

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>4 NOVEMBER 2019</p>	
<p>APPROVAL TO WAIVE THE COUNCIL'S CONTRACT STANDING ORDERS AND TO DIRECTLY AWARD A CONTRACT TO ACTION ON DISABILITY FOR THE PROVISION OF AN INDEPENDENT LIVING DIRECT PAYMENT SUPPORT SERVICE FOR HAMMERSMITH & FULHAM RESIDENTS</p>	
<p>Report of the Cabinet Member for Health and Adult Social Care – Councillor Ben Coleman</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: Yes</p>	
<p>Consultation Disabled People's Commission Direct Payments Implementation Group Direct Payments Peer Support Service</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Lisa Redfern – Strategic Director of Social Care</p>	
<p>Report Author: Karen Udale Commissioning & Transformation Lead</p>	<p>Contact Details: Tel: 020 8753 6886 E-mail: karen.udale@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1 This paper seeks approval to directly award a contract to Action on Disability to provide a new Independent Living Direct Payment Support Service for one year at an annual cost of £150,000, with the option to extend for up to two years.
- 1.2 People assessed as having eligible care and support needs can request to take their personal budget as a direct payment (DP) to enable them to live independently with choice and control over their own services.
- 1.3 Many Hammersmith & Fulham (H&F) residents have expressed dissatisfaction with the current system and process for accessing DPs in H&F, including the lack of specialist support to use and manage their DPs.
- 1.4 H&F are committed to improving support and access to DPs for residents. Co-production with residents, officers and partners, and an independent review of DPs

by Ruils¹ in H&F in 2018 identified a need for a new support service for those who are in receipt of or interested in DP.

- 1.5 The report of Hammersmith & Fulham's Disabled People's Commission² noted the independent review's recommendation that the DP service be returned to a Disabled People's Organisation (DPO)³. The Commission recommended that the current personalisation strategy be replaced by a co-produced independent living strategy for Disabled people in H&F, to include Disabled people of all ages.
- 1.6 The DPC and independent review highlighted the benefits of having a local, independent DPO provide services for residents.
- 1.7 Residents and people who use DPs have co-produced the requirements of the specification for the new DP support service, how it should be monitored to ensure resident satisfaction and "what good DP support looks like".
- 1.8 Action on Disability is the only local DPO in H&F which has experience of DP support and is able to provide this new service. They have submitted a detailed delivery proposal which satisfies the requirements of the specification. They will be working in collaboration with Ruils, a London-based DPO with current expertise in DP support, to ensure local capacity, best practice and outcomes for residents.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Approves the waiver of the Contract Standing Orders (CSOs) under CSO 3.1 in relation to the requirement to seek competitive bids under CSO 10.2b, on the basis that it is in the Council's overall interest and that the nature of the market for the services to be provided has been investigated and is demonstrated to be such that a departure from these CSOs is justifiable;
- 2.2 Approves the direct award of a contract for a new Independent Living Direct Payment Support Service to Action on Disability from December 2019 for one year with the option to extend for up to two more at an annual cost of £150,000; and
- 2.3 Delegates the decision to exercise the option to extend for up to two years to the Strategic Director of Social Care in consultation with the Cabinet Member for Health and Adult Social Care.

3. REASONS FOR DECISION

- 3.1 The Disabled People's Commission, established by the Council's administration in 2016, and whose recommendations were accepted in full by Cabinet in December 2017, recommended that the Council should use local DPOs to deliver services for and with Disabled residents.

¹ Ruils is a Richmond-based charity that supports children and adults with disabilities and the elderly to live independently, be part of their community and to live life to the full.

² See <https://www.lbhf.gov.uk/councillors-and-democracy/resident-led-commissions/disabled-people-s-commission>

³ DPOs have a majority of Disabled people on their management committee and at least 50% Disabled people in the workforce.

- 3.2 The Commission also recommended that the current personalisation strategy be replaced by a co-produced independent living strategy for Disabled people in H&F, to include Disabled people of all ages.
- 3.3 An independent review by Ruils of DPs, commissioned in 2018 by the Council at the request of residents, recommended that a DPO would be best placed to provide the DP service. The Commission endorsed this.
- 3.4 Disabled residents in H&F have designed a new DP service, setting out what is good direct payment support. They have co-produced the requirements of the service specification and how delivery should be monitored to ensure good outcomes.
- 3.5 Action on Disability is a DPO in H&F that has local knowledge and experience of supporting people to use DPs. Their delivery proposal satisfies the requirements of the service specification and commits them to working with the support of another DPO with expertise in DP support (Ruils) to build local capacity for service delivery.
- 3.6 Of the options set out in section 5 of this paper, option five (issue a direct award to Action on Disability) provides the most-timely, cost effective and sustainable way to establish a new Direct Payments Support Service for the residents of H&F.
- 3.7 Establishing a steering group which works in co-production with residents to help steer, implement and oversee the impact and effectiveness of the new Independent Living Direct Payment Support Service during the first year and beyond will provide oversight and ensure correct leadership and delivery of the contract.
- 3.8 A one-year contract with the option to possibly extend for up to two more years allows for future enhancements and developments of the service with partners. It provides an opportunity to undertake wider market testing and capacity building of local organisations for participating in future tenders of this service.
- 3.9 The longer-term future of the Independent Living Direct Payment Support Service will take into account a review of the first year and feedback from residents using the service. This will help raise standards and ensure continuous improvements for the support service in additional years.

4. PROPOSAL AND ISSUES

- 4.1 The proposal is to directly award a contract to Action on Disability, an H&F DPO, to provide a new Independent Living Direct Payment Support Service for one year at an annual cost of £150,000, with the option to extend for up to two years.
- 4.2 The approach to improving DP support has been co-produced by local Disabled residents, who have been central to the design of the new service. The overall aim is to improve choice, control and wellbeing outcomes.
- 4.3 There is currently no specific support service in H&F to provide the expert guidance and support for people considering or using DPs. DP support is currently mainly via a conversation with a social worker/social care worker as part of an assessment of

need. Many workers do not have the level of detailed knowledge to promote DPs confidently.

- 4.4 In 2017, due to a high level of dissatisfaction with DP support and low take up, a peer led review of DP in H&F was carried out by Ruils, a user-led DPO based in South West London.
- 4.5 The Ruils report identified a number of issues, including the lack of specialist support, information, advice and guidance. It made several recommendations, which included the commissioning of a User Led Organisation (ULO) / DPO to deliver an Independent Living Direct Payment Support Service.
- 4.6 Many of the actions from the report have already been implemented, including DP training for Council staff and DP process improvements. The new Direct Payments Support Service will help ensure the remaining recommendations are implemented.
- 4.7 In 2016, the H&F administration established an independent Disabled People's Commission (the Commission) to set out recommendations for a new way of doing things, where Disabled residents, Councillors and officers and other organisations in the borough work together in co-production. The Commission set "Nothing About Disabled People Without Disabled people" as a standard for best practice and for working together to transform local public services.
- 4.8 The Cabinet accepted the Commission's recommendations in full. This included committing the Council to acting in line with the UN Convention on the Rights of Persons with Disabilities (UNCPRD), which contains a key commitment to Independent Living (Article 19).
- 4.9 Recommendation 7 of the Commission is: "Recognising the unique role, values, and authentic voice of Hammersmith & Fulham's Disabled peoples organisations (DPOs) and their network, the Council works with them to identify and agree a long-term funding strategy, which will ensure that local Disabled residents' rights are upheld, inclusion and equality advanced and that Disabled residents can lead on co-production."
- 4.10 Locally and nationally there is a lack of DPOs and specifically of those with expertise in DP. Action on Disability is currently the only DPO in H&F that meets the criteria.
- 4.11 Soft market testing of both local and wider DPOs stressed the importance of local knowledge when providing support to Disabled residents. DPOs from outside of H&F also indicated a willingness to support a local H&F DPO to build capacity and share expertise and good practice – but not to deliver the service themselves.
- 4.12 Action on Disability are committed to working with the support of other experienced DPOs to deliver a DP support service for H&F residents. They have partnered with Ruils to develop their proposal and Ruils would be the key delivery partner in ensuring capacity and expertise. Contract accountability will be with Action on Disability.
- 4.13 To ensure resident satisfaction, a steering group of residents who use DPs, commissioners and co-production leads would help to oversee the delivery of the

contract. This will ensure co-production and quality assurance, including around staff recruitment, performance monitoring and measurement of resident satisfaction. It will also ensure links to development work to embed independent living as part of the Council's new approach to Disabled people in line with DPC report.

- 4.14 A wider tender exercise is not recommended given that it is anticipated only Action on Disability would bid as other organisations would not meet the criteria of being a local DPO or having the ability to deliver a DP support service. Consideration can be given to a tender exercise should the market change in the future.

5. OPTIONS AND ANALYSIS OF OPTIONS

Option	Advantage	Disadvantage	Recommendation
<p>1. Undertake a tender for a new external provider to deliver the new Independent Living Direct Payment Support Service, open to all organisations with relevant experience.</p>	<p>This could give the widest opportunity to secure a provider with expertise in DP, including both local and national organisations.</p>	<p>The Disabled People's Commission report strongly recommended using a local DPO wherever possible.</p> <p>The extent of the potential market is unknown – risk of low response.</p> <p>Embarking on a full tendering process now would mean the new service would not be up and running until 2020</p>	<p>Not recommended</p>
<p>2. Undertake a restricted tender for a new external provider to deliver the Direct Payments Support Service, open to just DPOs</p>	<p>This would ensure we are in keeping with the Disabled People's Commission recommendation to use a DPO to deliver the service.</p>	<p>Expressions of interest are likely to be very low as there is currently few DPO organisations, both locally and nationally. Those approached have said they would not bid out of their area or against a local DPO.</p> <p>This is not in line with the commitment to use and build the capacity of local DPOs.</p> <p>Embarking on a full tendering process now would mean the new service would not be up and running until</p>	<p>Not recommended</p>

		2020	
<p>3. Invite proposals from a local DPO to apply for a grant as a smaller pilot/ short-term scheme for a fixed period of 6/9 months</p>	<p>This would meet the Disabled People's Commission recommendation to use a DPO wherever possible.</p> <p>This would allow a shorter testing period for the service, with the flexibility to extend or go out for tender at the end of the period.</p> <p>Start date for contract could be earlier than a higher value full years contract due to governance procedures. (Pilot may fall within Cabinet Member authority.)</p>	<p>There would be less security for the provider than with a longer-term contract, making recruitment and longer-term planning more difficult.</p> <p>Residents might not recognise the Council's full commitment to the new service if it was initially provided through a pilot or short-term grant scheme.</p>	Not recommended
<p>4. Issue a one-year direct award (requires a waiver to Contract standing orders) for a contract to the local DPO in H&F - Action on Disability.</p>	<p>This would meet the Disabled People's Commission recommendation to use a DPO wherever possible.</p> <p>Action on Disability have a history of providing this type of service and are a user-led organisation.</p> <p>We could then engage the market and capacity build for a future tender.</p> <p>This would also allow time for further dialogue</p>	<p>Governance procedures require more time than Option 3 due to higher value, so the service would take a little longer to go live.</p> <p>Relying on the experience and resources of Action on Disability alone might limit opportunities to grow the service and deliver a full range of options for residents.</p> <p>There would be less security for the provider than with a longer-term contract, making recruitment and longer-term</p>	Not recommended

	<p>with partners in children's services and health to consider an enhanced service.</p>	<p>planning more difficult.</p> <p>Residents might not recognise the Council's full commitment to the new service if it is only for a year.</p>	
<p>5. Issue a direct award (requires a waiver to Contract Standing Orders), for a contract to the local DPO in H&F, Action on Disability, for one year with the option to extend for up to another two years. This would include a requirement to work in conjunction with other DPO/s with current expertise in DP support.</p>	<p>This would meet the Disabled People's Commission recommendation to use a DPO wherever possible.</p> <p>Action on Disability have a history of providing this type of service and are a user-led organisation.</p> <p>An option to extend for up to two years would help with recruitment and sustainability for the service. It would increase the opportunities for the provider to bring in external funding.</p> <p>Action on Disability would be strengthened by working alongside another experienced DPO, accessing extra resources and expertise to mobilise, deliver and develop the service.</p>	<p>Governance procedures would require more time than Options 3 or 4) due to higher value, so the service would take a little longer to go live.</p>	<p>Recommended</p>

5.1 PROPOSAL

- 5.1.1 Action on Disability have submitted a costed delivery proposal and mobilisation plan which officers have reviewed and which satisfies the requirements of the service specification.
- 5.1.2 The new Independent Living Direct Payment Support Service will provide a range of support, training, information and advice to enable residents to take up and manage their own DPs effectively. The service will enable residents to build their ability and confidence to manage DPs and will be key to the promotion and development of DPs in line with the Council's wider DP plans and its commitment to co-production and Independent Living.
- 5.1.3 The key service delivery requirements as set out in the specification are:
- a. A dedicated front-line service competent in all aspects of Direct Payment implementation and support;
 - b. Information and advice for DP users and potential DP users, including employment responsibilities;
 - c. DP information, advice and training for social care workers and other frontline staff;
 - d. A DP advice line; and
 - e. Peer support for people using DPs or potential DP users.
- 5.1.4 Action on Disability's proposal includes delivery via a part-time co-ordinator, two FTE independent living advisers and web-based and information sources. This would support:
- a. Detailed case work to ensure compliance with all legal requirements, such as those as an employer;
 - b. Compliance with DP responsibilities for monitoring and reporting to the Council;
 - c. Guidance and walk-through for successful take up of DPs;
 - d. Monthly peer support group;
 - e. Working with social care teams to provide training and support and address queries;
 - f. Information and advice in appropriate accessible formats, including technical information on employer responsibilities;
 - g. Access to a *find-a-PA* site to ease recruitment of personal assistants (PAs), including a recruitment handbook with templates and sample employment contracts;
 - h. Outreach and awareness to support strategic aims to increase awareness uptake of DPs; and
 - i. Website and dedicated phone line – including resources for H&F website.
- 5.1.5 Quality assurance and feedback mechanisms include customer surveys, focus groups, workshops and external independent reviews. The delivery proposal sets out the operational delivery standards.

- 5.1.6 Quarterly monitoring reports will be required by commissioners that will include activity and performance data as well as resident satisfaction.
- 5.1.7 The steering group of residents who use DPs, commissioners and co-production leads will help ensure triangulation of feedback from the service from people using DPs and from the Council's operational social care teams.

6. CO-PRODUCTION COMMENTS

- 6.1 The whole approach to developing this proposal to improve DP support has been co-produced with residents and grounded in the recommendations of the Disabled People's Commission and the external review of DPs.
- 6.2 This follows Recommendation 1 of the Commission: "The Council to implement a human rights approach to its policy and service development, using the UN Convention on the Rights of Persons with Disabilities (UNCRPD) as the framework for change."
- 6.3 It also follows the Commission's Recommendation 2: "The Council adopts and implements a policy which commits the Council to working in co-production with Disabled residents."
- 6.4 The approach has been ground-breaking, using various platforms – workshops, co-production events, peer meetings and communications – through which residents designed what good direct payment support looks like (see Appendix 2). Residents co-produced the requirements of the service specification, how the contract will be monitored and how we will know the service is making a difference.
- 6.5 The following co-production events took place:
- DP event, 24 Sept 2018 – What good DP support looks like
 - DP Implementation Group, 6 Nov 2018 – Action plan to improve DP support
 - DP Implementation Group, 22 Nov 2018 – DP pathway and processes
 - DP Implementation Group, 7 Jan 2019 – Review revised DP pathway
 - DP workshop, 27 Feb 2019 – DP Information requirements and DP support service specification
 - DP Implementation Group, 6 June 2019 – Action plan and training needs
- 6.6 The delivery of the service by a local DPO and the establishment of a steering group inclusive of H&F Disabled people who are using DPs, will ensure ongoing co-production to shape, deliver and review the service.

Comments verified by: Kevin Caulfield and Tara Flood, Strategic Leads for Co-production, Tel. Kevin Caulfield 0777 667 2367, Tara Flood 020 8753 8888.

7 EQUALITY IMPLICATIONS

- 7.1 It is not anticipated that proposals in this report will have any direct negative impact on groups with protected characteristics, under the terms of the Equality Act 2010.
- 7.2 A positive impact on Disabled residents is anticipated as the proposals promote better outcomes and improved choice and control for Disabled people. The proposals give consideration to co-production and working with local DPOs.

7.3 An Equality Impact Assessment (Appendix 1) has been undertaken.

Implications verified by: Fawad Bhatti, Policy & Strategy, Tel. 07500 103617.

8 LEGAL IMPLICATIONS

- 8.1 This report recommends the direct award of a contract with a total value of £450,000. The services fall under the category of social and other specific services, Schedule 3 of the Public Contracts Regulations 2015 (PCR). The threshold for such services is currently £615,278. This proposed direct award is below the Current EU Procurement threshold and therefore the Public Contract Regulations 2015 do not apply in full.
- 8.2 However, the Council is still required to comply with the general principles of transparency, equal treatment, non-discrimination and proportionality. Accordingly, undertaking a competition exercise would be encouraged in order to adhere to these principles.
- 8.3 As stated below in the Commercial and Procurement Implications, this is a contract with a value of greater than £25,000 but less than the EU Threshold. Therefore, the Council's CSOs require Framework arrangements to be considered (CSO10.2, table 10.2b) or otherwise to seek public quotations using the e-tendering system and the Government's "Contract Finder" portal (CSO 11.2). The report is seeking a waiver pursuant to CSO 3.1 of the requirements under CSOs 10.2. An exemption to these requirements can be granted under CSO 3.1 where one of five specified grounds for doing so is made out. Here the ground being relied on is that the waiver is that "the nature of the market for the services to be provided has been investigated and is demonstrated to be such that a departure from these CSOs is justifiable" and that "it is in the Council's overall interest". The decision-maker needs to be satisfied on the basis of the information set out in the report that a direct award would be justified when compared with opening the service up to competition.
- 8.4 For contracts valued over £100,000, the waiver can be granted under CSO 3.1 by the appropriate Cabinet Member(s) and the Leader of the Council. However, as the recommendation here includes a direct award in addition to the waiver, the decision should be taken by Cabinet in accordance with CSO 3.2.
- 8.5 The report also recommends that the decision to extend the contract following the expiry of the initial term for a further period of two years is delegated to the Strategic Director of Social care in consultation with the Cabinet Member for Health and Adult Social Care. This delegation is permitted under CSO 17.3.1.
- 8.6 In accordance with CSO 3.1, a record of the waiver needs to be kept within the relevant department.
- 8.7 It is recommended that legal advice is sought on the appropriate terms and conditions for this proposed contract.

Implications provided by Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council, Tel. 020 7405 4600.

9 FINANCIAL IMPLICATIONS

Contract Start 1/12/19	2019/2020	2020/2021	2021/2022	2022/2023	Total
Year 1	£50,000	£100,000			£150,000
Year 2		£50,000	£100,000		£150,000
Year 3			£50,000	£100,000	£150,000
Total	£50,000	£150,000	£150,000	£100,000	£450,000

- 9.1 The cost of the Independent Living Direct Payment Support Service will be £150,000 for one year, as detailed in section 0 of this report.
- 9.2 The contract will commence on 1 December 2019. Therefore, the cost in 2019/20 will be £50,000 for 4 months and the cost in 2020/21 will be £100,000.
- 9.3 There is an option to extend the contract for a further two years at a cost of £150,000 each year.
- 9.4 The budget for this service is £150,000 per annum, so the contract can be funded from the existing budget.

Implications completed by: Prakash Daryanani, Head of Finance (Social Care), Tel. 020 8753 2523. Verified by: Emily Hill, Assistant Director, Corporate Finance, Tel. 020 8753 3145.

10 IMPLICATIONS FOR BUSINESS

- 10.1 No direct local business implications. (See also Social Value section 14)
- 10.2 **Implications completed by: Albena Karameros, Economic Development Team, tel. 020 7938 8583**

11 PROCUREMENT IMPLICATIONS

- 11.1 The author of the report is requesting approval for a waiver of Hammersmith & Fulham Contract Standing Order (CSO) 10.2 to competitively tender a service to allow for the direct award of contract to Action on Disability. The proposed contract would commence on 1 December 2019 with an initial duration of one year and the option to extend for two further periods each of one year. The maximum lifetime value of the contract over three years would be £450,000, based on an annual value of £150,000.

- 11.2 The author of the report is requesting a waiver of CSO 20.3 to allow for the decision to extend the proposed contract to be delegated to the Strategic Director of Social Care in consultation with the Cabinet Member for Adult Social Care and Public Health.
- 11.3 The service to be provided under the proposed contract falls under the category of Social and other specific services as defined by the Public Contracts Regulations 2015. CSO 10.2 classifies a contract under this category with a value of £450,000 as “Medium Value” (£25,000 to below £615,278) and requires that if it is not possible to “call off” the service from an existing framework agreement then public quotations should be sought.
- 11.4 CSO 20.3 (c) requires that contract modifications (including extensions to the contract term) be approved by Cabinet where the value of the modification is £100,000 or greater.
- 11.5 CSO Section 3: Waivers and Exemptions provides for the requirement to expose a service to commercial competition to be waived if one of five grounds are satisfied:
- A prior written waiver to these CSOs may be agreed by the Appropriate Persons if they are satisfied that a waiver is justified because the nature of the market for services to be provided has been investigated and is demonstrable to be such that a departure from the CSOs is justifiable.*
- It is considered that the author of the report has demonstrated that a waiver of the CSO's is in the Council's overall interest.
- 11.6 The Appropriate Persons to approve a waiver with a value of £100,000 or more are the appropriate Cabinet Member and the Leader of the Council (CSO 3.1).
- 11.7 On the basis that the waiver is agreed the contract should be awarded by Cabinet in accordance with CSO 17.3 as it has a maximum value of £450,000
- 11.8 In the event Cabinet awards the contract the award must be published in Contracts Finder, the contract between the council and Action on Disability must be formally executed in accordance with CSO 19 and the contract details entered on capitalEsourcing.
- 11.9 As referred to in 11.3 above, the service to be provided under the proposed contract falls under the Public Contracts Regulations' definition of Social and other specific services. Such services are only subject to the full provisions of the regulations when they exceed the financial threshold of £615,278. Accordingly, a contract with a maximum value of £450,000 does not fall under the Regulations and the contract is classified as “unregulated”.

Implications completed by: Tim Lothian, Procurement Officer, Tel. 020 8753 5377.

12 IT IMPLICATIONS

- 12.1 No IT implications are considered to arise from this report as it seeks approval to directly award a contract to Action on Disability to provide a new Independent Living

Direct Payment Support Service on behalf of H&F for one year. Should this not be the case, for example, by requiring new systems to be procured or existing systems to be modified, IT Services should be consulted.

- 12.2 IM (information management) implications: A Privacy Impact Assessment(s) should be carried out to ensure that all the potential data protection risks around this award (e.g. in sharing details with Action on Disability about residents accessing the service) are properly assessed with mitigating actions agreed and implemented. Mitigations could include contract data protection and processing schedules or information sharing agreements and (a) Supplier Security Questionnaire(s) (SSQs) to ensure the systems used by Action on Disability comply with H&F's regulatory and information security requirements.
- 12.3 The contract with Action on Disability will need to include H&F's data protection and processing schedule. This is compliant with Data Protection law (the General Data Protection Regulation (GDPR) 2016; and the Data Protection Act (DPA) 2018).
- 12.4 Action on Disability will be expected to have a Data Protection policy in place and all staff will be expected to have received Data Protection training.
- 12.5 A Privacy Impact Assessment has been completed.

Implications verified/completed by: Tina Akpogheneta, Interim Head of Strategy and Strategic Relationship Manager, IT Services, Tel. 020 8753 5748.

13 RISK MANAGEMENT

- 13.1 Proposals are consistent with the Council's priority to create a compassionate Council. Being ruthlessly financially efficient also means that services must demonstrate appropriate funding sources before reports proceed. Here it is confirmed that this service contract can be funded from the existing budget. Contract performance monitoring will need to be robust to ensure that the services attains a high standard throughout the period of the contract.

Implications verified by: Michael Slonowski Risk Manager, Tel/ 020 8753 2587, mobile 07768 252703.

14 SOCIAL VALUE

- 14.1 The Public Service (Social Value) Act 2012 requires Local Authorities to endeavour to add social value (economic, social or environmental well-being benefits) to their local area via its service contracts. Action on Disability have identified social value delivery during the duration of the contract and this satisfies the legislative requirement.
- 14.2 The Council's own CSOs state at 8.7.1, "Those commissioning services must comply with the Council's Social Value Policy outcomes that seek to deliver: more opportunities for local micro-businesses, local small and medium sized enterprises and local third sector organisations; and/or more employment and training opportunities for local residents."
- 14.3 The service has been designed in co-production with residents of H&F and will:

- Promote peer and mutual support among Disabled residents
- Rebuild capacity in H&F for local organisations to deliver local services
- Create and/or support access to meaningful employment opportunities and training for residents; and
- Contribute to creation of employment and training opportunities for local people, such as personal assistants, support workers, and trainers and/or through community or micro enterprises.

14.4 In view of a contract extension, it is strongly recommended the contract manager ensures any social value specified by the contractor will be delivered by the end of the contract.

14.5 The Contract Register will have to be updated and Social Value benefits should be captured. This will ensure compliance with statutory transparency requirements.

Implications verified/completed by Ilaria Agueci, Tel: 0777 667 2878.

15 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

“Nothing About Disabled People Without Disabled People”, H&F’s independent Disabled People’s Commission, November 2017, as presented to and agreed by Cabinet in December 2017. PUBLISHED. See <https://www.lbhf.gov.uk/councillors-and-democracy/resident-led-commissions/disabled-people-s-commission>

Direct Payment Review Hammersmith & Fulham 2017-2018 Published by Ruils. PUBLISHED. See https://www.lbhf.gov.uk/sites/default/files/section_attachments/ruils-dp-review-main.pdf

LIST OF APPENDICES:

Appendix 1 EIA

Appendix 2 Co-production: What is Good Direct Payment Support?

Appendix 1

H&F Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2019/2020
Name and details of policy, strategy, function, project, activity, or programme	<p>Award of Contract for an Independent Living Direct Payment Support Service to Action on Disability</p> <p>This is a new service to provide Direct Payment (DP) support to residents of H&F.</p> <p>The service provider will be expected to raise the profile of DP in the borough, provide training, assist current and/or potential users of DP with support on a range of activities, including providing advice, information, signposting and using Personal Assistants (PA's). They will also facilitate a DP peer support group.</p>
Lead Officer	<p>Karen Udale Commissioning & Transformation lead Karen.udale@lbhf.gov.uk 07833 481242</p>
Date of completion of final EIA	Draft 13/08/19

Section 02	Scoping of Full EIA
Plan for completion	<p>Timing:</p> <p>Contract to go live from 1 December 2019</p> <p>CMB 9 September 2019</p> <p>BDT 19 September 2019</p> <p>Political Cabinet 7 October 2019</p> <p>Cabinet 4 November 2019</p>

Analyse the impact of the policy, strategy, function, project, activity, or programme

Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral, or negative impact on equality, giving due regard to relevance and proportionality.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral														
Age	<p>The service provides support for all adults ages 18+ in H&F and does not exclude anyone on account of age.</p> <p>Snap-shop for DP users age groups August 2019</p> <table border="1" data-bbox="813 671 1951 943"> <thead> <tr> <th>Age Group</th> <th>Numbers</th> </tr> </thead> <tbody> <tr> <td>18 - 24</td> <td>37</td> </tr> <tr> <td>25 - 34</td> <td>53</td> </tr> <tr> <td>35 - 44</td> <td>60</td> </tr> <tr> <td>45 -54</td> <td>55</td> </tr> <tr> <td>55 - 64</td> <td>56</td> </tr> <tr> <td>65 +</td> <td>224</td> </tr> </tbody> </table>	Age Group	Numbers	18 - 24	37	25 - 34	53	35 - 44	60	45 -54	55	55 - 64	56	65 +	224	Neutral
Age Group	Numbers															
18 - 24	37															
25 - 34	53															
35 - 44	60															
45 -54	55															
55 - 64	56															
65 +	224															
Disability	<p>The service is currently based on the site of Norman Croft school and will move to purpose-built offices on the Clem Attlee Estate in the Autumn of 2020. Both sites are fully accessible.</p> <p>The service is provided by a Disabled People’s Organisation (DPO), which uses the social model of disability in understanding and delivering services in the borough for disabled people.</p> <p>The purpose of the service is to support improved wellbeing outcomes of Disabled people and to enhance Disabled people’s choice and control over how their care and support needs are met.</p>	Positive														

	Gender reassignment	Not known or specified																			
	Marriage and Civil Partnership	Not known or specified.																			
	Pregnancy and maternity	Not known or specified																			
	Race	<p>The service does not differentiate on the basis of race/ethnicity. Residents can both self-refer or be referred through H&F Care and Assessment teams and is based on need and eligibility for DP.</p> <p>A snapshot of DP users in August 2019:</p> <table border="1" data-bbox="826 799 1756 1136"> <thead> <tr> <th>Race</th> <th>Numbers</th> </tr> </thead> <tbody> <tr> <td>Asian/Asian British/Chinese</td> <td>16</td> </tr> <tr> <td>Black/African/Caribbean/Black British</td> <td>54</td> </tr> <tr> <td>Information not yet obtained</td> <td>117</td> </tr> <tr> <td>Mixed/Multiple Ethnic Groups</td> <td>2</td> </tr> <tr> <td>Not Known</td> <td>18</td> </tr> <tr> <td>Not Stated</td> <td>6</td> </tr> <tr> <td>Other Ethnic Groups</td> <td>2</td> </tr> <tr> <td>White</td> <td>223</td> </tr> </tbody> </table>	Race	Numbers	Asian/Asian British/Chinese	16	Black/African/Caribbean/Black British	54	Information not yet obtained	117	Mixed/Multiple Ethnic Groups	2	Not Known	18	Not Stated	6	Other Ethnic Groups	2	White	223	Neutral
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Not Stated	6																				
Other Ethnic Groups	2																				
White	223																				
Religion/belief (including non-belief)	Not known or specified																				

Sex	<p>Overall the ratio of female to male in H&F is slightly higher than the regional and national average. In the age group 65+ across the borough there is a much higher ratio of female to male. (H&F Borough Profile 2018)</p> <p>A snapshot of DP users August 2019</p> <table border="1" data-bbox="810 411 1953 564"> <thead> <tr> <th>Sex</th> <th>Numbers</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>313</td> </tr> <tr> <td>Male</td> <td>175</td> </tr> <tr> <td>Unknown</td> <td>1</td> </tr> </tbody> </table>	Sex	Numbers	Female	313	Male	175	Unknown	1	Neutral
Sex	Numbers									
Female	313									
Male	175									
Unknown	1									
Sexual Orientation	Not known or specified									

Human Rights or Children’s Rights

If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?

Yes. The service will have a positive affect

The United Nations Convention on the Rights of Persons with Disabilities (the Convention), in Article 4(3), promotes the active involvement of Disabled people in developing services for independent living.

Will it affect Children’s Rights, as defined by the UNCRC (1992)?

No

	Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	Current data supplied by H&F data relating to current DP users. H&F Borough Profile 2018
New research	

Section 04	Consultation
Consultation	Consultation and co-production with residents has taken place through: <ul style="list-style-type: none"> • DP Implementation Group. • DP Peer Support Service • Disabled People’s Commission • Ruils Peer Review of DP in H&F.
Analysis of consultation outcomes	Residents have looked at “What makes a good DP Support Service” and expressed their views through meetings, forums and events. They wish to proceed with the recommendations of the Ruils report and the Disabled People’s Commission for H&F to commission a local DPO to deliver DP support service.

Section 05	Analysis of impact and outcomes
Analysis	DPs encourage greater autonomy, flexibility and innovation. They empower people to take control and to remain independent within their community. This supports the overall aim to improve the wellbeing of residents with care and support needs, ensuring they have choice and control over how their needs and desired outcomes are met. The new service will fill the gap for a much-needed support service for residents in H&F. It will have a positive impact for all of the protected characteristic groups.

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	The new contract will be monitored and reviewed during the first year to ensure compliance and feedback sought from residents on the standards and quality of service delivery, including equality for all protected characteristic groups.

Section 07	Action Plan					
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan

Section 08	Agreement, publication and monitoring					
Chief Officers' sign-off	Name: Lisa Redfern Position: Strategic Director, Social Care Email: lisa.redfern@lbhf.gov.uk Telephone No: 020 8753 5218					
Key Decision Report (if relevant)	Date of report to Cabinet Member: 09/09/19 Key equalities issues have been included: Yes					
Equalities Lead (where involved)	Name: Fawad Bhatti Position: Policy & Strategy Date advice / guidance given: 29/08/19 Email: fawad.bhatti@lbhf.gov.uk Telephone No: 07500 103617.					

Appendix 2. Co-production: what is good direct payment support?

Below is the visual record of residents' views of the key features of good direct payment support. These views were given at an event hosted by H&F Council on 24 September 2018, "Nothing About Disabled People Without Disabled People. What is Good Direct Payment Support?" The event was attended by over 50 people who use direct payments and by their families and friends.

