

Use this form when preparing for a decision. By decision we mean considerations that are the responsibility of council, cabinet, one of its committees and panels or those that have been delegated to an officer or cabinet member. This template helps you complete the Equality & Diversity section of your report.

Decision Title: (Adult & Childrens) Social Care & Health Self Directed Support: Independent Information, Advice & Enabling Service – Decision to Proceed to Tender	
Date: 5 th December 2015	Author: Rob Luckham, Joint Commissioner

A. Answer the following

<p>a) Is this a “key decision” as defined by the Forward Plan (see here for a wider definition), a major planning decision or one that affects a sizeable number of staff? (Significant)</p> <p>By sizeable we mean a decision that is a general change for all staff even if it effects only some, a decision that would affect over 50 people or a decision that is specifically about a protected characteristic</p>	Yes
<p>b) Does the decision affect people with one or more of the equality protected characteristics? (Relevant)</p> <p>Protected Characteristics are: Age, Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion and Belief, Gender, and /or Sexual Orientation. Locally we have added Deprived / Socio Economic Disadvantage Groups</p>	Yes

⊗ If you answer No to either of these,

Place a No in the equality box on the report and don't go any further, although you do need to write something in report to demonstrate you have considered equality. The following are sample responses:

“This decision is not significant and/or relevant (delete as necessary) in regard to equality issues.”

“This decision is a subsequent decision to the Inclusion Strategy and due regard was taken to any equality implications when this was agreed by the cabinet on the 13 April 2010.”

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⊗ If you answer Yes to both of these,

Place a Yes in the equality box on the report and continue to complete the assessment on Page 2.

B. The Assessment Please refer to the explanatory notes on page 4

1. How will the decision be made and who will be involved?				
Following a review of current service provision undertaken by the Joint Commissioning Team, the Assistant Director for Joint Commissioning is recommending to the Council's Cabinet Procurement Committee that the Advice & Support Service is retendered using an open tender process.				
2. What is the aim of this decision and what changes will occur?				
The aim of the decision is to continue to provide the essential support needed to enable people to understand their rights and options regarding social care; to obtain and retain a Direct Payment; and thus to live as independently as possible.				
The main change is to refresh the currently contracted services to reflect legislative changes. Specifically the Care Act 2014; and National Health Service (Direct Payments) Regulations 2013, as amended by the National Health Service (Direct Payments) (Amendment) Regulations 2013; and the Children and Families Act 2014.				
3. Who is affected by this area of work and/or the changes?				
The primary client group of the service will be people who are eligible for social care; Education, Health & Care Plans; or personal health budgets, and who need additional independent support to help them:				
<ul style="list-style-type: none"> • Understand the options available to them to take control of how their eligible care needs are met • Maximise and maintain their independence • Receive the quality of services they need. 				
The broader client group are people who are residents of, or are unpaid carers for people who are residents of, the Borough of Milton Keynes.				
4(a) Thinking positively, which groups of people benefit (or could potentially benefit) from this decision? (Place an <input checked="" type="checkbox"/> and provide information & evidence)				
Protected Characteristic (as defined in the Equality Act)	YES	NO	UNCLEAR	Information and evidence Hyperlinks, References and Notes
Age	x			Education, Health & Care Plans entitlement for children / younger people & their families.
Disability	x			Personal Health Budget entitlement for qualifying patients.
Race				
Gender or Gender Reassignment				
Sexual Orientation				
Religion/Belief				
Pregnancy and Maternity				
Deprived / Socio Economic Disadvantage Groups	x			Improved access to independent information & advice
(b) Summarise how equality of opportunity is advanced, or/and how good community relations are fostered, by the decision?				

The broadening of entitlement to a personal budget for the above groups and the greater focus within the specification upon the provision of appropriate independent information & advice services, increases the number of people in Milton Keynes who:

- Can be more involved in decisions about their care, education and health needs; including how it is designed and delivered.
- Will have greater choice about how their eligible social care, education and health needs are met, including who provides it.
- Will be able to receive a personal budget, including children.
- Will be helped to ensure they obtain optimum value for money from their personal budgets.
- Will be better informed about their rights to self-directed support and personal health budgets and how to achieve these.

5(a) Being sensitive to the issues that some people may face, which groups of people will (or could potentially) experience adverse effects following this decision?

Protected Characteristic (as defined in the Equality Act)	YES	NO	UNCLEAR	Information and evidence Hyperlinks, References and Notes
Age		X		The decision retains and improves a previously procured service. There is no loss of opportunities for the people of Milton Keynes.
Disability		X		As above
Race		X		As above
Gender or Gender Reassignment		X		As above
Sexual Orientation		X		As above
Religion/Belief		X		As above
Pregnancy and Maternity		X		As above
Deprived / Socio Economic Disadvantage Groups		X		As above

6(a) What types of engagement and/or consultation are relevant to the decision?

Protected Characteristic (as defined in the Equality Act)	YES	NO	UNCLEAR	Information and evidence Hyperlinks, References and Notes
Age	X			The current users highly value the current service. Detailed feedback from users was included in the drafting of the service specification.
Disability	X			As above
Race				
Gender or Gender Reassignment				
Sexual Orientation				
Religion/Belief				
Pregnancy and Maternity				
Deprived / Socio Economic Disadvantage Groups	X			As above

(b) For planning purposes, list areas where more information is needed.

n/a

7. How are people likely to be affected (positive and negative) by this decision? (Identify the range of options and the effects of each)

Decision options:

1. Do Nothing - i.e. cease to provide the services. This option is not recommended as the Council would be non-compliant with legislation; and would fail to meet its own Policies.
2. Extend the current contract. This option is not recommended. The contract was previously extended by Council to enable a review of current services. This review has highlighted the need for change.
3. Re-tender for the same service as currently exists. This option is not recommended. The Service Review has highlighted that changes are required to deliver new legislative requirements and better meet the population's needs.
4. Tender for a refreshed service. This option is recommended as the best way to meet the new legislative requirements; comply with relevant Council Policies; meet the evolving needs of the population; and work seamlessly to do so with the Council's health partner - Milton Keynes Clinical Commissioning Group.

Open (single stage) tender. This option is recommended as the most appropriate procurement approach due to the specialist nature of the service and the limited number of likely bidders.

8. Address the impact (Mark with an)

A No major change needed	X
B. Continue with the decision despite having identified some potential for adverse impact or missed opportunities	
C. Adjust or amend the decision	
D Stop the decision	

(b) Explain the rationale for what you marked above with details of any mitigating activity

The review of the current service has highlighted the need to expand and evolve the service. This will only improve people's access to the service's they need.

9. Outline the next steps (add an action plan if necessary) and when and how will this policy or decision be reviewed (Include any mitigating work)

The Contract will be formally monitored and reviewed quarterly.

The Council will work pragmatically with the future provider and key stakeholders to help ensure the continued success, and future development, of the Service.

Email to: jeremy.beake@milton-keynes.gov.uk copying in the relevant Assistant Director, this will be taken as being agreed by the Assistant Director, and place a summary in your report – examples of an appropriate summary are at the end of explanatory notes.