

OBJECTIONS FROM JUPITER HOUSE RESIDENTS TO THE CHANGE OF SUPPORT SERVICE PROVIDER

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| Cabinet Member | Councillor Philip Corthorne |
| Cabinet Portfolio | Social Services, Health and Housing |
| Officer Contact | Paul Feven, Head of Commissioning, Social Care, Health and Housing |
| Papers with report | Appendix 1 |

HEADLINE INFORMATION

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| Purpose of report | This report gives information to the Cabinet Member following the receipt of a petition from residents of Jupiter House objecting to the Council's recent award of contract for a young people's support service. |
| Contribution to our plans and strategies | Sustainable Community Strategy and Wellbeing Strategy. |
| Financial Cost | The cost of the new housing support contract is contained within existing revenue budgets and achieves an efficiency saving. |
| Relevant Policy Overview Committee | Social Services, Health and Housing |
| Ward(s) affected | All |

RECOMMENDATION

That the Cabinet Member acknowledges the petitioners' concerns and notes the content of the report for the purpose of responding to the petition.

INFORMATION

Reasons for recommendations

1. The Cabinet Member has all the required information available to enable him to respond to the petition.

Alternative options considered

2. No alternatives were considered.

Comments of Policy Overview Committee(s)

3. None at this stage.

Supporting Information

Background

4. Stonham Housing Association (part of the Home Group) is the owner of Jupiter House in Hayes. Stonham currently provide 3 housing-related support services in the building:

- a 90-bed foyer support service (NB: a foyer offers training and helps with young people obtaining work)
- support to 12 units of move-on accommodation
- support to 20 units of accommodation for homeless families.

The value of the current contract for these services is £506K per year.

5. Services to young people and care leavers were reviewed by the Council in 2009 and this led to the tendering of these and several similar services in 2010. As a result, Cabinet agreed in April 2011 to award a new contract for a single Jupiter House service in 2011.

6. In May 2011, the Cabinet Member was made aware that the recommendation to purchase a new housing support service for Jupiter House led to a petition being received from residents of Jupiter House. The petition was received by the Council on 12th May with 85 signatories, all of whom were current residents. The petition states that no consultation had taken place with residents concerning the tender and that this has infringed the Human Rights Act. As a result, the petitioners asked for the Council to defer implementation of the decision to change the present service provider in order to allow time for a full and meaningful consultation.

The Council's approach to consultation

7. The Council's Consultation Strategy sets out a commitment to engage, consult and respond to the views and priorities of all communities. The strategy supports and informs corporate policy and decision making, including the commissioning and procurement of services. The Council will consult on service strategy that leads to tendering, engaging with service users in purchasing decisions and including service users on tender evaluation panels. However, the Council does not involve service users affected in decisions due to the potential conflict of interest. Once the recommendation has been made by the tender evaluation panel, it is reported to Cabinet for a decision based on service quality and value for money. Service users are informed of the Cabinet decision although no further consultation is undertaken as the decision has been made by Cabinet. The Council process for challenging a Cabinet decision is within the scrutiny and call-in arrangements included within the Council's Constitution.

The review of housing support services for young people and care leavers

8. An officer-led strategic review of housing support services for young people and care leavers in Hillingdon was undertaken in 2009. It recommended the purchase of a single new service based at Jupiter House and Ventura House. Local service users were engaged in that review through a dedicated focus group and also through a questionnaire that Stonham gave to residents to enable them to give their views.

9. The strategy was reviewed by a multi agency group (the Supporting People Core Strategy Group) with representatives from housing, children's services, youth offending services, commissioners as well as service providers. The purpose of the group was to oversee the development and implementation of the supported housing programme. Consultation on the strategy included engagement with the Supporting People Client Forum which has service user membership from a variety of services.

The tender and contract award

10. As a result of feedback from service users and other stakeholders, changes were made to the service specification and to the sets of services that were tendered (referred to as "lots"). In 2010, five lots - for young people and care leaver services - were put out to competitive tender. These included a new single service just based at Stonham's Jupiter House rather than the original intention to group Jupiter House and Ventura House together into a single lot.

11. The Tender Evaluation Panel, which considered the shortlisted organisations for interview, included two care leavers who were not in receipt of any of the existing services. Involving care leavers who were not users of these services was intended to avoid potential conflicts of interest or the perception that a conflict of interest existed from any unsuccessful bidders.

12. West London YMCA's tender for the Jupiter House lot was evaluated as giving best value to the Council for this service (as well as three other lots for services). In April 2011, Cabinet agreed that they should be awarded the contract for these services. The contract is now expected to be let on 1st October 2011. Delaying implementation would have opened up the prospect of challenge by the successful tendering organisation and would also have had financial implications at a time when council budgets are under considerable pressure.

13. The award of contract to West London YMCA can now only be overturned by the High Court.

Financial Implications

14. The new contract with WLYMCA - at £328K per year – will secure a saving of 9.8% for the Council.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

15. The new service is expected to start in October 2011. Under TUPE regulations, Stonham's housing support staff are expected to transfer to West London YMCA, which will assist with continuity of service for the service users involved.

16. In order to ensure that the service continues to provide high quality and good value for money during the life of the 3 year contract, an assessment of the utilisation of the service and performance against local and national performance indicators and targets will be made on a quarterly basis through existing contract management processes. Additionally, the service will be subject to an annual risk assessment, an assessment against a quality assessment framework and a contract management review as part of a West London Performance

Management Framework for housing support services. Service engagement will be a core part of managing the new contract with West London YMCA.

Consultation Carried Out or Required

17. Consultation is a standing facet of the housing support programme and includes:

- engagement with service providers through a Provider Forum
- engagement with service users through a Client Forum
- gleaning the views of service users through focus group meetings

18. As part of the preparation of this report, officers met with representatives of residents of Jupiter House on 30th June 2011. The residents felt passionately about the positive impact that the service at Jupiter House had had on their lives and were anxious to ensure that other young people should be able to benefit from it in the future. A record of the questions raised by the residents and a summary of the response of officers are attached as Appendix 1.

19. As a result of the discussions with residents, there are two changes that will be made to procurement processes in the future:

- Future consultation will more strongly emphasise the potential implications of information received from service users and stakeholders on the way that services may be provided in future: It will be made very clear how important it is that those consulted express their views.
- Residents at accommodation-based schemes will be informed where service tenders are to be undertaken so that they are aware of the possible consequences.

CORPORATE IMPLICATIONS

Legal

20. This was a Part B service with the procurement process conducted in full compliance with the Public Contract Regulations 2006. The contract is for a period of 3 years with the option to extend for a further 2 year period. However, the Council may terminate the contract at any time on giving 3 months notice to the service provider.

21. The Member is advised that the provision of this service is not a statutory duty but rather supports the Council's Sustainable Community Strategy. Cabinet was authorised by Regulation 7.08(c) (22) of the Constitution to determine the contract award.

BACKGROUND PAPERS

22. None.

APPENDIX 1

NOTES OF THE MEETING WITH SERVICE USERS: 30th JUNE 2011

The following information includes the questions raised by residents and a summary of the response given by officers.

1. Why were we not consulted on something of such importance to our lives? Has legal advice been taken about our right to be consulted and about the provisions of the Human Right Act? If so, what did it say?

It was explained that there had been a number of consultations with stakeholders including a focus group meeting of service users and consideration by a multi-stakeholder group including service providers. The council did secure legal advice on whether it had met the requirements of the Human Rights Act. As the changes involved identifying and appointing a new provider rather than decommissioning the service, the council's advice was that the Act did not apply.

2. The Council's decision was taken in secret and we knew nothing about it in advance. If we had known we could have put forward our views. Can we now see the papers on which the decision was made?

There is a formal process by which Cabinet makes decisions, which is transparent. In this case, however, the report was not made public due to the commercially sensitive nature of the information it contained. However, Cabinet does rely on recommendations being subject to relevant input from service users and this is covered in the report.

3. We gather that the Council has gone ahead with the transfer to the YMCA without giving us a chance to have our say. Is that true? If so does it make a mockery of the petition procedure?

It was explained that on the 14th April the Cabinet had made the decision to award the contract(s) to the new provider(s). Stonham subsequently had some meetings to clarify some of their concerns and this was resolved in June. Decisions about contract awards are not made in public because this could make publicly available information that might cause commercial harm to companies bidding for contracts. However, consultation was part of the process leading to the recommendation to Cabinet. The Cabinet decision has now been made and is not subject to any further consultation. The contract is expected to be let on 1st October 2011.

4. Can you confirm that in agreeing to meet with you that we are not losing our right to present our petition to the Cabinet member so that he can hear the strength of our views and explain why this decision was made?

This was confirmed.

5. We understand that a number of organisations were invited to make bids. Can we be given a list of the services which they were asked to quote for?

The specification for the Jupiter House service was provided.

6. Does the new range of services mean that Jupiter House Foyer will no longer be a foyer and will lose the benefits of being part of a scheme?

The contract with West London WYMCA is to provide housing support to a foyer. Stonham will continue to own and manage the building in conjunction with West London WYMCA as a foyer.

7. We have heard that there is a £100,000 gap between the Home Group and YMCA bids. Is that true?

This is commercially sensitive information and the council is not able to provide this. However, the Council did base its decision on an assessment of value for money which included both the quality of the service and the cost. By way of context it was explained that the decision was based on an assessment of price / quality using a 60/40% split. As part of this assessment, the Cabinet took into consideration a significant difference in cost between the existing provider and West London YMCA.

8. What services will be cut in order to make the savings expected? In particular can we continue the following services:

- **One to one personal support**
- **Access to courses**
- **Help from education advisers**
- **Guidance on money management, sensible eating, drugs, sexual health**
- **Breakfast Club**
- **Client involvement through floor representatives and regular consultation**
- **Help in developing ideas and projects such as the garden scheme**
- **Provision of laptops and computer room facilities**
- **Promotion of community volunteering opportunities**
- **Access to lounge at all reasonable hours for socialising, table tennis etc?**

It was noted that the council does not fund some of these services as part of the housing support contract. However, the specification for the new service did include a requirement that it must have learning & development activities including:

- Budgeting
- DIY
- Health issues
- Self awareness
- Employability workshops
- Educational workshops
- Cookery

The detail of who will be providing which services or whether there are going to any changes to the way services are provided has yet to be worked through between West London YMCA, Stonham and the council. It is planned to secure agreement on all the points raised in this question by the end of August.

9. What account was made of quality of service and how was it measured?

The council has a process of accrediting all providers of housing support. West London YMCA has previously formally evidenced their competence to provide housing support services. Quality check measures are in place in accordance with the nationally agreed quality framework for housing support services called the Quality Assurance Framework (QAF), service reviews and the monitoring of performance indicators.

10. Will there continue to be strict vetting of applicants so that people with past problems are given a second chance but not at the price of putting others at risk?

11. We have heard of incidents at the YMCA including stabbing. What steps will be taken to ensure our safety?

These two questions cover similar ground so are grouped together. There will be no change to the strict vetting of applicants which are standard expectations of housing support providers funded by the council. Consideration of applicants will involve Stonham as the landlord. It was noted that young people with complex needs would not be accommodated by Jupiter House but will be assisted as part of the service provided by P3.

12. We have heard that a number of bed spaces is to be cut from 90 to 70. Is this true and if so how was the new figure arrived at?

To fund higher support need clients in Hillingdon, the strategic review concluded that the council needed to resource a higher level of staffing for schemes supporting young people with more complex needs (e.g. in services provided by P3). It was also concluded that the capacity of the housing support service provided at the Foyer should reduce to 70 people. The resources released by this decision were reallocated to support young people with more complex needs. As there were no additional resources to fund services, these required changes could only come about by reprioritising existing funding streams.

13. What will happen to the people on the waiting list for the foyer at present?

Stonham have been asked to reduce the number of their residents needing housing support down from 90 to 70 by the 1st October. It was explained that no new referrals were being accepted by Stonham pending the decision to award the new housing support contract. Those with a prior commitment to being accommodated at Jupiter House were still being considered.

14. What will happen to local young people who can not get a place in the future?

There is ongoing competing demand for limited resources to the extent that it is not possible to meet all the needs of young people in Hillingdon. The review of the housing support services for young people led to a greater focus of resources towards young people with more complex needs for whom the council has a statutory responsibility. Preventative services for people with lower needs were maintained but at a reduced level.

15. What will happen to the rooms?

Stonham are currently leaving some of the vacated rooms empty pending a general review of the use of Jupiter House.

16. We really value the job the staff do for us. We have not been asked to speak on their behalf but can you tell us what sort of protection they will have if there are less jobs to go round?

Housing support staff will mostly transfer across to West London YMCA. Stonham will retain the housing management function – e.g. collection of charges from residents, maintenance and tenancy management – and the staff who undertake this. If West London YMCA subsequently restructure the housing support operation then this may have an impact on staff. However, the West London YMCA has not said that they plan to do this.