

**OFFICER DECISION MADE UNDER DELEGATED AUTHORITY
TO APPROVE A WAIVER OF CONTRACT RULES**

STATEMENT OF OFFICER DECISION UNDER DELEGATED AUTHORITY TO APPROVE A WAIVER OF CONTRACT RULES	
TITLE OF REPORT/DECISION:	Contracting a provider to deliver the Care Act Workforce Development Programme
WARDS INVOLVED:	None.
DECISION MAKER:	Anne Bristow, Corporate Director, Adult and Community Services
DECISION(S) MADE:	<p>It is recommended that approval be given:</p> <ol style="list-style-type: none"> 1) For the Council to proceed with the procurement of a contract for the delivery of the Care Act Workforce Development Programme in accordance with the strategy set out in this report. 2) To waive the requirement to obtain competitive quotes in accordance with the Council's Contract Rules. 3) To directly award the contract to Enable East. This provider has is able to deliver specialist and high quality training content that takes account of LBBB social care practices. Furthermore this provider is in a unique position to deliver the training to timetable to ensure staff are trained and prepared for the Care Act by 1st April 2015.
IS THIS A KEY DECISION?	No.
VALUE:	£22,000.00
AUTHORITY FOR DECISION:	Part 3, chapter 1, Section 5 of the Council Constitution authorises Chief Officers to exercise delegated authority to procure goods and services consistent with the Council's procurement policies.
REASON(S) FOR DECISION:	To enable timely delivery of workforce development programme ensuring that staff are trained and prepared to meet the requirements of the Care Act from 1 st April 2015.

<p>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:</p>	<p>Consideration was given to delivering the Workforce Development Programme entirely in-house but this was rejected because there is not capacity to release managers from their roles to deliver training modules for staff.</p> <p>Brief consideration was given to delivering aspects of the workforce development programme in partnership with other local authorities as this might achieve economies of scale. However this option was disregarded as for the training to be effective it must have a local context and be very specific to Barking and Dagenham processes and procedures.</p> <p>Effort was made to scout for other possible providers in the London region, however competition is fierce is due to other local authorities needing to train and develop their workforces for the Care Act too.</p> <p>Initial discussions with other providers (including associates of SCIE) did not satisfy our requirements. The content other providers were offering to provide was very generic, based on national Skills for Care materials. Whereas Enable East was able to demonstrate that they had developed material that could be localized to fit with Barking and Dagenham approaches and of a technical nature to meet the needs of our specialist practitioners.</p>
<p>ANY CONFLICT OF INTEREST DECLARATION BY ANY CABINET MEMBER CONSULTED? (</p>	<p>No</p>
<p>ANY DISPENSATION GRANTED BY CHIEF EXECUTIVE IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST?</p>	<p>No</p>
<p>DATE OF DECISION:</p>	<p>15 January 2015</p>

<p>For completion by Democratic Services</p>	
<p>Date decision published</p>	

Date decision implementable	

This Decision Sheet to be submitted to Democratic Services by Glen Oldfield, Care Act Project Officer.

OFFICER DECISION UNDER DELEGATED AUTHORITY

PROCUREMENT STRATEGY REPORT

Title: Care Act Workforce Development Programme	
Key Decision: No	Wards Affected: None
Decision Maker: Anne Bristow, Corporate Director, Adult and Community Services	
Responsible Officer: Anne Bristow, Corporate Director, Adult and Community Services	
Recommendations: It is recommended that approval be given: 4) For the Council to proceed with the procurement of a contract for the delivery of the Care Act Workforce Development Programme in accordance with the strategy set out in this report. 5) To waive the requirement to obtain competitive quotes in accordance with the Council's Contract Rules. 6) To directly award the contract to Enable East. This provider has is able to deliver specialist and high quality training content that takes account of LBBB social care practices. Furthermore this provider is in a unique position to deliver the training to timetable to ensure staff are trained and prepared for the Care Act by 1 st April 2015.	
Reason(s) for decision The Workforce Development Programme will ensure that staff perform their roles in compliance with the requirements of the Care Act 2014. This will ensure that residents have access to adult social care services that meet the Council's legal responsibilities contributing to the 'enabling social responsibility' corporate priority.	
1. Background 1.1. The Care Act 2014 has significant impacts for LBBB staff and those of partner organisations working in integrated teams. The Act changes the processes and procedures that underpin adult social care service delivery requiring the Council to review its adult social care pathway in order that it is compliant with legislation. In light of this staff will need to be trained on new approaches and ways of working to ensure they perform their roles in accordance with the law. The Care Act comes into effect on 1 st April 2015 so it is imperative staff are prepared for the changes by this date. 1.2. Having identified all of the affected staff and their development needs through a needs analysis exercise and having considered the logistics officers have devised a three tier approach to workforce development. The first tier is already complete which involved a	

general overview and introduction to the Care Act. The second tier is more in-depth and uses an interactive approach to develop policy, procedure and practice to build knowledge and skills. Sessions in this tier will be focussed on the customer journey pathway with other specialist sessions on areas such as carers, charging, and financial assessment. The Third tier of the approach to workforce development tests and refines learning before policies and procedures are rolled out.

- 1.3. A specialist training provider is needed is to support this work. The remainder of this report sets out the reasons for choosing the preferred provider and the procurement strategy.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured.

The contractor (Enable East) will support design, delivery and evaluation of the Care Act Workforce Development Programme. The outline approach and delivery plan is set out at Appendix 1. Essentially the programme comprises of themed workshops and seminars on subject matters of the Care Act. Enable East will design and facilitate sessions in collaboration with relevant service managers. The series of events will be supplemented by other learning opportunities using a mix of styles and methods. Target staff are all those council staff who support adults, specifically adult social care but including Children's, Housing, Leisure, Finance, and Legal services.

2.2 Estimated Contract Value, including the value of any uplift or extension period.

£22,000.00

2.3 Duration of the contract, including any options for extension.

19 January 2015 – 01 May 2015.

2.4 Is the contract subject to the (EU) Public Contracts Regulations 2006? If Yes and contract is for services, are they Part A or Part B Services.

No.

2.5 Recommended procurement procedure and reasons for the recommendation. (e.g. Council or other public framework, or single or two-stage, or if EU, Open, Restrictive, or Competitive Dialogue procedure)

Direct contracting of the preferred provider who has been selected due their expertise and knowledge in the field of adult social care training, and their ability to deliver the Workforce Development Programme to the Care Act implementation timetable. Also in the contractor's favour is their direct experience, existing materials, and track record of delivering training across local authority (social care) and NHS services.

Because of all other local authorities undertaking similar workforce development programmes there is high competition for a limited number of providers, this has made the search for a suitable provider difficult; the availability of the contractor to deliver the programme is also therefore a factor in them being chosen as the preferred provider.

Initial discussions with other providers (including associates of SCIE) did not satisfy our requirements. The content other providers were offering to provide was very generic, based on national Skills for Care materials. Whereas Enable East was able

	<p>to demonstrate that they had developed material that could be localized to fit with Barking and Dagenham approaches and of a technical nature to meet the needs of our specialist practitioners.</p> <p>2.6 The contract delivery methodology to be adopted. Single contract with the identified supplier.</p> <p>2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract. The award of the proposed contract will ensure timely delivery of a major component of the Care Act implementation programme.</p> <p>2.8 Criteria against which the tenderers are to be selected and contract is to be awarded (advice on this should be obtained from Corporate Procurement). N/A.</p> <p>2.9 TUPE, other staffing and trade union implications. No.</p> <p>2.10 How will the procurement address and implement the Council's Social Value policies? The Workforce Development Programme will develop the skills and knowledge of Barking and Dagenham employees, this will in turn benefit residents who will be served by practitioners with appropriate and up-to-date knowledge and ways of working that comply with legislation.</p>
	<p>3. Alternative options considered and rejected:</p> <p>3.1 Consideration was given to delivering the Workforce Development Programme entirely in-house but this was rejected because there is not capacity to release managers from their roles to deliver training modules, nor the levels of pre-produced materials that the contractor is able to provide.</p> <p>3.2 Brief consideration was given to delivering aspects of the workforce development programme in partnership with other local authorities as this might achieve economies of scale. However this option was disregarded as for the training to be effective it must have a local context and be very specific to Barking and Dagenham processes and procedures.</p>
	<p>4. Waiver</p> <p>For contracts with expenditure of between £10,000 and £50,000 the Council's Contract Rules require that it is necessary to obtain at least three competitive quotations and get confirmation in writing of price, goods or service. We wish to waive this rule using provisions 6.61 and 6.62 of the contract rules as the grounds on which to request a waiver. These grounds are urgency and specialism of the preferred provider.</p> <ul style="list-style-type: none"> • the Workforce Development Programme must commence in January 2015 in order that staff are prepared for the implementation of the Care Act on 1st April 2015. Collecting other quotations would jeopardize timely delivery of the programme. • Due to the nature of the workforce development programme, particular expertise is

needed on the subject matters of the Care Act. The contractor possesses the relevant technical and specialist knowledge in a limited market of adult social care training providers.

5. Equalities and other Customer Impact

Careful consideration has been given to the themes of the training and development modules to ensure that the material is effective and relevant to staff, and supports their professional development and learning. Service managers will work closely with the contractor to design and deliver sessions ensuring that the programme is Barking and Dagenham specific.

The chosen contractor has a long track record of programmes across the country and has been a leader in fulfilling diverse and appropriate materials supported by local authorities, NHS, third sector, and provider organisations.

6. Other implications

Risk and Risk Management

It is critically important that frontline staff perform their roles in compliance with the requirements of the Care Act from 1st April 2015. The workforce development programme must begin in January 2015 in order that key staff are prepared for new ways of working and transition arrangements for moving from the old system to the new. There is insufficient capacity in the Council to deliver a workforce development programme of this scale. By contracting Enable East to deliver the workforce development programme the risk is reduced and we will be confident that the timetable for completing workforce development will be adhered to.

Furthermore, due to the nature of the workforce development programme, particular expertise is needed on the subject matters of the Care Act. Enable East have this expertise and this help ensure that the workforce development programme is of high quality and meets the needs of practitioners. Enable East has already produced key material on prevention and wellbeing and prevention that can be used to support the LBBD approach.

Failure to successfully implement the Care Act is recorded on the Corporate Risk Register which is reviewed each quarter. The Care Act Programme Board reviews its more detailed Programme Risk Log more regularly on which appropriate workforce skill and knowledge is recorded.

Property / Asset Issues

None.

7. Consultation

The approach to workforce development was developed collaboratively through the Care Act implementation programme's Workforce Workstream. The approach and delivery plan was sharpened through scrutiny by the Care Act Programme Board. On 12 January 2015 the Care Act Programme Board approved the final Workforce Development Plan and

agreed to commission Enable East to deliver the programme of training and development.

Separate to consultation and engagement through the Care Act implementation programme structure, thorough consultation has taken place with senior managers in HR and with the appropriate portfolio holder.

Consultee	Name/Title	Date consulted
Portfolio Holder	Cllr M Worby	14 January 2015
Ward Councillor(s)		
Other Council Bodies	Care Act Programme Board	12 January 2015
Corporate Directors	Anne Bristow, Corporate Director, Adult and Community Services	16 January 2015
Other required Officer(s)	Gail Clark, Group Manager, HR	06 January 2015
Statutory/Proper Officer		
Others (Specify)		

8. Corporate Procurement

Implications completed by: Euan Beales, Head of Procurement and Accounts Payable

The Council's Contract rules for expenditure between £5,000 and £49,999 requires 3 documented quotes to be obtained. However in this instance the market is of a specialist nature and is restricted due to geographic location. In addition the market test has outlined that alternative providers are unable to provide the scope of works required with the Borough.


This report justifies the need to waive clause 28.4 and meets the justification criteria as set out in clause 6.6.2 as services which are of a specialist and technical nature.

I fully support the recommendations made in this report.

9. Financial Implications

Implications completed by: Roger Hampson, Group Manager Finance (Adults and Community Services)

9.1 This waiver request is in respect of a contract for the delivery of the Care Act Workforce Development Programme, and seeks to waive the requirement to obtain three competitive quotes for the reasons set out in the report. The estimated contract value is £22,000 to be incurred in the current financial year; budgetary provision is available within the resources agreed by Cabinet in respect of implementation costs of the Care Act and other government funding streams.

<p>10. Legal Implications</p> <p>Implications completed by: Dawn Pelle, Adult Social Care Lawyer</p> <p>10.1 There are no legal implications due to the amount of the contract being below the value of £50,000.</p>	
<p>11. Documents considered by decision-maker In making decision</p> <p>See Appendix 1</p>	
<p>Officer decision</p>	<p>Having reviewed and taken account of the matters stated and documents listed in this report and having consulted with the persons/bodies identified in this report, and being satisfied that the decision(s) is/are in the best interests of the Council, I hereby agree and approve the Recommendations set out in this report.</p> <p>Signed </p> <p>Officer Title Corporate Director, Adult and Community Services</p> <p>Date 15 January 2015</p>

<p>List of appendices:</p> <p>Appendix 1: Revised learning and development plan to meet the requirements of the Care Act (Care Act Programme Board, 15 December 2014)</p>
<p>Background Papers Used in the Preparation of the Report:</p> <p>None.</p>
<p>Report Author:</p> <p>Contact Details:</p> <p>Glen Oldfield, Care Act Project Officer; Tel: 020 227 5796; E-mail: glen.oldfield@lbbd.gov.uk</p>

Report to Care Act Programme Board (15 December 2014)

Workforce and Training Workstream Revised learning and development plan to meet the requirements of the Care Act

The Board is asked to:

1. Comment and agree to the 3 tier approach in the plan
2. Review the training proposal to agree the priority learning areas
3. Comment on any additional area of learning need that should be included in the plan
4. Agree in principle that individual managers/specialists can support the joint delivery of sessions – details to be agreed with individual workstream managers.

Introduction and Approach

As shown in the triangle diagram (on page 4) the proposed approach to workforce development is based on 3 tiers. This places the bias of training towards interactive learning, full engagement of staff, and contributing to new ways of working/procedures.

This revised programme is presented based on comments from previous Programme Boards, input from the workforce workstream group and detailed discussion and work with the Care Act Team.

It sets out a significantly revised approach that is bespoke to LBBB while drawing significantly on the wide range of materials available nationally from Skills for Care, SCIE, DH and LGA.

It also uses an interactive workshop approach that provides a vehicle for both learning and development for staff and the necessary revisions of policy and procedure across the whole pathway of care. It also enables some testing of those procedures both before and after.

The above approach advocating using workshops as the main method of delivery also fully supports one of the recommendations coming out of our recent Investors in People accreditation improvement plan.

Tier 1 - General Overview & Introduction

These learning events have already been successfully delivered and were designed to target the wider workforce audience to provide awareness of the changes and the roles and responsibilities in all practitioners playing their part to ensure that they serve the community's expectations and needs when the Care Act is implemented.

Tier 2 - Part A and B

Building on the Introduction to the Care Act events above we now plan to drill down further into the understanding of Act requirements, including the development of a procedures element to this training. Training at this stage will be in 2 parts.

Part A (Core Development) Using the customer journey pathway, developing policy, procedure and practice to build knowledge and skills, whilst also highlighting areas of interdependency across the workforce.

Part B (Specialist Workshops) aimed at providing a more in-depth study of Assessment, Charging & Finance, Carers, Well Being, Prevention, Safeguarding and Integration etc

Workshops will use the revised care pathway as set out in the Care Act based on practical applications. Background information from learning material will be available for information.

Delivery of Part A (Core Development)

- A total of 4 workshops to cover the numbers of staff required.
- Beginning on the 22 Jan 2015 and running through till February 2015
- Workshops will be led by the Care Act Team, supported by practitioners and managers.

Delivery of Part B (Specialist Workshops)

- External provider will be sourced to deliver these workshops
- 6 themed workshops:
 - Charging & Finance
 - Carers
 - Well Being
 - Prevention
 - Safeguarding* (mandatory for all staff)
 - Integration.
- Beginning in Jan 15 and running through to May 15

Tier 3 – Testing and Gap Analysis Learning

This tier of training is aimed at refining the learning and bench testing procedures with larger sized 'testing groups'. During the sessions the training will be designed specifically for LBB and will follow the customer journey roadmap and incorporating the new systems and processes developed so far. Sessions provide an opportunity for specific groups of staff to be aware of the interdependencies in their job roles.

Delivery of Tier 3

- 2 workshops
- Delivered by the Care Act team with external support
- To begin in March 15

In addition to the above there will be on going presentations, briefing, seminars and workshops across the wider LBB, NHS, community and partner sectors to ensure wide coverage of Care Act implications. Currently presentations of this nature are running at least once a week in various settings.

Resources

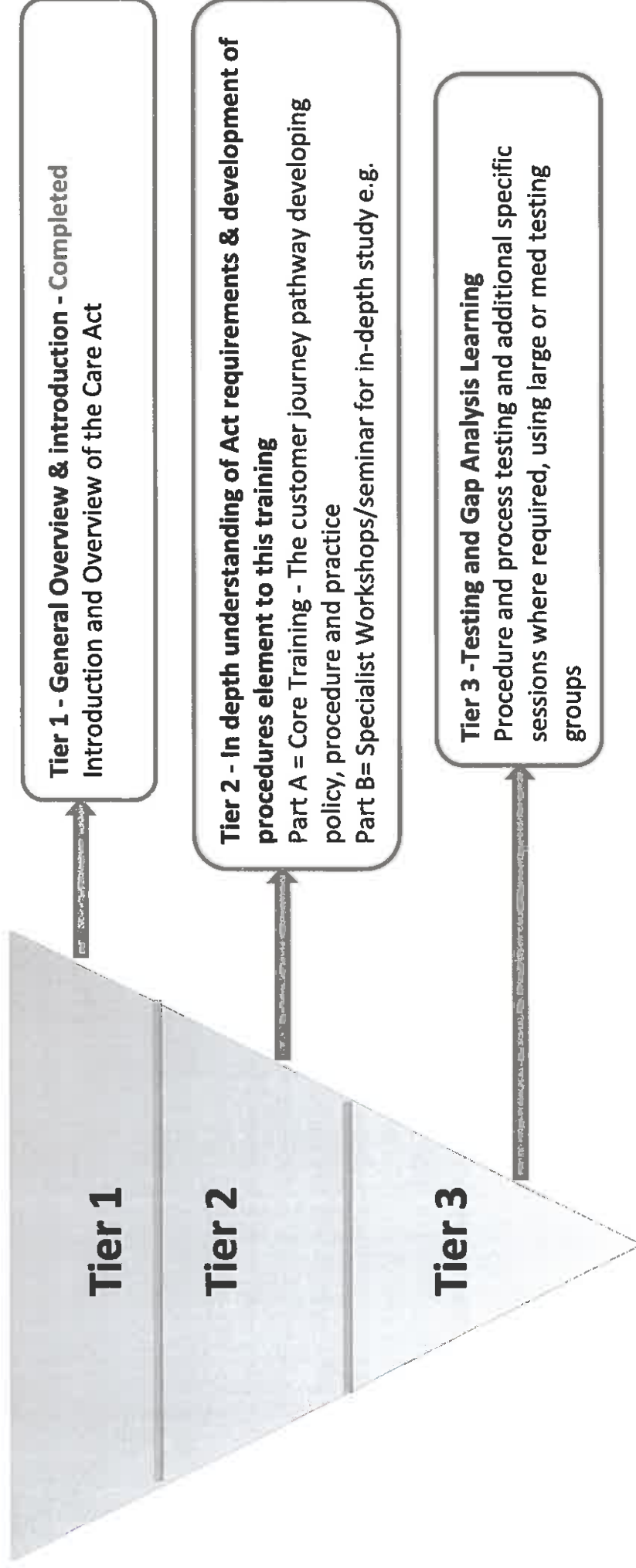
In our 2014-15 budget we envisage spending between Jan – March 2015 of approx £16k including the hire of venues and refreshments e.g. tea/coffee. We will explore the full range of people that can support the roll out of training including the Care Act Team and other known providers. The funding bid we have recently applied for at £16k, we would advise should be made available to support future workforce activity in the budget year of 2015-16.

Staff work release requirements

It is anticipated that most staff will be required to undertake about 5 days training. This will include a combination of an introductory session, self-directed learning and attendance at three workshops.

Proposed timetable and staffing groups at pages 5-8

Proposed 3 Tiers of Workforce Development for the Care Act



CARE ACT TRAINING PLAN 2015

Learning Activity Title	Delivered By	Target Audience	Numbers to be trained	Duration	Duration	No of Sessions	Date	Venue
ASSESSMENT inc PREVENTION, ELIGIBILITY & DUTY OF WELL BEING	Enable East & LBBB Managers	see staff groups	235	1 day	10-3pm	8	22nd Jan 2015	BLC 115
							23rd Jan 2015	BLC 115
							27th Jan 2015	BLC 115
							28th Jan 2015	BLC 115
							2nd Feb 2015	BLC 115
							5th Feb 2015	BLC 115
							11th Feb 2015	BLC 115
							12th Feb 2015	BLC 115
Learning Activity Title	Delivered By	Target Audience	Total to be trained	Duration	Duration	No of Sessions	Workshop Dates	Venue
CARE PLANNING inc PREVENTION & REVIEW	Enable East & LBBB Managers	see staff groups table	218	1 day	10-3pm	8	24th Feb 2015	BLC 115
							26th Feb 2015	BLC 115
							02 nd March 2015	BLC 115
							04 th March 2015	BLC 115
							12 th March 2015	BLC 115
							13 th March 2015	BLC 115
							17 th March 2015	BLC 115
							18 th March 2015	BLC 115
Learning Activity Title	Delivered By	Target Audience	Total to be trained	Duration	Duration	No of Sessions	Workshop Dates	Venue
CARE ACT IMPLEMENTATION AND STIMULATION GROUPS	Enable East & LBBB Managers	see staff groups table	160	1 Day	10-3pm	2	Apr-15	TBC
							May/June 15	TBC
Learning Activity Title	Delivered By	Target Audience	Total to be trained	Duration	Duration	No of Sessions	Workshop Dates	Venue

INTAKE TEAM - Eligibility Workshop	Enable East & LBBD Managers	Intake Team	8	1/2 day	1	23 rd March 2015	BLC 115	room held
Learning Activity Title	Delivered By	Target Audience	Total to be trained	Duration	No of Sessions	Workshop Dates	Venue	
HOUSING OFFICERS - Briefing	Enable East & LBBD Managers	Housing Officers	15	1/2 Day	1	27 th March 2015	BLC 115	room held
PVI & PA's CARE ACT AND CQC Development Sessions	Delivered By	Target Audience	Total to be trained	Duration	No of Sessions	Workshop Dates	Venue	
A series of workshops to provide the PVI sector with an overview of the CQC and Care Act and the implications for their areas of work.	SFC & Commissioners	PVI Sector	100	1/2 Day	2	TBC	TBC	
3 CPD Sessions based on demand from front line staff and to be used for re-enforcement of key issues and developing sustainability	e-learning					TBC	TBC	
1. Safeguarding - Further indepth work with this subject aimed at SAM's, social workers, CLDT & Clusters	Enable East			1.5 hr	4	May	TBC	
2. Carers - Further indepth work with this subject aimed at CLDT, cluster, sensory workers, JAD	Enable East			1.5 hr	4	June	TBC	
3. Advocacy - Further indepth work with this subject	Enable East			1.5 hr	4	July	TBC	

STAFF GROUPINGS - NUMBERS AND SESSIONS

	OT's	JAD Team	*Intake Team	CLDT & Complex Needs	Specialist Sensory	Workshop/Practitioners	Finance Officers	Mental Health Team	Integrated Clusters x 10	QA MH	Housing Officers	BD DAAT	PVI Provider Services & PAs	Workflow Coordinators	Business Unit Officers	Total	No of Sess
Numbers of Staff	7	45	8	40	4	10	9	25	60	25	15	10	17			235	8
ASSESSMENT Inc Prevention, Eligibility & Duty of Well being	1 Day	7	45	*2	40	4	10	9	25	60	25	10	8			235	8
CARE PLANNING inc Prevention & Review	1 Day		45		40	4	10	9	25	60	25					218	8
CARE ACT IMPLEMENTATION AND STIMULATION GROUPS	1 Day	7	45	8	40	4	10	9	25	60	25	10				243	3
*SELF DIRECTED STUDY	0.5 Day	7	45	8	40	4	10	9	25	60	25	15	10	8	17	283	0.5
*PVI & PA's Care Act Development	1/2 Day													100		100	4
Eligibility Workshop for Intake Team	1/2 Day		8													8	0.5
Housing Officers Care Act Briefing	1/2 Day										15					15	0.5
*CPD Sessions on Safeguarding	1.5 hour	7	45	*2	40	4		25	60	25		10				216	4
*CPD Sessions on Carers	1.5 hour	7	45	*2	40	4	10	25	60	25		10				226	4
*CPD Sessions on Advocacy	1.5 hour	7	45	8	40	4	10	25	60	25		10				234	4
																1778	35.5

* PVI & PA Development - Planning to include CQC updates with Care Act at these events. To be jointly developed with commissioner
 *CPD sessions to be of an informal nature where practitioners can bring case examples and have an opportunity to further explore their understanding of the topic.

* Self Directed Support - Will be in the format of a flyer which sets out links to the relevant learning material from Skills for Care, SCIE and other sources to support the underpinning knowledge requirements of the Care Act. Staff will be advised to use no more

than 1/2 day to review materials at their desk with headphones or an alternative place agreed by their line manager.

- Intake team will not all need to attend the Assessment workshop or CPD Sessions