



LONDON BOROUGH OF BRENT

SUPPORTING PEOPLE COMMISSIONING FRAMEWORK

Agreed by the SP Commissioning Body - March 2007

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INTRODUCTION

PURPOSE

The purpose of this framework is to provide Brent Supporting People Commissioning Body, the Local Authority and service providers with an agreed framework within which Supporting People services will be strategically planned, commissioned and procured within Brent over the period 2007-2010.

Commissioning needs to be an evidence –based, auditable and transparent process. The process of commissioning, how commissioning decisions are made and service contracts awarded needs to be fully understood by all SP stakeholders. This framework document is intended to explain the agreed processes for these commissioning activities within Brent.

The Supporting People Strategy and its annual plans set out what services will need to be commissioned, remodelled or decommissioned, the 5 year Procurement Plan which accompanies this commissioning framework sets out when services will be commissioned (see Appendix 1). This paper sets out how this commissioning and procurement will take place.

This framework is in three parts. The first section sets out the background, context and policy approach to commissioning SP services in Brent. The second part explains the relationship between the Supporting People commissioning process and local authority procurement and reflects Brent Council Standing Orders and Procurement Strategy which govern how the council awards contracts, and the CLG guidance for Supporting People. It also introduces Framework Agreements as the method of contracting for SP funded services in Brent. The third section covers arrangements for decommissioning.

The Supporting People programme continues to evolve rapidly. At the time of writing the CLG has stated an intention to link the programme to Local Area Agreements from 2009 onwards. This move, and the introduction of Individual Budgets, may require the Commissioning Framework to be adapted to respond to the flexibility which these changes would require. The Commissioning Framework will be reviewed in 2008 or as the Self Directed Support and Local Area Agreement agendas develop.

STRATEGIC OBJECTIVES

The principal aim is to develop an approach to commissioning which, over the next 5 years helps Brent to deliver objectives set out in the Supporting People Strategy:

- “To promote independence, enabling people to live safe and fulfilling lives in the community by delivering high quality, responsive and diverse housing related support services that meet the needs of vulnerable adults from across our community.

- To ensure that our services make the best use of the resources available, integrate well with related services and take into account the needs and views of all groups of vulnerable adults living in the borough
- To strive for service excellence so services reflects the needs and aspirations of our local community and deliver real improvements to the quality of life in Brent.

A further objective of this Framework is to allow the SP programme to align with Brents Corporate Procurement Strategy 2005.

COMMISSIONING AND PROCUREMENT AIMS

In order to achieve this the commissioning process aims to:

- ◆ Implement a common framework for the procurement of housing support set out in the procurement plan 2007-2011
- ◆ Deliver cashable and non-cashable savings to enable the programme to operate within budget *and* deliver the services needed
- ◆ be open, transparent and fair
- ◆ develops the market and enable participation by small as well as larger suppliers of SP services
- ◆ be fully auditable, accountable and legal
- ◆ have the confidence of the Local Authority, Commissioning Body, service users, providers and the wider partnership.
- ◆ Take a project management approach, working in partnership where possible to align systems and joint commissioning opportunities, enable good planning and clear direction of travel

All key stakeholders should be involved in the commissioning process, with the understanding that commissioning decisions rest with Brent Supporting People Commissioning Body, in partnership with the local authority, which is responsible for budgetary management, financial and procurement decisions and entering into contracts.

WHAT IS COMMISSIONING AND PROCUREMENT?

There is no single agreed definition of commissioning, but in Brent we see Commissioning as a cyclical process, covering the wide range of strategic activities to ensure resources are directed to meet current needs. (Shown in diagram form on page 6) This includes:

- High level needs assessment of community needs
- Gap analysis- what is needed?
- Development of strategy
- Service Reviews and options appraisal- how best to meet needs?
- Purchasing and procurement of services

- Setting up and managing contracts with providers
- Strategic review and change evaluation

Procurement is the “acquisition of goods or services from third party suppliers under legally binding contracts”. Procurement is sometimes called purchasing, buying or contracting. It also follows a cycle, which mirrors the commissioning cycle (see Figure 1).

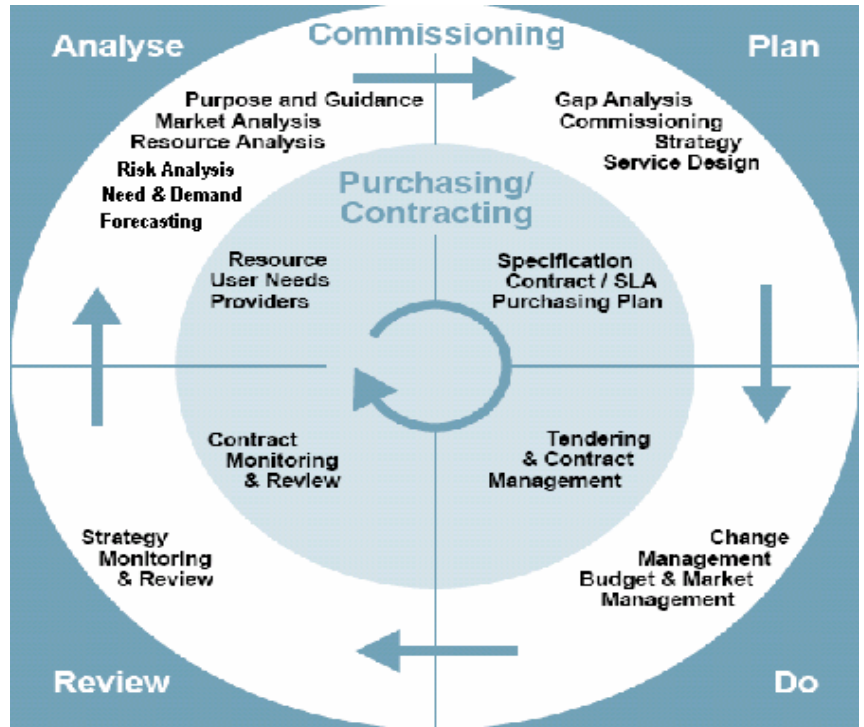


Figure 1- Institute of Public Care Framework for Commissioning and Procurement of Public Care Services

PART 1 COMMISSIONING APPROACH

1. CONTEXT AND PACE OF CHANGE

In developing this framework it is important to recognise the circumstances which apply to the commissioning of Supporting People services.

i) The transfer of services into the Supporting People Programme

The introduction of the SP Programme in April 2003 created the need for the Council to enter into *interim* contracts with providers of existing housing-related

support services to transfer them into the SP programme. During 2003-6 these *interim* contracts were reviewed by the SP team. Where contracts were strategically relevant and met minimum Value for Money and quality standards, “steady state” contracts were awarded.

iii) Current pattern of provision in Brent

At the time of writing, there are 95 Supporting People “steady state” contracts in Brent. 55 providers provide about 3,500 people with an SP service at any one time. The total value of all SP contracts is in the region of £13 million per year. “Steady state” contracts have been issued for 1-4 years, based on assessments of risk, VFM and strategic relevance.

Although most of the budget is invested in building-based services, the Supporting People strategy states its intention to develop floating support to create a better balance of more flexible provision which can support people in their own homes and help prevent crises. There will always be a need for accommodation-based services, but the balance of provision is changing. To this end the SP Commissioning Body has commissioned several floating support pilot services, funded for short periods prior to being formally tendered if the pilots prove successful.

In 2003 Brent Council recognised that following reviews it was not possible to tender all SP funded services competitively in quick timescales, and authorised the award of “steady state” contracts valued at less than £1million over their life, for services which had been reviewed and represented: i. good value for money when benchmarked against other services, ii. were strategically relevant and had iii. good quality and stakeholder/user feedback. This prevented the need for a large market testing exercise to maintain existing services.

iv) Models of service delivery

Historically the provision of SP funded housing support is linked to the provision of accommodation. Support is provided by hostel workers, sheltered housing wardens etc to people living or staying in hostels, group home and sheltered housing etc. For most people this is their home either on a temporary or permanent basis. The housing support is provided either by the landlord or a managing agent as a condition of the tenancy. Managing agents will also be tied into legal agreements with their landlords. These complex arrangements impact on procurement.

There is also the need to consider whether some services need to be tied to accommodation. Some people living in sheltered housing, for example, do not need the intensive housing support offered through the SP funded worker when they first move in.

There is therefore a need to balance the risks of landlords opting out of the programme (and therefore the risk of losing properties for vulnerable people) if support provider changes, with the need for the Council to award contracts through transparent competitive processes in line with contract standing orders.

v) Changes to the way services are commissioned

The SP strategy sets out the major service redesign and reconfiguration work needed over the next 5 years. These changes need to be managed through this commissioning framework. It will be a significant challenge to do this; involving users, taking their views into account and complying with regulations regarding contract award.

Although the DCLG has stated an intention to issue 3 year budgets for SP from 2008, which will improve our ability to set out future commissioning plans, at present the level of budget beyond 2007/8 is uncertain which makes planning difficult. However, Government concerns about the size and value of the SP budget, and the reduction of the Brent SP budget, means there is a need to bring about significant change and realise savings, more rapidly than originally anticipated at the introduction of Supporting People. The lack of additional funding for development of services to meet gaps means the commissioning and procurement agenda will focus on the reconfiguration of services, including cashable and non cashable savings, in order to achieve the strategic outcomes needed in Brent.

Few current services have been formally commissioned or subject to competition to select a suitable provider. In order to ensure that public money secures good quality and value for money and is allocated fairly, in future services must be exposed to wider market forces through Local Authority contracting and procurement processes.

However, the commissioning approach will need to be sensitive to historical patterns of service delivery. It will need to recognise the need for change but move not cause major disruptions to service users or the sector and we need to manage the wider impact on service delivery.

A further issue which this framework addresses how to balance the introduction of a more competitive market with the local and national agenda of working with small providers, recognising the benefits that specialist, BME groups within the Voluntary Sector (3rd Sector) can bring to Supporting People services, and the need for continued innovation and improvements in services.

Procurement Plan 2007-11

The local authority does not have the resources or capacity to put all services out to competition at once. Market testing and tendering will be costly, disruptive and time consuming to both Council and SP providers. A Procurement Plan has therefore been drawn up, using a risk based approach to services and groups of services, to prioritise their procurement over a 4 year period. The Procurement Plan sits alongside this Commissioning Framework (see Appendix 1).

vi) Managing change

Where significant change is brought about either through the de-commissioning or remodelling of a service, an impact assessment will be carried out as part of the commissioning process. This will assess the wider impact of the change before implementation, including the impact on the SP market. The intention is to

effectively manage change through the commissioning process, particularly its impact on service users, levels of service delivery, providers and other budgets. The impact assessment pro-forma is Appendix 4 attached separately to this document.

2. DEVELOPMENT OF THE SUPPORTING PEOPLE STRATEGY AND COMMISSIONING PLANS

i) Strategy development and commissioning plans

The Brent Supporting People Strategy was agreed in April 2005 and will be regularly updated to ensure that it reflects the wider needs stated in the Corporate Plan and other local, regional and national strategies and addresses emerging unmet needs and gaps in provision. The strategy was based on a comprehensive analysis of needs on a client group by client group basis. This, together with our analysis of the current supply of supported housing has determined our priorities for the next 5 years.

As the needs of the community are not static, needs mapping projects are likely to be ongoing over the period of the strategy. Revisions to the commissioning priorities, annual plan or procurement plan as a result of needs mapping will be agreed by the Commissioning Body and notified to providers. The Procurement Plan (Appendix 1) will set out a strategic review/procurement timetable in line with the priorities in the Supporting People strategy, and will also be subject to regular review. In particular, the possibility of closer integration with the Local Area Agreement may require strategy and procurement plan to be reviewed.

The Procurement Flow Chart (figure 2) sets out the process to be followed for identifying the exact services to be procured, and procuring them.

A clear project management approach will be taken to procurement of Supporting People funded services, including a Strategic Review, Options Appraisal, provider market meetings, and the development of a Project Group/Tendering Panel and Project Initiation Document for all procurement projects.

From 2007 onwards consultation with West London partners and PCT may lead to more Joint Commissioning being identified, or joint tendering across the boroughs. Where two or more boroughs, or the PCT and SP identify similar services being required, and it is considered that the benefits of joint commissioning outweigh the need for locally specific services; or where a regional need is identified for a "cross borough" service.

3. COMMISSIONING CRITERIA

Services will only be commissioned and procured where all of the following criteria are met:

i) The service is strategically relevant to the Supporting People Programme.

Strategic relevance is the most important assessment. All Services will only be commissioned where they are *strategically relevant* in terms of: eligibility and compliance with SP grant conditions; meeting the objectives of SP and related strategic local, regional and national objectives; and long term demand for the service can be demonstrated.

The need for a specific service clearly fits within the priorities set out in the SP Strategy or its annual/commissioning plan.

Our intention is to move towards Outcome-based contracts which show clearly how strategic objectives are being met and how service users are benefiting from Supporting People services. A service specification will be developed based on achieving identified beneficial outcomes for service users. As much as possible, service specifications will take into account service user feedback about the types of service and outcomes they would like to see.

In future SP commissioned services will deliver both the SP and related relevant strategies and desired outcomes and be able to evidence this in the service outcomes and KPI's.

ii) The service meets the required quality standards

One of the key objectives of the Supporting People programme is to drive up the quality of services. In commissioning services, emphasis will be placed on developing good quality and continually improving services for service users. This will mean setting basic minimum standards of quality through the Supporting People Quality Assessment Framework (QAF) for services. The approach taken in Brent will be to only commission services where there is clear evidence that the provider can deliver a service which meets at least level C on the 6 QAF Core Objectives.

Ability to deliver good quality services to QAF standards will therefore be a key consideration in evaluating bids for new Supporting People Commissions. Where-ever possible service users or their representatives will be involved in commissioning decisions to assist in assessing quality and value for money.

iii) The service can perform well in terms of KPI's and contractual obligations

In future contracts will clearly state the strategic outcomes which the service(s) intend to meet, and specify PIs which can be collected to help show if the desired outcomes are being met.

The authority will work closely with providers and service users to set service standards, and with providers will agree roles and identify any joint working protocols. Access and pathways into Supporting People and related services is an important part of commissioning. This relies on each commissioned service being clear about its role and remit, especially in helping to deliver the SP and other related strategies.

iv) The service provides best value for money

Brent's Procurement Strategy refers to assessing contracts on the basis of best value, not just price. This will apply to evaluation of SP services. However, given Government concern about the size of the SP budget, and the demand for services which cannot currently be met, there are now real imperatives to make efficiency savings and achieve value for money services.

Whilst some local authorities are aiming to achieve good value for money through tendering large contracts, the view in Brent is that we should aim for a mixed market of large and small, specialist and non-specialist providers and services. This mix will contribute to meeting the varied needs of Brent's diverse population. Achieving this without paying more than necessary for services will be a challenge.

Whilst retaining a mix offers improved choice to service users, we also need to recognise that it is unlikely that a large SP programme of many small contracts can achieve good value for money, it risks duplication, is difficult to publicise to users effectively, and may lead to variations in quality and accountability. Furthermore, given the large size of the total budget (£12.8million per year) a large number of small contracts is not cost effective for the SP team to manage.

Normally the contract price is established through tendering or competition. Our approach to assessing VFM is set out in the West London Administering Authorities VFM framework. We will consider comparisons with other local, regional and national costs for 'like' services. It will also involve an assessment of the service costs, including overheads, hourly rates and how the SP funding is to be spent.

v) The provider is fully accredited

The service provider will need to be fully accredited in line with the West London requirements. As a competitive process is introduced, evidence of this will be sought through the Council's Pre-Qualifying Questionnaire used for selection of providers to work with the Council.

v) Equitable Decisions

Commissioning decisions will strive to create services which meet the Councils diversity commitments across the borough, tackle exclusion and address inequalities.

vii) Adherence with Council Procedures

As Brent Council is responsible for the procurement and letting of contracts, we will adhere to Brent Councils Standing Orders for Contracts.

viii) Other Commissioning Criteria

The following commissioning principles will apply as appropriate in addition to the criteria above:

- There may be instances where a new commission is required but this was not known at the time the strategy was produced. This will largely be in

response to growth areas stimulated by Government initiatives. E.g. the Criminal Justice Intervention, National Treatment Agency (NTA) programmes. All these commissions will need to be agreed through the SP Commissioning Body and reflect good value for money and quality. There must be robust evidence of need.

- Where a new SP service is linked to capital funding, for instance through Housing Corporation, NTA, DCLG or Department Of Health funding, the commissioning process for the SP service (specification and evaluation) will be distinct from the selection process for the capital development. All Commissions must be agreed through the SP Commissioning Body. The approach outlined in this framework will usually be followed for the service provision. Occasionally we may wish to develop formal partnering arrangements to ensure capital funding opportunities are maximised.

5. IMPLEMENTING COMMISSIONING PLANS

Supporting People services will be commissioned through the following routes:

1. Formal Commissioning of a new service, which may be done jointly (see section 7 below). As a variation of this, we may explore the possibility of formal Partnering (see section 6iv. below)
2. Agreement by both parties to an existing SP contract to vary the contract. This will only take place for limited changes to services. This will be a limited approach to 'commissioning', but will provide a pragmatic method of responding to service changes and the need to be innovative to meet current needs.

6. DEVELOPING AND MANAGING THE MARKET

One of the key aims of this Commissioning Framework is to confirm commitment to supporting a varied SP market in Brent. This section sets out the approach the Commissioning Body and the Council, as the administering authority, will take to develop the market of Supporting People providers in Brent over the next 3-5 years.

i) Market stability

Market stability is a priority to ensure the delivery of high quality, strategically relevant services and an effective commissioning strategy in the longer term.

As mentioned above steady state contracts are being issued for 1-3 years. At the end of this period all will be subject to competitive processes if the strategic review shows that services needs to continue. The Procurement Programme will be published and will be updated regularly so all providers can prepare.

Once a service has been subjected to competition, longer term contracts will be used where possible, subject to legal advice. These will generally be for 3 years, with the option for review and renewal for a further 1 or 2 years. We will consider

exploring the option of longer contracts or formal partnering arrangements for some accommodation based services where, for example, the provider may have to expend significant sums on capital.

Where significant change is brought about either through de-commissioning or remodelling, an impact assessment will be carried out as part of the commissioning process. This will assess the wider impact of the change including the impact on the SP market and consideration of staffing issues/TUPE implications and impact on users. The impact assessment pro-forma is a separate Appendix 4 to this document.

We will promote close working with providers through the Provider Forum, provider theme groups, and provider elected representatives on the Supporting People Core Strategy Group. We will also ensure that all tendering projects include at least one market management meeting with potential suppliers, where provider views on the best way to deliver services and package services into contracts will be sought and information on tendering processes shared.

ii) Diversity and Capacity Building

The Brent Supporting People Commissioning Body is committed to the development of supplier and service diversity to reflect and meet the broad spectrum of need in the borough. The aim is to achieve a range of different sector / organisation type providers, to supply a range of services. This will be one of the ways in which the SP programme will achieve one of its key objectives of enabling more choice of supported housing options to service users.

One of the main aims of this Commissioning Framework is to ensure that equality of opportunity, good race relations and eliminating unlawful discrimination are built into all aspects of commissioning and procurement for the SP programme. Appendix 3 shows the stages of the Procurement Cycle and the actions that will be taken to promote equality during the cycle.

Over 40% of the Brent Supporting People is currently allocated to Voluntary and Community Sector providers, large and small. Smaller and specialist providers, particularly those from the Voluntary and Community sectors will be encouraged and supported to participate in bidding for contracts. We will work with our Procurement Unit and Voluntary Sector Unit to develop capacity building options to ensure providers are able to participate in the SP programme. Building the capacity of small voluntary and community sector providers will also help add to the local supply base and contribute to the development of sustainable communities.

A range of good practice models exist for working with small organisations, the SP team will work with small providers to develop relevant local models locally. An action plan will be developed, to include actions such as:

- Providing example model partnership agreements,
- Model SLA's incorporating the role of the Voluntary Sector Compact
- Encouraging opportunities for joint work between providers such as

through theme groups, research projects etc

- Signposting providers to effective sources of support.

The authority will also look at the possibility of streamlining processes and paper work to enable wide participation, including the development of a common Pre-Qualifying Questionnaire (PQQ) across West London SP, e-procurement, a glossary of PQQ terms, a module based training programme, and consideration of tendering timescales

Smaller providers will be encouraged to participate in bidding for contracts through a range of mechanisms such as consortiums, umbrella groups (subject to a satisfactory legal structure being in place to contract with), lead contractors etc. The Framework Agreement will allow some small specialist contracts to be included where required.

In some instances, where appropriate, the Council may wish to encourage the formation of consortia that combine the capabilities of 2 or more service providers in such a way that larger, more complex contracts can be performed. The development of provider partnerships and consortia to respond to new opportunities is in very early stages, with few real examples of joint work by providers at present. Whilst small providers are keen to develop partnerships with each other, they are aware of the difficulties in retaining identity, legal status and achieving equal status if they enter into a partnership with a larger provider. Larger providers refer to working together in partnership where they can see real benefits to service users. It is clear that partnerships of any sort require significant development of relationships and trust, which cannot be done quickly.

The commissioning process will also be mindful of avoiding the development of monopoly situations, where most service provision for a particular client group is in the hands of any one provider. This not only limits choice in the market place for service users, but increases risk to the Council if the service or contract fails.

The Council will agree an approach for the development of the market during Strategic Reviews, in consultation with service providers and the Commissioning Body. A balanced approach is needed which considers whether there would be advantages to dividing any contracts into smaller "lots" to provide Best Value for Money and a diversity of suppliers, or whether there is a good case for some rationalisation of the provider base with the award of larger contracts.

Where there is no or only an immature market (few providers with a limited track record), we will aim to open up the market, for example by working with Joint Commissioners, holding supplier events to talk about how needs in Brent could be met, training events on how to tender in Brent. The Supporting People team will work with Procurement and Voluntary sector colleagues, as well as Joint Commissioners to carry out these tasks.

iii) Market Analysis

Prior to every competitive provider selection exercise we will carry out an analysis of the SP market for the client groups, during the Strategic Review or

Options Appraisal process. This will include consideration with providers of their interest in the proposed service, how realistic the business model proposed is, how attractive the contract proposed would be, what are the risks, early indication of likely costs and timescales, joint consideration of possible alternative routes to achieving the desired outcomes.

iv) Partnering arrangements

It is accepted good practice in parts of Public Sector procurement that long-term partnering between the local authority and a particular supply organisation may be a more appropriate method to secure quality and value for money in certain circumstances. The Commissioning Body and SP team in Brent will explore the possibility of partnering.

Regardless of the procurement route selected, the objective will always be to create a good contractual relationship with the service provider (this applies equally to internal service providers). 'Formal Partnering' describes the process of creating a partnership between the Local Authority and provider. It is about more than negotiating a contract (as important as that is). It is about building and sustaining a relationship that will ensure the contract works and continues to work over a long period of time. It is different to Partnerships between providers, which is covered above in section 6ii (page 15).

Any partnering would be based on the following principles (known as Egan principles, following work done by Sir John Egan): shared objectives; commitment to the local community and the Supporting People programme; trust; openness and honesty; good communication; proactive problems sharing; sharing of risk and reward; continuous performance improvement; continuous cost reduction; joint investment; pooling of knowledge and resources and mutual learning. A contract is still essential for a partnership, but it need not be adversarial, contractors are invited to compete on quality and the contract gives the flexibility for the partnership to develop. These Egan Principles are now becoming widespread in Public Sector procurement, and in particular in the housing world have been applied to the way in which Local Authorities procure affordable housing from Housing Associations. This has a direct relevance for SP which is about funding supported housing, much of which is provided by Housing Associations operating in a heavily regulated not for profit sector.

It is recognised that formal partnering relationships are usually used in complex contracts where it is important to ensure costs are controlled. They usually imply open book accounting and risk sharing. Such partnerships can be very resource intensive, but may be appropriate in some circumstances for some Supporting People funded services.

A few providers have indicated that they would welcome exploring a formal partnering approach based on a longer-term relationship between the Council.

London Borough of Brent, along with other West London boroughs, has applied for funding from the London Centre for Excellence to work on scoping some work on this approach.

7. JOINT COMMISSIONING

Where SP strategies and annual plans are drawn up, they will identify potential service areas for joint commissioning. This can be with internal council partners within Social Care, other organisations such as the Primary Care Trust, Drug and Alcohol Action Team or with other councils in the development of cross authority provision. Joint Commissioning with West London boroughs is likely to feature as a priority in the Procurement Plan from 2007 onwards. (see also Part 1, section 2.i page 9)

PART 2 - COMMISSIONING, PROCUREMENT AND DE-COMMISSIONING

As mentioned above, this section of the Framework is written in line with the Guidance issued by CLG for the management of the SP Programme, and also with Brent Council Standing Orders, which must be complied with when purchasing services under contract on behalf of the council.

1. GOVERNANCE

The Supporting People Commissioning Body is a partnership between the Local Authority the Primary Care Trust and the Probation Service. Whilst it operates in a partnership agreement, it is not an entity which can administer the SP funds or enter into contracts. This is done by the Local Authority, as the Administering Authority for the SP Grant. At the time of writing the Commissioning Body is responsible for the development and implementation of the Supporting People strategy and producing its commissioning plans. It makes the overall decisions about what services are to be commissioned, de-commissioned and remodelled, but only the Local Authority can implement these by procuring and contracting SP services according to its procedures.

All contracts entered into by the Council will need to comply with the relevant statutory provisions, the EC procurement regime, the Council's own constitution and contract procedure rules. As the legal body entering into the contract, it needs to ensure it is operating legally and fairly in the contracts it commissions.

2. PROCUREMENT

As mentioned in the Introduction above, procurement is the operational activity, set within the context of commissioning, of buying services from a third party supplier under a legally binding time-limited contract. All Supporting People services are procured from providers in this manner. Supporting People funding is not used to provide grants or grant aid to organisations.

The Council's in-house Supporting People services are treated with the same robust processes. The presumption is that all Council services must be periodically exposed to 'genuine competitive pressures' unless there are compelling reasons to recommend a different course of action. This same principle will be applied to all services, irrespective of which organisation provides them.

The procurement process has five main stages:

1. Pre-procurement
2. Invitation of tenders/quotations
3. Evaluation of tenders/quotations
4. Acceptance and award
5. Monitoring of performance

A flow chart attached as Figure 2 sets out stages 1-4.

This Commissioning Framework covers the first two stages. Stages 3, 4 are well documented within the Council's contract procedure rules and guidance. Stage 5 is covered in Brent's contract SP monitoring procedure (which at the time of writing is being reviewed in partnership with West London boroughs in order to develop a common regional approach to Performance Management)

3. The pre-procurement process

Before procurement commences the Council needs to ensure that:

- a) SP funding is available
- b) A review (including an Options Appraisal) has been carried out to determine whether the service or group of services is required, and to identify the most appropriate procurement route.
- c) There is a clear business case for procurement
- d) As required by Brent's Standing Orders, Council Executive or Chief Officer authority has been obtained to commission the service, by agreeing to the procurement process and evaluation method and criteria.

4. REVIEWS

The Supporting People service review and the procurement of services are separate activities, although service reviews and their outcomes are critical to the pre-procurement process.

Until 2006 a Service Review was used to evaluate services in terms of: strategic fit, performance, quality, service user satisfaction and value for money. During the period April 2003-6 the Service Review programme was the main driver of the Supporting People strategy and it was at the outcome of those service reviews where the decision was made to re-commission or de-commission a service.

Reviews from April 2007

A performance management process applies to steady state contracts. In future regular contract management will include annual monitoring of each service. A

revised Performance Management Framework, being jointly developed in partnership with West London SP administering authorities will inform the local approach from April 2007.

Brent is also committed to usually carrying out a Strategic Review of every service or group of services post 2006, prior to the end date of each steady state contract. This will inform decisions about re-commissioning, re-tendering or de-commissioning services. The Strategic Review process will be more streamlined and risk based than that used 2003-6. An Options Appraisal will be developed for each group of contracts during or following the strategic review (see section 5 below).

There will be an element of cross borough Strategic Reviews, where this is appropriate for the client group.

A new draft Strategic Review procedure is being piloted with providers of services for people with learning disabilities. Assuming the pilot is successful, this new Strategic Review procedure will usually be used, however where the contract is for a period of 2 years or less, and demand is clearly evidenced through performance information and needs mapping, some aspects of the process may be omitted.

Procurement starts once the decision is made to go down a particular procurement route following the options appraisal and this has been approved by the Commissioning Body and as required by the Councils Standing Orders.

5. OPTIONS APPRAISAL

The purpose of the appraisal is to explore the 'buy' options for services and how best to group services to achieve the commissioning criteria set out in section one of this framework. An options appraisal will need to be undertaken for all services or groups of services which need to be commissioned. The options appraisal would recommend either:

- i. in occasional circumstances, the contract is retained wholly, or partly, by the existing provider, or
- ii. the service or group of services should be exposed to competition and how they should be packaged to achieve the aims of the Supporting People strategy and this framework.

This decision will be based on the consideration of a number of factors:

- How best can the services /option provide the strategic outcomes needed
- How can the services/options be contracted and commissioned to provide Best Value for Money
- What commissioning/contracting option is likely to provide the best quality
- How can the service/option be contracted to respond well to the needs of Black, and Minority Ethnic and other excluded groups?
- Does market testing show there is a market for the options proposed? Are there viable alternative providers?
- Practical resource considerations for the local authority and providers

- The options appraisal will also assess risk of challenge from providers

6. OUTCOME OF OPTIONS APPRAISAL

i) Decision to retain the current provider under a new service contract

Post 2006 the decision to establish a further new contract with an existing provider who has already been given a steady state contract without subjecting the service to competition is likely to be a very unusual option. For the most part services will be opened up to competition. Where good business reasons, such as the lack of a viable market, suggest that the service should remain with the existing provider a business case will be presented to Brent Council's Executive or Departmental Head of Service in line with Brent's Standing Orders.

If it is agreed that this is an option the provider would only be given a further contract where there are no significant issues in terms of quality, (up to the point where a service is assessed as QAF level A) performance, best value for money and there are real prospects for improvement and change as demonstrated by the improvement plan. The providing organisation must be accredited.

ii) The service should go out to competition

As steady state contracts come to an end opening the service up to competition will normally be the procurement option recommended. Brent Council Standing Orders require a tendering process to be undertaken for all contracts estimated to have a value of £144,376 or more over the term of the contract. This covers by far the majority of SP funded services. Contracts below this figure but about £20,000 over their life require the use of a quotation process.

If there is a viable market i.e. other providers who could provide the service then it would be practicable to put the service out to competition. The outcome may be the transfer of the service to another provider who addresses the best value for money, performance, quality or accreditation issues.

Where a service is "accommodation based" and dependent on the provision of a property owned by another organisation, the landlord organisation will be informed of the councils intention to put a service out to competition at the earliest opportunity so that decisions about how housing management should be provided can be made and mechanisms for selecting the housing management organisation can be agreed between the council and the property owner.

The procurement process starts once the decision is made to go down a particular procurement route following the options appraisal and this has been approved by the Commissioning Body and as required by the Councils Standing Orders.

7. TUPE

TUPE may apply and the implications will be considered case by case.

8. PILOT PROJECTS

For newly commissioned services, or for projects responding to new government initiatives or where partners have short term funding available a process of market testing could involve consultation around new service models or specification and how the service should be provided. If the outcome of the market testing is positive and there is a potential market then it probably would be worthwhile putting the service out to competition.

Although market testing is part of the pre-procurement process, the rules relating to probity and transparency are still applicable.

9. ACCREDITATION/PRE-QUALIFICATION

The accreditation process is designed to ensure that organisations in receipt of Supporting People Grant and thus providing services to vulnerable people are suitable and robust enough to manage the grant. The process of accreditation is concerned only with the organisation's standing and not with service quality.

All organisations receiving Supporting People funding must be accredited.

i) Key Accreditation Criteria

Brent participates in the West London accreditation system, through which providers accredited in one borough within West London are automatically accredited throughout the sub-region.

The CLG have identified 5 overall requirements that must be achieved in order for accreditation to be awarded:

- Financial viability
- Competence to handle and account for Supporting People Grant
- Effective employment policies
- Robust management procedures
- Competence/track record

In future the Pre-Qualifying Questionnaire, used during the tendering process, will be used to assess most accreditation criteria. The West London Supporting People group is developing a Pre-Qualifying Questionnaire covering all areas of accreditation, for use in tendering across the region by individual boroughs and on joint tendering exercises.

Accreditation and passporting will be operated in such a way that any unaccredited organisation wishing to be considered for any service is not disadvantaged.

In future, all accreditation criteria are likely to be monitored on an ongoing basis, to ensure that all Supporting People funded organisations continue to operate at the relevant levels of probity. This means that organisations will need to submit updated information on eg insurance and accounts on a yearly basis.

ii) Passporting Arrangements

Organisations that are already accredited by other accreditation frameworks or other Local Authorities they may be able to be passported through some or all of the accreditation requirements. The aim of this is to reduce duplication in evidencing requirements. Brent Supporting People Team **reserve the right not to accept a passport if we consider there is reason to do so**. If this situation arises the provider organisation will be asked to present evidence of that requirement in the usual way.

Full details of the West London approach to Accreditation, and the Accreditation criteria are found at: <http://www.brent.gov.uk/sp.nsf/>

9. DIRECT /INDIVIDUAL BUDGETS

There are currently no direct payment or individual budget arrangements (also known as Self Directed Support) operating under the SP programme in Brent, although there is the potential to use these as part of the Supporting People programme in the future. This would have a significant impact on the programme, diverting SP funding from organisations to individuals to choose their own provider.

The Commissioning Body may wish to consider top-slicing a proportion of the SP budget to allow self directed support to be promoted outside this Commissioning Framework. The possible use of such budgets to allow individuals more choice of housing support may be considered as part of any Strategic Review and Options Appraisal.

The impact on budgets and on this Commissioning Framework will be considered. As mentioned in the introduction, the Commissioning Framework will be reviewed in 2008 to ensure it continues to reflect the wider commissioning environment.

10. CONTRACT PERIOD

Supporting People Steady state contracts for new and re-commissioned services are for 1,2, or 3 years with the option for review and renewal for a further 1 or 2 years. The short contract periods are used where there are value for money, quality, performance issues etc which need to be resolved through an improvement plan, or where the service is to be included early in the local Supporting People procurement plan.

Short term contracts may also be used where services that are planned to have only a limited life are commissioned (as might be the case where services are commissioned that address a specific need within a regeneration scheme, or are piloting a new way of working, or responding to limited funding availability).

It may be possible in future to occasionally to use longer term contracts (+3 years) in some limited circumstances where the service is expected to be fairly

static and long term in nature (e.g. some learning disability schemes). We may also consider this option where significant capital outlay has been made or needs to be made by a provider.

11. PROCUREMENT PROCEDURES

Where it is decided that a service or group of services should go out to competition, there are a number of procedures which can be used and these are described below. Further details about this are set out in the councils guide to Procurement available on the Brent Council website at www.Brent.gov.uk/procurement

The procedures to be used will be informed by the value of the contract and assessment of the market.

In keeping with Brent's standing orders, project groups will be formed for each contract tender and, as far as possible service users or their representatives will be included in preparing specifications and tender selection processes.

i. Tenders and Quotations

Competition is required (three written quotes) for contracts or quotes between £20,000 and £144,371 over their entire life. Any approved list in place should be used if this is developed.

Medium and High Value (tenders)

For procurements valued above £144,371 over their life, tenders are required. For those exceeding £500,000 the Executive needs to approve the tender strategy and evaluation criteria, and award the contract (for contracts below £500,00, these decisions are taken by the Director of Housing and Community Care).

European Union Procurement regime

Most if not all SP contracts, because of their subject-matter, are not required to be tendered under these rules which apply in general to all public sector contracts. As a result, the main rules to be followed are under Brent Council's Standing Orders.

However general EU principles principles of non-discrimination on grounds of nationality; equal treatment; transparency; proportionality and free movement of goods and services apply to all public sector contracts.

There are two levels of application. The full regime for services designated as Part A and a lighter regime for services designated as Part B. In most instances, Part B will apply to SP services, but this will need to be determined on a case-by-case basis.

Given that in most instances Part B will apply an open, restricted or negotiated procedure as set out below will be used as appropriate.

ii. Framework Agreements¹

LB Brent would like to explore the possibility of using framework agreements for the procurement of Supporting People services. A framework agreement is a general term for agreements with providers which set out terms and conditions under which specific services (call-offs) can be made throughout the term of the agreement. Strategic Reviews will include consideration of options, including use of a Framework Agreement, if tendering is the preferred option.

The terms of any Framework Agreement and suitable contract packages and Business Rules will be discussed with relevant providers to ensure it represents a realistic approach to the services required and the state of the market. The Business Rules will set out how services are called off under the agreement and sometimes another mini tender may be required.

If the framework approach is chosen, for some or all Supporting People contracts, it will be necessary to advertise and tender for the framework agreement itself. The framework agreement advertised and tendered will establish the terms which will apply under the framework, often including hourly rates for the provision of support staff and the client group/s covered under the agreement. Once a provider or group of providers have been selected under the framework agreement contracts can awarded to any of these under the terms of that agreement without the need to re-advertise and re-apply the selection and award criteria again. The framework agreement is usually for no more than 4 years. With this approach, contracts with providers would only be formed when services are "called off" under the agreement.

Framework agreements can be set up with a single provider or with several providers, for the same services. In the latter case, there must be at least three providers, provided that there are sufficient providers satisfying the selection criteria. This means that, subject to being selected as a framework agreement provider able to meet required quality and value for money standards, a variety of providers could be used to provide similar services. This would have the benefit of allowing the council to work with a variety of providers for the provision of Supporting People services without having to follow a tendering procedure for each individual service.

The framework should be capable of establishing a pricing mechanism. However, this does not mean actual prices will always be fixed at the point of tendering, but that there should be a mechanism that will be applied to price particular requirements during the period of the framework, eg a base hourly rate. The scope of the specific service that will need to be called-off will be established, but

¹ Framework Agreements OGC Guidance on Framework Agreements in the new procurement Regulations – Office of Government Commerce, Jan 2006

it will be possible to upgrade the service required so long as it remains within the general scope of the original specification.

A framework agreement for the provision of Single Homeless floating support has been tendered in West London, with 9 providers identified. A mini tendering process would be required amongst the 9 providers as and when participating boroughs wish to “call off” a contract. The Director of Housing and Community Care (or his delegated officer) makes decisions about what contracts to call off from the framework, and the criteria for mini-tendering, and award of call-offs (though in the case of contracts exceeding £500,000, the Executive has to award the call-off).

More information about Framework Agreements is found at:
http://www.ogc.gov.uk/documents/guide_framework_agreements.pdf

iii. Tendering procedures and Negotiated Contracts

Assuming there are no EU requirements, providers will be selected for the Framework Agreement or for individual SP contracts through one of the tendering routes set out below:

Two Stage procedure

This procedure is in two stages. First, the tender is advertised and expressions of interest sought. The notice/advertisement will be in the local press, on the Council's electronic tendering site and in an appropriate trade journal. There will also be a notice on the Council's SP site. Prospective tenderers will have to complete an accreditation questionnaire or Pre Qualifying Questionnaire and all responses will be assessed against pre-set evaluation criteria. These are evaluated and then a select list is drawn up. The second stage is to invite only those providers on the selected list to tender.

Open procedure

In this procedure, the Council publishes a notice. All providers expressing an interest are invited to tender. The notice/advertisement will be in the local press and on the Council's electronic tendering site. There will also be a notice on the Council's SP site.

The main drawback with this procedure is that *all bids received must be* evaluated.

Negotiated Contracts

The Council publishes a notice. Only those contractors selected by the Council are invited to negotiate. The notice or advert has to make it clear that a negotiated procedure is being used. These methods are usually used for complex contracts. This requires the prior approval of the Council's Executive.

In all the above procedures, the tender panel is responsible for ensuring that service users are represented appropriately in the process and for ensuring that

the criteria for selection are sufficiently comprehensive and robust to identify the best provider for the services to be procured.

Contract Variations

Agreement by both parties to vary an existing contract can provide a very pragmatic way of responding and adapting services to changes in need. This can avoid the need for unnecessary re-tendering. The changes to the service would need to be consistent with the SP strategy and improve strategic outcomes. Changes to a contract by this method will only ever be minor and not significantly increase the value of the contract. If the proposed variation is the extension of an existing contract, then this requires Brent Executive or Chief Officer approval unless the period of the extension was set out in the contract itself.

SECTION 3 DE-COMMISSIONING

1. Introduction

It is inevitable that services will be de-commissioned from the Supporting People programme as local Supporting People strategies and commissioning plans are implemented. De-commissioning is where the decision following a Strategic Review is to withdraw funding in full and not agree a further Supporting People contract for the same service, either for the same provider or another provider following a competitive exercise. The decision to de-commission a service will be approved by the Supporting People Commissioning Body.

Technically, the withdrawal of funding following the completion of a Strategic Review is a straightforward exercise. Following the review, the *interim* or steady state contract may automatically expire at the end of its term, or if earlier termination is required, notice will need to be given (as set out in the contract) and then the contract ends at the expiry of the notice period. There is no statutory duty on the Local Authority to provide Supporting People services, and service users have no right to housing support services, unlike most other social and welfare services. However, the implications of withdrawing funding may be far from straight forward and a decision to withdraw funding should not be implemented until the wider implications have been considered.

The detailed procedure is covered in the draft Strategic Relevance Procedure.

2. Overview of the process

In all cases, the decision to de-commission will only be established following a review of the service, or a strategic review of a group of services. The decision to de-commission will be because a service is not strategically relevant to the programme or because it is a lower commissioning priority compared to other priorities, given any constraints on the SP budget, or because standards are low.

In instances where there is a contract or service failure the decision to de-commission in the longer term will still need to be made on the basis of a Service Review albeit that contingency arrangements will need to be put first.

The review will scrutinise paperwork supplied by providers and stakeholders. Further information may need to be provided through discussions with management, staff, service users and other stakeholders such as funders and referral agencies. An assessment of value for money may also need to be considered.

The evidence from the strategic review should provide an options appraisal and robust business case outlining a range of options, which will enable the Commissioning Body to approve de-commissioning decisions on clear strategic grounds.

However, the Commissioning Body may not wish the decision to be implemented until the risks have been identified and action plan is in place to control any risks arising from the withdrawal of funding.

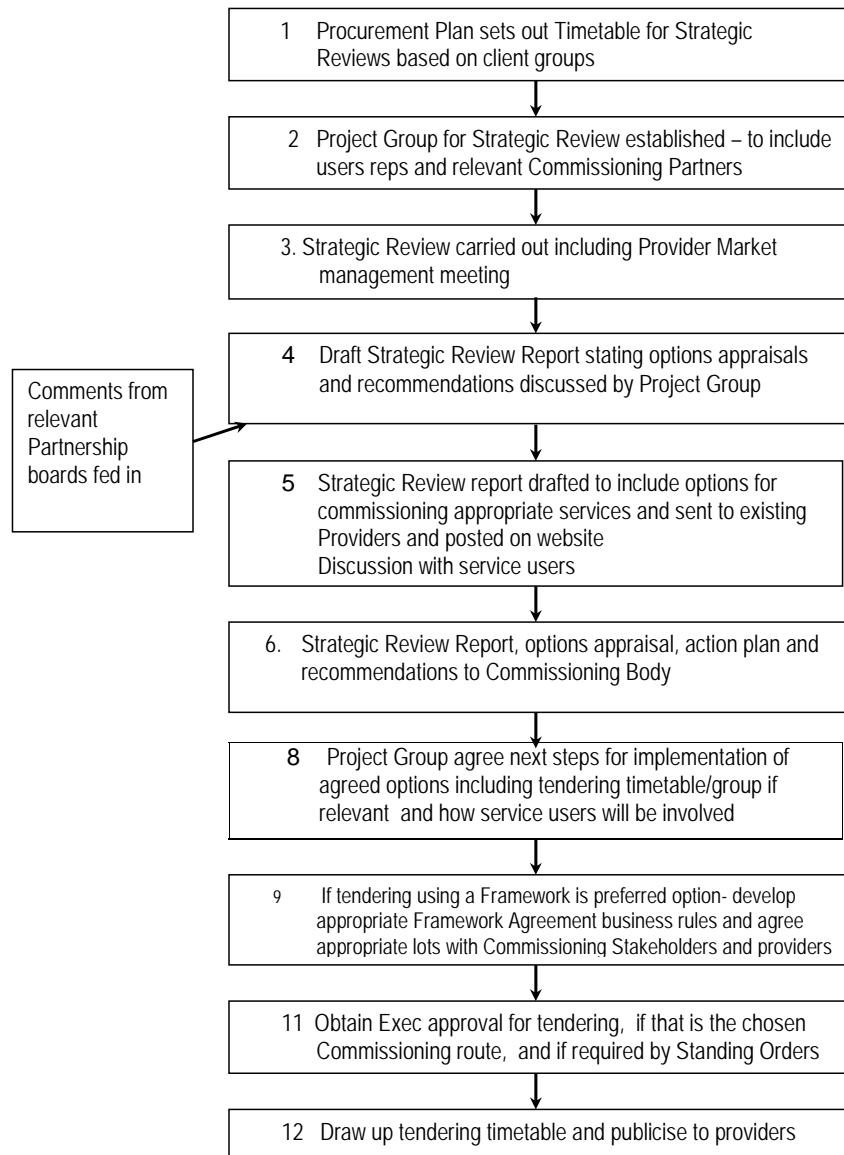
The impact assessment informs how the withdrawal of funding and potential implications are managed. The Impact Assessment Proforma is separate as Appendix 4.

If the service review decision is to de-commission then the impact assessment should be undertaken and submitted to the Commissioning Body. Any potential risks should be identified before any decision to de-commission a service is implemented. Wherever possible, this should be carried out jointly with the provider and any other joint funders.

References:

1. CLG (2006) *A guide to Procuring Care and Support Services*
2. South Tyneside Borough Council (2004) *Supporting People Commissioning Framework*
3. Manchester City Council (2004) *Supporting People Draft Commissioning Framework*
4. Plymouth City Council (2006) *Supporting People Procurement Strategy 2006-2010*
5. Dept of Health, Health and Social Change Agent Team (April 2004) *Commissioning and the Independent Sector, a Good Practice Guide*
6. Office of Government Commerce (Jan 2006) -*Guidance on Framework Agreements in the new Procurement Regulations*

LONDON BOROUGH OF BRENT – SUPPORTING PEOPLE HIGH LEVEL PROGRAMME OF STRATEGIC REVIEWS/PROCUREMENT 2006/2011			
Start Year	Client Group	Current Contracts- annual value	Procurement methods /Notes
2007-8	Learning Disability Services	£1.1mill	Framework agreement to be discussed with pro Commissioners. Some pooled funding anticipa
	Single Homeless/generic and refugee Floating Support services	CE1.0 mill	West London Framework Agreement to be use by Exec April 2007)
	Older Peoples Floating support	£529K	Framework agreement proposed
2008/9	Mental Health Services	£2.73 mill	Strategic review 2007/8 – tendering in 2008 Framework agreement - to be discussed with p Commissioners. Some pooled funding with Hea Social Care to be considered.
	Offenders and Drug and Alcohol Services and Young Peoples services (accommodation based and floating)	£694K £477k- YP	Possible use of West London Framework Agre floating support.
2009-10	Families Floating Support and Hostels including Teenage Parent and Domestic Violence Services	£623K £508k	Framework agreement proposed
	Singe Homeless hostels and accommodation based services (including direct access hostels and Refugee hostels)	£121k- Refugees £1.8mill – Direct Access £543k- other SH hostels	Complex Property issues will need discussion landlords. Some partnering may be considered
2010-11	Services for People with Physical Disabilities and HIV	£554K	Framework agreement to be considered with p stakeholders
2011	Sheltered Housing for Older People	£1.4mill	Needs careful consideration – Accommodation Support closely associated
<ul style="list-style-type: none"> • The risk assessment used to identify priorities for re-tendering considered: Number of Service Users • Existing Externally validated Quality standards • Vulnerability of Client Group in terms of support hours • VFM/Hourly Rate • Disaster Plan/Business Continuity Plan • Strategic Relevance of Service/Criticality • Move –on provision from Short term/Long term services 			<ul style="list-style-type: none"> • Funding Sources • Utilisation Levels • Staffing levels <p>THE PROGRAMME WILL BE REVIEWED MARCH/APRIL 2008</p>

Flow Chart of Brent Supporting People Procurement Process

Equality in the Cycle of Commissioning and Procurement

Stage in Cycle of Commissioning/Procurement	Activities
Strategic Needs Assessment and Demand Forecasting Procurement Planning	<ul style="list-style-type: none"> • Awareness of legislation- DDA, Race Relations, Sex Discrimination • Consultation with stakeholders, users and providers • Evaluate provision, Identify Gaps in Services, Identify alternative options and identify improvements • Examine data • Events and Information
Specifying the Service Identifying costs Identify the market Contract Terms and Conditions	<ul style="list-style-type: none"> • Include all equality requirements in Spec and contract documentation • Ensure all spec areas are relevant, transparent and non-discriminatory • Outcome based specs to encourage innovation • Wide advertising and Market Management meeting invites • Include all non-discrimination clauses • Include clauses to promote equality
Tendering enquiries Tendering quotes	<ul style="list-style-type: none"> • Check no history of discrimination, offences • Check ability to promote equality and track record in providing relation to equalities • PQQ only ask for relevant info • Provide all info about the authority and the contract • Guide to contracting with Brent provided • Copy of Equality Scheme provided • State all Evaluation Criteria and evidence required
Evaluation of Contracts Award of Contract	<ul style="list-style-type: none"> • Apply only relevant criteria • Evaluation – meet all the criteria and offer best value • Feedback provided to successful and unsuccessful organisations
Performance Management	<ul style="list-style-type: none"> • Review of Client Record Information and Outcomes data • Contract performance to meet equality requirements • Work to improve any poor performance and continuous improvement • Involve service users • Take enforcement action where required
Review	<ul style="list-style-type: none"> • Review success or failure to promote equality • Note lessons for future contracts

[²LONDON BOROUGH OF BRENT DECOMMISSIONING IMPACT ASSESSMENT PRO-FORMA](#)

Provider name	
Service Name	
Service ID	
Service Type	
Primary Client Group	
Secondary Client Group	
Contract Type	
SP Expected Fund Demand	
Maximum Potential Value (Block Subsidy contracts only)	
No. of units	
Scheme Address (if applicable)	
Post Code	
Ward	
Key Stakeholder/ Commissioners	
SP Officer	
Date Completed	

Definitions and rationale

This assessment aims to predict the likely implications arising from the possible decommissioning, reduction or re- tendering of a service, and the associated risks.

Purpose and application of this proforma

Should a decision be taken to decommission a service, the provider, joint commissioners and the SP Team would need to plan and implement the

² [TAKEN FROM SOUTH TYNESIDE COMMISSIONING FRAMEWORK](#)

decommissioning process (and also the remodelling and recommissioning process, where applicable) in a well-managed way. In this context, this proforma provides a checklist of questions that need to be considered by all parties in this process, and provides a basis for action planning. The questions, overleaf, are ordered under seven headings:

1. Immediate questions about the service and its context
2. Impact on existing service users
3. Impact on the wider sector
4. Impact on the service provider
5. Impact on other partners / third parties
6. Impact on relationships between partners
7. Questions relevant to planning the funding/service run-down process

Towards this end, commissioners, providers and the SP Team should consider each question in turn. Some questions will not be applicable in some circumstances. Where applicable, providers, commissioners and in some cases the SP Team, should analyse the question/issue and specify the action proposed, by whom, the risks and implications involved and over what timescales.

1. Immediate questions about the service and its context

1.1 If Supporting People Funding was removed will the service be able to continue, or will it close?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ key questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • Is the service jointly funded, or entirely/largely reliant on SP funding? • Can the withdrawal of SP funding be made up in other ways? • Can the service - either as it stands, or modified in some way - be funded from another source (e.g. see list in 1.2 below) • Will a jointly funded service remain viable following withdrawal of SP funding? • How much is housing benefit paying per unit per week • Per year for service • Who is carrying out housing management • Are any additional activities carried out at the service that SP and HB do not fund e.g. crèche. 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

1.2 Do agencies have statutory responsibilities for any existing users? (This will have implications for service re-provision in respect of these users).			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ key questions to consider	Responsible person and timescales
Some key statutory frameworks: <ul style="list-style-type: none"> • Community care legislation (NHS & CC Act 1990) • Mental health legislation (Mental Health Act Section 117) • Care leaver responsibilities (Children Leaving Care Act 2000) • Probation responsibilities • Asylum seeker responsibilities • Homelessness duties 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			
1.3 Will any of the existing users (and potential future users) be supported by other/re-modelled services?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed	Responsible person and timescales
Is there capacity in the sector to support these service users If there is capacity will SP still be under an obligation to pay (consider the costs)			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

2. Impact on existing service users

2.1 What are the needs of the existing service users?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • Check contract details • Review Information • Provider Information • Do any service users not have support needs 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			
2.2 How would the needs of existing users be (re)assessed? How will appropriate support be planned/arranged?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • Assessments under other frameworks, e.g. those in Q1.2 above (community care, mental health, care leaver, probation, asylum seeker)? • No. Of non statutory service users – how would they be assessed • What are the cost implications 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes. 			

2.3 What are the housing implications for existing users?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • If users need to be re-housed, is appropriate alternative provision available? • Are there / will there be adequate re-housing plans in place? • Consider implications in respect of tenants' occupancy agreements <ul style="list-style-type: none"> ➤ Notice period ➤ Grounds for terminating ➤ Obligations for re-housing/ transfer ➤ Is support a condition of the tenancy. ➤ Is it an assured tenancy ➤ Is it a short hold assured ➤ Is it secure ➤ Is it a licence ➤ How long 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

2.4 What process of consultation would need to be planned with existing users, and any directly affected family/carers?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> Consider realistic timescales 			
<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			

3. Impact on the wider sector

3.1 What impact would service closure have on demand for other services?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> Consider demand in respect of (1) the existing users and (2) potential future users (if the service were to be closed) Will other providers be able to meet the increased demand for their services? (Consider the role played by the service in the wider system - referrals, turnover, voids data, etc) 			
<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			

3.2 What impact would service closure have on the fulfilment of other strategic outcomes in respect of potential future users - for instance, might it reduce the ability to prevent people moving from a lower tier of provision to a higher one?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
Might service closure hinder preventative work, e.g. in terms of: <ul style="list-style-type: none"> • Unnecessary admission to hospital • People staying in hospital unnecessarily • Tenancy loss • People going into crisis Consider the outcomes from this service at this point e.g. planned move on			
Might service closure: <ul style="list-style-type: none"> • Increase homelessness • Increase presentations • Increase rough sleeping 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			
3.3 If this service was to be decommissioned would this need to be replaced with a reduced service?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/ Questions to consider	Responsible person and timescales
Would the gap create such problems			

that a reduced service would need to be provided? Consider cost implications			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

4. Impact on the service provider

4.1 Would withdrawal of SP funding impact on the financial viability of the provider, and what wider effects might this have?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
Consider impact on: <ul style="list-style-type: none"> • Provider's financial viability • The provider's other services (both SP and otherwise) • The wider sector • Is this a small local provider or a large provider • What is the percentage of the total contract for this service of the total contract values for this provider • Would decommissioning this service have an impact on GM authorities. 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

4.2 What are the staffing implications of the withdrawal of funding / service closure?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
Consider process of planning and managing redundancies, e.g. in terms of: <ul style="list-style-type: none"> • Staff contracts • Notice periods • Redundancy payments • Might TUPE apply if service users are to transfer to another service? 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

5. Impact on other partners / third parties

5.1 What consultation and negotiations would be required with any organisations jointly funding the service?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
Do the answers to any of the above questions need to be discussed with landlords, other commissioners, Social Care Managers, Housing colleagues etc Who will take responsibility for this?			

<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			
5.2 What consultation and negotiations are required with property landlords/owners?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> Considerations to include: <ul style="list-style-type: none"> ➤ Contracts ➤ Service level agreements between support providers and landlords ➤ Notice periods, etc. ➤ What is the landlord likely to do with the property if it is vacated. 			
<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			
5.3 [For building-based services] - If the building/scheme was funded by the Housing Corporation or another agency, are there any capital funding/repayment or other issues?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<p>Is there:</p> <ul style="list-style-type: none"> Housing Corporation repayment issues Leasehold agreements What are the land ownership requirements 			

<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			
5.4 [For building-based services] - Does the building/scheme have any alternative uses?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> Can the property be retained for supported housing Is re-modelling of the property possible? Type of building, eg large Victorian House, Hostel, small terrace Configuration of building Neighbourhood, eg residential, on main road Options appraisal on part of provider and/or landlord? What is the age, type of building, is it in good repair What would happen to the building What would be the costs incurred by the landlord i.e. H&S requirements or demolition 			
<ul style="list-style-type: none"> Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High Contingencies, implications, progress notes... 			

6. Impact on relationships between partners

6.1 Would decommissioning this service be sensitive?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • Ward Councillors • Councillor with Housing and Community Care Department portfolio (lead responsibility) • Is it likely to damage future relationship with the provider or landlord or other Commissioners • Local Publicity 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes... 			

7. Questions relevant to planning the funding/service run-down process

7.1 What would be the timescale for service/funding run-down and closure? What are the key phases/milestones involved?			
Checklist/prompts	Comments / analysis / issue (applicability of item, context, challenges, helps)	Action proposed/Questions to consider	Responsible person and timescales
<ul style="list-style-type: none"> • Run-down/closure process • Lead-out times • Project Group for closure 			
<ul style="list-style-type: none"> • Impact/risk assessment categories (tick one & include notes as needed): <input type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High • Contingencies, implications, progress notes.. 			