

# Finance and Resources Committee

10am, Thursday, 4 March 2021

## Waiver for Gilmerton Road Short Break Service 2021-22

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

---

- 1.1 The Finance and Resources Committee is asked to:
- 1.1.1 Approve the payment of up to £304,679 to Action for Children as Edinburgh's contribution to the cost of overnight provision for disabled children and young people (Gilmerton Road Care Home) as part of a service level agreement with NHS Lothian, and the other Lothians councils
  - 1.1.2 Approve the payment of up to £76,858 to Action for Children to purchase additional outreach support for families should this be identified as part of their support plans. This would be funded from existing budgets within the Children with Disabilities service area and additional funding provided by the Scottish Government in response to the COVID-19 pandemic.

**Bernadette Oxley**

Head of Children's Services

Contact: Andrew McWhirter, Acting Senior Manager Children's Practice Teams

E-mail: [Andrew.McWhirter@edinburgh.gov.uk](mailto:Andrew.McWhirter@edinburgh.gov.uk) | Tel: 0131 529 6550

## Waiver for Gilmerton Road Short Break service 2021-22

### 2. Executive Summary

---

- 2.1 This report seeks approval for the waiver of Contract Standing Orders to allow payment to Action for Children as a part of a service level agreement with NHS Lothian, and the other Lothians councils. This service delivered by Action for Children at Gilmerton Road Care Home provides short breaks for a maximum of five children and young people with a learning disability and challenging behaviour up to the age of 19.

### 3. Background

---

- 3.1 The Gilmerton Road Care Home service provides short breaks for a maximum of five children and young people with a learning disability and challenging behaviour up to the age of 19. The service also provides an 'emergency' bed for young people in crisis.
- 3.2 The children and young people have planned breaks of varying lengths and frequency based on their, and their family's needs. Children and families also receive 'Outreach' support between periods of residential respite.
- 3.3 The service is situated in a residential area of south Edinburgh, close to local amenities and public transport links. The accommodation consists of a single storey, six-bedroom building with an enclosed garden/play area. The building is adapted to cater for any young person who uses a wheelchair.
- 3.4 The key aim of the project is to prevent children from having to be accommodated and to provide "a comprehensive and flexible support service for children and their families, as responsive as possible to their needs".

### 4. Main report

---

- 4.1 There has been a service level agreement in place with Action for Children led by City of Edinburgh Council until 31<sup>st</sup> March 2019 at which point NHS Lothian as the largest funder took on responsibility to manage and to lead on the future procurement of the service. The three Lothians councils (Midlothian, East Lothian and West Lothian) are also part of this arrangement. Each local authority has an

identified number of nights at the residential unit it can then allocate to families and a number of outreach hours that can be allocated to families.

- 4.2 Under the current agreement, children resident in Edinburgh are assigned 726 nights respite each year. In addition, an outreach service is also available up to a maximum of 3,554 hours.
- 4.3 The statutory partners agreed that it was necessary to test the market to ascertain if there were other organisations interested in and capable of delivering a short break service for disabled children and young people. The Public Contracts (Scotland) Regulations 2015 require that this service be subject to a competitive procurement process. A waiver to cover 2019-20 was agreed by Directors to enable a procurement process to go forward. NHS Lothian had advised that the process would take longer than initially expected and therefore a further year of operation for 2020-21 by Action for Children under the service level agreement was required. This was the subject of a [report](#) agreed by Committee in December 2019.
- 4.4 In February 2020, a Prior Information Notice was posted by NHS Lothian to alert the market to a future contract opportunity. At this point NHS Lothian also informed the local authorities that it no longer wished to lead the procurement process. Following negotiations with all partners, it was agreed that City of Edinburgh Council would lead the procurement process whilst NHS Lothian committed a base budget for the service to cover 2021-22 and the five years of a new contract. These negotiations have meant that it was not possible to procure the service via a tender process to start in April 2021. A long lead in time is required to enable the residential premises to be registered with the Care Inspectorate.
- 4.5 Should this waiver not be agreed for 2021-22, Communities and Families would then need to seek other short break provision at considerably higher cost and there may be a risk to children as they may not be able to remain at home.

## 5. Next Steps

---

- 5.1 Officers have been working with all partners to revise the service specification and prepare all the relevant paperwork. A Prior Information Notice with a Call to Competition was published in February 2021 and it is anticipated that a report seeking contract award will come before committee in August 2021 for a service start in April 2022.

## 6. Financial impact

---

- 6.1 The cost of the service for City of Edinburgh Council for 2021-22 is estimated to be £304,679 and this will be contained within the Children's Services budget. NHS Lothian will contribute approximately £443,948 to the total running costs of the service (£955,385) which helps to offset the costs to the local authorities.

- 6.2 The service may need to purchase additional outreach services as part of a support plan. The maximum required is estimated at £76,858 and this would be funded from existing budgets within the Children with Disabilities area and additional funding provided by the Scottish Government in response to the COVID-19 pandemic.

## **7. Stakeholder/Community Impact**

---

- 7.1 The Care Inspectorate undertook inspections in August 2019 (Outreach Work) and April 2018 (Care Home). The reports from these inspections highlighted parental satisfaction with the services.
- 7.2 Under The Carers (Scotland) Act 2016 and The Children (Scotland) Act 1995, the Council has a duty to support families with a disabled child and the service provided at Gilmerton Road supports the council to meet this duty.
- 7.3 There are no adverse equalities or sustainability impacts arising from this report.

## **8. Background reading/external references**

---

- 8.1 [Waiver for Gilmerton Road Short Break Service](#)

## **9. Appendices**

---

None