will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in Appendix A.

Where paragraph 16 of the Schedule 12A applies there is no public interest test. Members are able to consider whether they wish to waive their legal privilege in the information, however, given that this

may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

Not applicable

4. Integrated Impact Assessment

Not applicable

5. Valleys Communities Impact

Not applicable

6. Workforce Impact

Not applicable.

7. Legal Implications

The legislative provisions are set out in the report.

Members must consider with regard to each item of business the following matters.

- (a) Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.

and either

- (b) If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test in maintaining the exemption outweighs the public interest in disclosing the information; or
- (c) if the information falls within the paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test by must consider whether they wish to waive their privilege in relation to that item for any reason.

8. Risk Management

To allow Members to consider risk associated with exempt information.

9. Recommendation(s)

As detailed at the start of the report.

10. Reason for Proposed Decision(s):

To ensure that all items are considered in the appropriate manner.

11. Implementation of Decision(s):

The decision(s) will be implemented immediately.

12. List of Background Papers:

Schedule 12A of the Local Government Act 1972

13. Appendices:

Appendix A – List of Exemptions

Appendix A

NO	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual
13	Information which is likely to reveal the identity of an individual
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
15	Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
16	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
17	Information which reveals that the authority proposes: <ul style="list-style-type: none"> • To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or • To make an order or direction under any enactment.
18	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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