

Direct Payment Employment Support Service

Introduction

The London Borough of Waltham Forest is commissioning an Employment Support Service to ensure that service users, who are accessing their care and support via a direct payment, are able to make decisions about their care and support through the provision of a high-quality employment advice, guidance and information service.

The service will support the Council in meeting its duties outlined in the Care Act 2014 and Children and Families Act 2014 which places a duty on the Council to ensure that people who have been assessed for a Direct Payment or Personal Budget have access to information, support and advice with regards employment of staff.

For the avoidance of doubt, and in the event that the above legislation is amended or replaced, these references shall be read as references to new, amended or replacement legislation.

The Care Act sets out in one place, local authorities’ duties in relation to assessing people’s needs and their eligibility for care and support and states that Councils need to assign a personal budget to all people who are eligible for support, so they can have more control over that support.

This document is the specification for the delivery of an Employment Support service. As the specification will form part of the legal basis for the provision of the service, the provider will be expected to achieve the outcomes and requirements within it and the Council will monitor compliance.

The Provider will support, empower and enable service users through a variety of interventions, offer a robust employment advice service which offers the recipients of Direct Payments a seamless service from the point of being offered a Direct Payment, to managing their Personal Assistant with the day to day practicalities associated with being an employer.

The Local Authority sees social care needs in the context of people’s lives and the relationships that they have with their families and communities. The Council’s response to social care needs is firmly rooted in maintaining and restoring people’s ability to live as independently as possible and to make their own choices about their care and support.

This service will be crucial to supporting the recipient of a Direct Payment wherever appropriate, not only for adults with care and support needs but for the increasing numbers of young people and their families who are using direct payments in Waltham Forest.

Where individuals decide to choose a Personal Assistant (PA) to meet their care needs, this service will ensure that service users are aware that this means they will need to be a direct employer and are equipped with the correct knowledge, skills and resources to carry out the role effectively, thus ensuring limited breakdown in care and support packages.

The Council recognises that there are a range of different ways the desired outcomes for this service can be achieved. For that reason, this specification sets out a range of basic functional requirements in respect of the service to be provided, but more importantly it defines the aims, objectives and expected outcomes to be achieved through delivery of the service.

The Council wishes to ensure that the model of service delivery proposed meets these aims, objectives and outcomes in a way that optimises quality and value for money. The Council will work in partnership with the provider to ensure that the intended outcomes and quality levels are achieved.

The service model will need to be sufficiently adaptable and flexible to manage demand within the financial envelope.

**Definition of Service**

The service will offer support to anyone for whom the Council has assessed as being eligible and able to meet their care needs via a direct payment and has chosen to receive a direct payment. This support will be referred to as the Employment Support Service.

The *key features* of the service will include: -

* Employment advice and support for service users in their role as an employer in accessible formats. This will include local and national advice about employment law, insurance options and liabilities, pension contributions, managing leave and sickness, supervision, appraisal and disciplinary management;
* Information, advice and support with the recruitment of PAs, including advertising, job descriptions, short listing, interviews and selection, template contracts and terms of employment, information, advice and support regarding DBS and right to work checks;
* Signposting to training and development, for direct payment holders, e.g. budgeting of the direct payment funds, IT skills, being an employer, interview skills,
* Identifying a range of training available for Pas to support the Direct Payment User
* Ongoing support to individuals in their direct payment journey to ensure that they are satisfied with the services that they are buying, how they can change to a different provision if they are unhappy and support with ongoing PA management.
* Working as a partner within the direct payment system including relationships/liaison with the Councils direct payment team, social care, etc.
* The creation and management of a PA finder service, which will be an online facility where PAs are able to advertise their availability and specialisms and service users can view an array of PA profiles to find the one who best suits their needs;

## Who is the Service for?

The service is for residents of the London Borough of Waltham Forest who have been assessed as eligible for a Direct Payment.



## Referrals

It is expected that the provider will be able to receive referrals via a variety of methods including Telephone, Email, Face to Face, and Teams.

Those who are eligible for the service will be people who are:

* Waltham Forest residents who have care and support needs and have been assessed as eligible to receive a care package funded by the Local Authority.
* Residents who have care and support needs and have been assessed as having care needs, but are self-funders.

Please see below the referral process from point of assessment into the provider:-

Social Care assessment

Social Worker discusses options – Direct Payment Service User has capacity or family member to manage DP

Support Plan/panel agreement

Social Worker makes referral to Council’s Direct Payment Team

Reassessment annually or if needs change

Financial Assessment Team informed

Referral made to Direct Payment Employment Service for pre employment checks for PA’s and referral to Payroll Provider of choice

Monthly Audits carried out by DP Team

Direct Payment Team organises payment of funds onto Pre Paid Card



## Quality standards and safeguarding

The provider will have an active role in contributing to the local safeguarding of vulnerable adults and is duty-bound to co-operate in safeguarding activities to the standard set out in statutory guidance.

Waltham Forest is signed up to the London multi-agency adult safeguarding policy and procedures and these are built on strong multi-agency partnerships working together to prevent abuse and neglect where possible and provide a consistent approach when responding to safeguarding concerns. This entails joint accountability for the management of risk, timely information sharing, co-operation and an approach that respects boundaries and confidentiality within legal frameworks.

The Provider must adhere to is the principles of the London Multi-Agency Adult safeguarding policy and procedures and ensure that all staff are trained and are confident and competent in its use.

Key outcomes for the service user

The Provider will be required to deliver a service which effectively supports Direct Payment recipients to achieve the following outcomes:

* **Choice and control** over how the service user arranges their care and support and if required the employment of a Personal Assistant. The provider will support them to receive services in a way that suits them and their family, and offers a service which supports increased control over the way their services are delivered
* **Independence and wellbeing** of the service user is paramount in managing a direct payment and the provider will support this to achieve the outcomes as set by the service user.



## “I” Statements

In addition to the outcomes above, the provider will also be required to demonstrate the enhancement of quality of life for people who receive a direct payment, so they are able to state:

* I can get the advice and support I need when I need it and I can trust it to be accurate (information and advice);
* I feel confident to employ people if I want to, but I know there are other non-employment options I can use which still give me control (specialist employment advice/support);
* I know what services are available and have the help I need to choose things, which suit me. I can get support to put what I want in place and make sure things are settled (setting up support);
* I am able to delay and reduce the need for long term care and support with the correct personal assistant support;
* I am confident that I will have a positive experience of care and support;
* My support service represents me and other people using DPs;
* I can get good quality relevant training that suits me and helps me feel confident to manage my DP (training);
* I can get good quality support to help me recruit and train a Personal Assistant so that I get a quality support service (support to recruit);
* I know that the service is provided by people who understand the Provider’s policies and procedures and how to use them to ensure my safety and security;
* I am supported to raise concerns regarding discrimination and harassment;
* I am supported to complain about services without fear of the consequences and I am confident the issues I raise are addressed within a prescribed procedure;

Service requirements



## Support planning/best use of Direct Payment

Support Planning is a pivotal part of the service provided to Service Users by Social Care Teams. The provider must work with service users to provide a person-centred care and support service in line with the areas detailed below.

* **Enablement/Empowerment** – Services that promote independence and empowerment are a fundamental part of how the provider operates whilst providing all aspects of support appropriate. This can include support with confidence building and motivation whilst recruiting a Personal Assistant or buying a service.
* **Signposting and access to other services** – Providers should be signposting and facilitating assistance with accessing community support, universal services and other services as required.
* **Flexibility** – The provider will respond flexibly to the needs of the service users and ensure sufficient provision of support.

**Review** – The provider will work with the Direct Payment Support Service to ensure the service user is receiving the right level of support and making referrals and following these up when appropriate.

The provider must offer Initial advice and guidance of the responsibility of being an employer to potential direct payment users, which helps them to make informed judgements about whether becoming and employer is the best method to access care and support to meet their individual needs. If this is not a suitable option, the provider will return back to the original refer. The content and implications of the being an employer will be fully explained, documented and signed by the service user where applicable.

Regarding the recruitment, selection and retention of PAs, the provider will offer support to direct payment service users which includes:

* Initial information and advice about becoming an employer and ensuring the service user fully understands their legal responsibilities.
* Offer advice regarding the recruitment and selection of PAs.
* Support and assistance throughout the recruitment process, in relation to advertisement, selection and interview of potential candidates and supporting to arrange venues for interviews.
* Information and advice with regard to the record keeping requirements as an employer and ensuring the service user fully understands the need for documentation record keeping and retention.
* Support and assist during the probationary period of the PA.
* The provider will be required to provide information to ensure the service user meets all the requirements in respect of employer contingencies including:
* Holiday pay
* Statutory sick pay
* Bank Holidays (if applicable)
* Employers National Insurance
* Employers Liability Insurance
* DBS checks (if appropriate)
* Other statutory payments including pensions
* Support in respect of all statutory payments including the National Living Wage, and the London Living Wage. The provider shall ensure the service user is aware of this

Additionally, the provider will ensure that all service users who require it are provided with information, including a range of pro-formas and sample documentation to cover:

* Advertising – including draft advertisements and where and how to advertise.
* Job descriptions and person specifications – including sample job descriptions and person specifications containing all relevant and appropriate information to ensure the service user has all the information required to select for interview.
* Applications - including draft application forms and other methods of application, such as CV.
* Interview guidance – including information and advice on questions which can and cannot be asked and advantages and disadvantages of interviewing in their own homes or other venues.
* References – including draft reference request forms and guidance on what to ask for and how to verify references.
* Contracts of employment – including draft contracts, advice, grievance and disciplinary procedures.
* Employers Liability Insurance Cover – including ensuring a service user understands the need for adequate insurance for the personal assistants and where to obtain such insurance, which should include both Employers and Public Liability Cover. Where appropriate, the provider will support the service user in obtaining insurance.

The service provider shall signpost personal assistants to advisory, conciliation and arbitration services where the personal assistant has any workplace issues.

The provider will ensure that they maintain their knowledge and understanding of employment law in order to provide support for service users in disputes with employees. This could include disciplinary procedures and tribunals. This will also include signposting to expert legal advice which could be available through insurance cover.

## Training and Development

The Provider will signpost direct payment users to identify their training needs and those of their staff and to access solutions which increasingly empower them to make independent living arrangements suited to their individual needs and wishes.

The Provider will be responsible for signposting/or provide literature in at least the following areas, to support the direct payment user in their role as an employer:

* Recruitment and selection of Personal Assistants
* Retention and management of Personal Assistants
* Legal obligations as an employer
* Health and safety obligations as an employer
* PAYE and all related issues
* Monitoring and related paperwork
* Record keeping
* Supporting access to various web-based training portals for Employers and Personal Assistants.

## Practical Advice, Guidance, Information and Support

The Provider will offer and provide information, practical advice and assistance to direct payments users on all aspects of recruitment and retention of staff including:

* The identification and recruitment of a Personal Assistant including Targeted Advertisement and Recruitment
* Suitable Rates of Pay
* Arranging DBS checks for Personal Assistants.
* Discussing the implications and consequences of employing a self-employed PA.
* Checking whether the potential Personal Assistant is eligible to work in this country.
* Providing support to access a choice of Payroll providers who can manage the tax and national insurance requirements, and payments to the Personal Assistant or offer ‘managed account’ services. If a provider also offers a payroll service, they must demonstrate that they are offering choice to service users of alternative payroll providers.
* Advice on the responsibilities of being an employer and provide “Being a Good Employer” training.
* Provide an information on recruitment practices, obtaining references, samples of contracts, details of insurance etc either electronically or paper based.
* Advertising – including draft advertisements and where and how to advertise.
* Job descriptions and person specifications – including sample job descriptions and person specifications containing all relevant and appropriate information to ensure the service user has all the information required to select for interview.
* Applications – including draft application forms and other methods of application, such as a CV.
* Interview guidance – including information and advice on questions which can and cannot be asked and advantages and disadvantages of interviewing in their own homes or in other venues.
* References – including draft reference request forms and guidance on what to ask for and how to verify references.
* Contracts of employment – including draft contracts, advice, grievance and disciplinary procedures.
* Supporting funding applications to organisations such as Skills for Care to fund training for Personal Assistants.
* Disseminating relevant information to both service users and

## Support to Personal Assistants

In addition to the support provided to the direct payment service user the provider will also be required to provide support to Personal Assistants by: -

* Support to access online web-based training solutions
* Signpost Personal Assistants to advisory, conciliation and arbitration services where the Personal Assistant has any workplace issues.

## PA Finder Tool

As part of the offer to Direct Payment Recipients, the Council wants the provider to host and maintain a Personal Assistant (PA) finder service, which will be an online facility where PAs are able to advertise their availability and specialisms, have an opportunity to market their specialist skills and knowledge and service users can view an array of PA profiles to find the one who best suits their need and the availability is in real time. The platform must also include a facility where employers can advertise for PAs.

The provider must start mobilising this element of the contract within the first three months of the start of the contract.

The Provider must maintain an electronic PA Finder in line with the Data Protection Act 2018 and GDPR.   The PA Finder is to be reviewed and updated regularly and the information is to be in a format that is easily shared with the Council. The data sharing protocol will be developed with the borough.   The Provider must also record the information in line with the requirements of the Borough’s statutory data returns and include information on the carer as well as the cared for. As a minimum the data must be cleansed annually in line with GDPR.

## Personal Health Budgets

A personal health budget is an amount of money agreed between an individual and their health care professionals. It is a way of enabling disabled people and those with long-term health needs to have greater choice, flexibility and control over the health and care support they receive.

There is a broader effort to think about joining health and social care budgets and the shift towards the social model of disability would be an opportunity to incorporate this into the Direct Payment Support Service.

## Access

The Council does not require the Service Provider to have a fixed premise in the borough to be able to deliver this service. Instead, the requirement is to make use of the many community buildings and assets available in the borough as well as making use of technology to provide a model of service delivery that meets the aims, objectives and outcomes outlined in this specification in a way that optimises quality and value for money.

The provider will engage with service users efficiently and effectively and will be given the choice to interact with the Service through digital technology. The service provider is expected to utilise technology in the best way that provides value for money and meets service user needs throughout the life of the contract. There also needs to be non-digital options for accessing the service for those who are either unable or do not wish to use digital methods.

The provider will need to demonstrate how they will achieve the above.

Outcomes and Indicators

This section of the specification describes the measures the Council intends to use in monitoring the service to ensure it is delivering the outcomes described above.

It is expected that the Provider will collect feedback via methods which are suitable for the service user and this will include but is not limited to telephone, face to face, postal or email.

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| --- | --- | --- |
| **AIM** | **OUTCOME** | **OUTCOME INDICATOR** |
| **Choice and Control** | **Service users experience choice and control in how their care and support needs are met.**  **I can get the advice and support I need when I need it and I can trust it to be accurate (information and advice)** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Number of service users who are satisfied or very satisfied with the level of choice and control experienced. |
|  | **Service users feel able to make informed decisions about way they receive their care and support.**  **I am able to delay and reduce the need for long term care and support with the correct personal assistant support** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Number of service users who are satisfied or very satisfied with the quality of information and advice provided |
|  | **Service users are empowered to deal effectively and appropriately with any issues or breakdowns of care and support arrangements and/or conflict with employees or providers.**  **I have access to an expert in this field of work**  **I am supported to raise concerns regarding discrimination and harassment***;* | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Number of service users whose care and support arrangements broke down or were disrupted at short notice who were satisfied or very satisfied with the support they received to put alternative arrangements in place;  Number of service users who report a conflict with their employee, and who were satisfied or very satisfied with the support they received to resolve this. |
|  | **Service users experience an accessible and high-quality service that provides choice and flexibility and responds to service users’ needs and preferences.**  **My support service represents me and other people using DPs** | Qualitative:  Service user survey  Service user feedback Case studies  Quantitative:  Number of service users who were satisfied or very satisfied with the overall quality of service provided. |
| **Independence and Wellbeing** | **Service user’s independence and wellbeing is maintained and enhanced.**  **I feel confident to employ people if I want to, but I know there are other non-employment options I can use which still give me control (specialist employment advice/support);**  **I am supported to complain about services without fear of the consequences and I am confident the issues I raise are addressed within a prescribed procedure** | Qualitative:  Service user survey  Service user feedback  Case studies  Review outcomes  Quantitative:  Number of service users who report that they feel more independent than they did a year ago.  Decrease in the number of times the service is accessed for issues such as absence management or disciplinary’s. |
|  | **The planned outcomes identified in the service user’s Care / Support Plan is achieved.**  **I can get good quality support to help me recruit and train a Personal Assistant so that I get a quality support service** | Qualitative:  Service user survey  Service user feedback  Case studies  Review outcomes  Quantitative:  Number of annual reviews undertaken that record the service users planned outcomes as having been achieved. |
|  | **Service users are enabled to access community services and facilities that supplement their care and support arrangements and enhance independent and wellbeing.**  **I know what services are available and have the help I need to choose things, which suit me. I can get support to put what I want in place and make sure things are settled (setting up support)**  **I am supported to use digital technology to enhance all aspects of my DP** | Qualitative:  Service user survey  Service user feedback  Case studies  Review outcomes  Quantitative:  Number of service users who have been supported to access community services not included as part of their original support plan arrangements. |
|  | **Service users experience an accessible and high-quality service that promotes independence and wellbeing and responds to service users’ needs and**  **preferences.**  **I am confident that I will have a positive experience of care and support;** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Number of service users who report that they feel more independent than they did a year ago;  Number of service users who are satisfied or very satisfied with the quality of information and advice provided;  Number of service users who are satisfied or very satisfied with the level of choice and control experienced. |
| **Accessible and Joined Up Services** | **The service is accessible to and used by the Councils diverse communities.**  **I know that the service is provided by people who understand the Provider’s policies and procedures and how to use them to ensure my safety and security.** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Data broken down by the nine protected characteristics |
|  | **The service addresses a wide range of cultural and social needs (such as ethnic groups, gender and faith groups, LGBT and people with disabilities) but also fosters inclusiveness and understanding of others.**  **You will be required to demonstrate your commitment to equality and diversity in all practices** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Satisfaction data broken down by the nine protected characteristics. |
|  | **Service users can effectively navigate their way through the service and understand how it fits within their wider care and support arrangements.**  **I can get good quality relevant training that suits me and helps me feel confident to manage my DP.** | Qualitative:  Service user survey  Service user feedback  Case studies  Quantitative:  Number of service users who were satisfied or very satisfied with the responsiveness of the service.  Number of service users who feel they did not need to refer back to the service to address their issues/concerns |

**Key Performance Indicators**.

In addition to the above outcomes the following will be reported on in Contract Monitoring Meetings:-

* Number of referrals
* How many proceeded to employ a PA
* How many declined
* Number of DBS Checks carried out per month
* Number of contacts via:
  + Phone
  + Email
  + Face to face
  + Text
* Number of Employment Queries and what do they relate to?
* Number of Contracts supported to be completed
* Number of contracts with the Councils Direct Payment Support Service and the nature of these contacts
* Number of complaints, compliments and suggestions
* Details of training held and facilitated
* Number of safeguards, and what were the issues
* Number of Health and safety issues
* Number of recruitment drives including
  + Targeted Recruitment
  + General advertisement
* How many Personal Assistants have signed up to the register
* How many have been matched to employers

The service will be subject to Quarterly reviews to ensure delivery of the service reflects need of the users.



## Privacy and Dignity

The provider is often invited into service users’ homes when delivering a service and must be mindful of this at all times and act accordingly respecting the rules of the house and the wishes of the service user.

The provider will ensure all support is provided in a way that maintains and respects, privacy, dignity and lifestyle of the service user.

Service users must be treated with due respect to their race, culture, religion, disability, age, gender, and sexual orientation and will not experience any form of discrimination.

Providers and all workers must respect the privacy of service users. No aspect concerning the service user must be discussed with anyone other than their manager, and when appropriate, with others in the staff team, appointed staff from the Council and other health care professionals with the permission of the service user or advocate as necessary. Under no circumstances must anything be discussed with other or in the presence of other service users.

## Equalities

The general population of Waltham Forest is very diverse in terms of faith, ethnicity, culture, language, gender and sexuality.  Providers are expected to develop a diverse workforce and promote sensitive and appropriate service delivery.  The Providers will be expected to demonstrate a commitment to ensuring that their services meet the diverse needs of their target client group. In particular to Carers’ there are those that are hard – to-reach and do not necessarily fall within the commonly identified hard to reach groups.

## Management & Personnel

The Provider shall demonstrate strong leadership and management of a motivated and well-trained team. The values and attitude of staff will demonstrate a commitment to promoting independence choice and control.

Staff supervision systems will be in place with a named supervisor/manager having responsibility for the work of the workers.

Records of the supervision will be kept by the provider and made available to the Council, as and when required.

## Training

The provider will ensure that staff are appropriately trained and experienced to deliver the aims of the service. Staff training will contain the ethos of supporting service users to maintain their independence, choice and control.

Provision of on-going training is a key part of workforce development. Areas where specialist training is to be provided to (but are not limited to) are:

* Employment Law and any changes which affect employing requirements
* Personalisation
* Health and Safety
* Communication needs
* Sensory loss
* Dementia
* Challenging needs
* Mental health
* Safeguarding procedures and awareness

Managers must have specialist management training including but not limited to:

* Specific training related to the delivery of this service including employment law
* Complaints investigation
* Personalisation
* Disciplinary and grievance procedures
* Staff supervision and performance appraisal
* Team building
* Risk assessment
* Protection of vulnerable adults
* Health and safety

Staff will be paid at least National Living Wage, although payment of the London Living Wage is desirable.

The Provider must ensure that a training needs analysis to identify any need for refresher and update training is carried out at least annually during staff performance appraisal and is incorporated into a staff development and training programme.

## Recruitment

The provider must carry out robust recruitment, vetting and selection practices and ensure that all staff have up to date DBS checks.

The provider is expected to support the recruitment of residents from Waltham Forest including parents and carers and utilise local apprenticeship schemes in line with the Council’s Priorities. The provider is expected to record information relating to local resident and apprentice recruitment.

## Standards and behavior

The provider will ensure that all staff and volunteers abide by the standards, rules and regulations established by the Provider for its own personnel including but not limited to:

* All health and safety and other regulations
* Personnel do not engage in behaviour that is contrary or detrimental to the Service or the Council’s interests or would be offensive to any service user or other person.
* Ensure that Professional Boundaries are upheld by staff at all times to protect themselves, their clients and the organisation they work for. These boundaries are meant to ensure that relationships between workers and clients remain professional, even when working on very personal and difficult issues

## Business & Pandemic Continuity Plans

The provider will ensure that the appropriate number and qualified staff are available to cover the service at all times. A business continuity plan and a Pandemic Continuity Plan must be in place to address any issues that may cause disruption to the service including appropriate levels of staffing. Both plans must be made available to the Council on request.

## Staff Misconduct

In the event of an allegation or misconduct, the Council must be informed immediately and appropriate action to be taken to safeguard the service users immediately. This may require the removal of the worker pending an investigation. The provider should have a procedure in place in the event of an allegation or serious misconduct.

The provider will provide guidance to staff of the requirement to report potentially serious incidents or abusive behaviour that can be deemed as misconduct

Misconduct should include but is not limited to:

* Fraud or theft
* Physical, verbal or mental abuse

## Volunteering

The provider should encourage the recruitment of volunteers, particularly those with the relevant skills and experience.

Unsupervised volunteers and agency workers should be subject to the same vetting and DBS checks as the provider’s employees.

**Communication**

The Provider is contractually obligated to report any serious incidents and significant events that affect a person or the provision of the Service. All Serious incidents and significant events shall be reported to the Council as soon as possible following the serious incidents and significant events and in any event within twelve (12) hours of the occurrence of the serious incident.

The definition of a “Serious Incident” is broad and the process of reporting them and an explanation of what they mean shall be covered within the Provider’s Risk Management Policy. This includes, but is not limited to, all Incidents where known involving the following:

* There is a safeguarding alert
* The Individual’s needs change
* The Individual is admitted to Hospital
* The Provider becomes aware of the Individual’s changing health needs
  + - The Individual has an infectious disease
    - The Individual dies
    - The Individual is arrested
    - The Individual does not present for an appointment and the Provider was not made aware of this.
    - The Individual refuses the service
    - The individual attempts to bequeath the provider or any specific member of the provider’s staff part of their estate upon their death or makes the provider a beneficiary of their will.
    - The Provider is unable to provide the service for any reason
    - Serious crime or violence to a person, staff or members of the public;
    - Serious threats to a person, staff or members of the public;
    - Unexpected death or serious injury within the Service;
    - Emergency admission to hospital;
    - Any incident that leads to a Safeguarding Adults / Children Alert being raised;
    - The Provider shall report ‘softer’ indicators of deterioration, such as changes to usual behavioural patterns, to relevant care managers to flag potential crises and provide a holistic view of the person for all bodies providing care.
    - Any other incident which compromises the Provider’s ability to provide the Service to any person in accordance with their Care and Support Plan.

The Provider must agree to meet Council staff, with a minimum notice of period of 1 working day.

The Provider shall respond to all communications from the Council, including requests for information, within one working day.

**Service User, relatives and other representatives**

The Provider shall also ensure that Service Users, relatives and or their representative are kept fully informed and are involved about all aspects of the service they receive where appropriate.

Where a Service User has an independent advocate or formal Carer the Provider will take account of the independent advocate’s instruction. If the provider is in doubt that the independent advocate is not working for the Service User’s best interest, this must be reported to the Council.

## In case of emergency

Personal Assistants and workers of the organisation must know who to contact first in case of emergencies and or concerns based on the situation.

## Social Value and Social Enterprise

The Council has an obligation under The Public Services (Social Value) Act 2012 to consider how it might improve the economic, social and environmental well-being of the relevant area and how it may act with a view to securing that improvement.

Social value is about seeking to maximise the additional benefit, i.e. social, economic and environmental, that can be created by procuring or commissioning goods and services, above and beyond the benefit from the goods and services themselves. Examples of this may include:

* Active involvement of the voluntary and community sector
* Provision of quality flexible working opportunities that attract local parents and carers into careers in the social care sector
* The provision of apprenticeships with career progression opportunities
* Provision of work experience placements to local people including those with disabilities such as shadowing opportunities
* Promotion of the local care sector - this should include entering schools to promote the care sector as a positive career option for younger people



Monitoring Arrangements

The local authority will undertake regular quality assurance visits and as part of this policies and procedures, staffing information, evidence of activities etc. The provider will be expected to comply with any requests for information as part of these quality assurance visits.

The provider will be required to provide information to inform service development and planning and to determine the efficiency of the service.

The service will:

* Provide quarterly reports to be sent to commissioners detailing outcomes monitoring data including service user feedback.
* Comply with other reasonable requests for data, including a commitment to assist in the development of user-led monitoring and scrutiny arrangements



## Administrative systems

The provider will have in place monitoring arrangements, agreed with the Council, which accurately record service inputs to individuals. Records should include service user contact time. These records will be retained for the appropriate length of time, kept up-to date and made available on request to the Council.

The provider will have in place effective business and financial planning systems as part of the service delivery. The provider will maintain systems of regular budget monitoring and medium/long term financial planning with an appropriate financial and cashflow process in place.

## Record Keeping and Data Protection Legislation

Records will be kept secure, up to date and in good order. They will be maintained and used in accordance with the Data Protection Legislation and other statutory requirements and are kept for the requisite length of time.

## Compliments and complaints

The Provider must ensure there is robust straightforward nd accessible complaints and compliments procedure in place to enable families and their representative to make a complaint or compliment about the service.

The Provider must ensure that service users and t heir families are made aware that they have a right to refer their complaints or compliments to the Council.

The provider must ensure positive action is taken to encourage, enable and empower service users and their families to use the compliments, compliments and suggestions procedure. The procedure must be available in appropriate format (including easy words and pictures as appropriate).

The provider must:

Have in place a Complaint and Compliment procedure which is published and accessible to all users and their families,

Ensure all staff are made aware, of understand and receive the appropriate training in relation to the complaints and compliments and the Provider’s Procedure, and record and report to the Council’s Authorised Officer the volume of complaints and compliments received in relation to the service (including themes and identified action taken).

Any serious complaint or allegation must be reported to the Council immediately.

## Whistleblowing

The Provider will have a procedure by which personnel and volunteers can raise and protection for ‘whistle-blowers’ in accordance with the providers policy. Staff and volunteers should be trained and supported to understand the importance of reporting incidents that pose a threat to vulnerable people.

## Business Continuity Plan

The Provider must have a Business Continuity plan in place. This should include but not limited to specific reference to pandemic events such as Covid-19

## Mobilisation

There will be a agreed plan for mobilisation of the contract, to be agreed between the Council and the provider.

The provider must ensure that all necessary arrangements are in place, including workers required to deliver the service.

## Provider forums

The provider will be required to attend appropriate provider forums facilitated by the local authority, and attend any relevant training promoted by the local authority.

## Policies and procedures

The provider will have in place the following policies and procedures which must be kept up to date and ensure that they are used by all staff. The list below is used for indication and is not an exhaustive list.

**Service user care, support and safety**:

* Accidents and incidents
* Dealing with violence/behaviour that challenges
* Fire safety
* Health and Safety
* ‘No response’ policy
* Safeguarding
* Equalities and diversity in service delivery

**Workforce and organisational**

* Bullying/Harassment
* Bribery and corruption
* Complaints and comments
* Confidentiality/ Data Protection/ Freedom of Information Act
* Equalities, including disability and employment equal opportunities
* Exclusions
* Recording of Personal information
* Risk assessment and management
* Smoking
* Transport
* Co-production and service user involvement
* Whistle Blowing