

Nottingham City Council

Commissioning and Procurement Sub-Committee

Minutes of the meeting held at Loxley House, Nottingham on 10 March 2020 from 10.00 am - 10.33 am

Membership

Present

Councillor Sam Webster (Chair)
Councillor Eunice Campbell-Clark
Councillor Sally Longford
Councillor Adele Williams

Absent

Councillor Cheryl Barnard (Vice Chair)

Colleagues, partners and others in attendance:

| | |
|--------------------|---|
| Timothy Clark | - Finance Analyst |
| Anna Coltman | - Commissioning Manager |
| Claire Labdon-West | - Commissioning Manager |
| Christine Oliver | - Head of Commissioning |
| Jo Pettifor | - Category Manager, Strategy and People |
| Phil Wye | - Governance Officer |

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 18 March 2020. Decisions cannot be implemented until the working day after this date.

50 Apologies for absence

Councillor Cheryl Barnard – other Council business

51 Declarations of interest

None.

52 Minutes

The Committee confirmed the minutes of the meeting held on 11 February as a correct record and they were signed by the Chair.

53 Direct Payment Support Service - Key Decision

Anna Coltman, Commissioning Manager, introduced the report seeking approval for Nottingham City Council to enter into a joint tender process with Nottinghamshire County Council and Nottingham City Clinical Commissioning Group (CCG) and the County CCG, and to procure from a framework agreement, with Nottinghamshire County Council acting as the lead of the procurement.

The Council has a duty to provide Direct Payment Services under the Care Act (2014). Adults who are assessed as requiring social care and children who receive social care

support in relation to their Special Educational Needs and/or Disability are entitled to receive support in the form of a direct payment, which is used to buy goods or services which meet the identified needs of the citizen.

Providers will be required to provide audits for all accounts they are managing in order to ensure accountability.

Resolved to

- (1) approve the commissioning of a direct payment support service through a joint tender process with Nottinghamshire County Council, Nottingham City CCG and County CCGs. Nottinghamshire County Council will act as the lead of the procurement process. A framework contract will be awarded for use by all commissioning partners;**
- (2) delegate authority to the Director of Adult Social Care to approve call-off contracts under the established framework in order to commission packages of services as needed for individual citizens in receipt of Direct Payments;**
- (3) approve the indicative spend associated with this decision, up to a maximum of £2,284,000 over a four-year contract (£0.571m per annum based on 2018/19 actual usage and 2019/20 projected usage levels) for Nottingham City Council, under the framework. Approval to spend on individual packages commissioned will be through the Council's scheme of delegation for Adults Care Packages.**

Reasons for decision:

- Direct Payment (DP) Support Services for Nottingham citizens are being provided through a third party support provider who deliver direct payment support to citizens in receipt of direct payments. Citizens can also choose to use alternative providers if they wish to. This arrangement is in place until September 2020.
- Commissioning authorities currently operate separate arrangements to make DP Support Services available. There are wide variations in the costs and the service offer between providers.
- Without a formal contract in place, the Council is limited in its ability to offer any contractual oversight and quality assurance over the services that the citizen chooses to use.
- It is recommended to align longer term commissioning arrangements with Nottinghamshire County Council and Nottingham City CCG and County CCGs, and enter into a joint contract for the commissioning of a new model of DPO Support Services under a four-year framework agreement. Nottinghamshire County Council will act as the lead of the procurement. This will replace the current interim arrangement with a single provider, which is ending in September 2020.
- It is recommended to delegate authority to the Director of Adult Social Care to award the call-off contracts. The commissioning of individual packages of support will be authorised through the scheme of delegation for Adult Social Care.

- The indicative spend associated with this decision is £0.571m per annum (based on actual usage in 2018/19 and projected usage levels during 2019/20) for both Adults and Children's Direct Payments. Spend will be up to a maximum of £2,284,000 over the lifetime of the framework agreement and potential call-off contracts made under it. It is anticipated that expenditure under the new model of DP Support Services will not exceed 2019/20 levels.
- The recommendations above will enable the Council to offer a new model of DP Support Services for citizens, create a simple, standard service offer and pricing structure, and enable costs to be managed more effectively. Under the new contract, commissioners will be able to review services in the context of budgetary pressures as well as manage any changes required due to a shift in policy and legislative changes.

Other options considered:

- The option to do nothing was considered however this was discounted because there would be no ability to manage the market including quality assurance of the service that citizens receive and pricing.
- The option to procure a Nottingham City Council only contract was rejected because joint commissioning with Nottinghamshire County Council provides more robust management of the market overall and the ability to manage pricing. This approach also simplifies the tender process for providers.
- The option not to procure through an open process was rejected, as this approach would not meet obligations under EU and UK procurement rules.

54 Crime and Drugs Partnership Contract Approval 2020/21 - Key Decision

Christine Oliver, Head of Commissioning, introduced the report seeking delegated authority to the Corporate Director of Strategy and Resources to receive and collate grants and other funding for the Crime and Drugs Partnership (CDP).

Resolved to

- (1) approve the anticipated receipt and expenditure of the Public Health Grant, Police and Crime Commissioner Grant and NCC and partner contributions by the CDP in 2020/21 as set out in the exempt appendix;**
- (2) delegate authority to the Corporate Director of Strategy and Resources to allocate anticipated funds for the above expenditure to the Head of Contracting and Procurement, as set in the exempt appendix;**
- (3) for the purpose of the Nottinghamshire Office of the Police and Crime Commissioner (OPCC) grant funding for knife crime and Red Thread, to delegate authority to the Director of Community Protection to receive the budget and allocate the anticipated funds to providers as set out in the exempt appendix.**

Reasons for decision:

- To ensure the Public Health, the Nottinghamshire Office of the Police and Crime Commissioner, NCC and partner contributions funding allocations are utilised to commission and contract with services in an appropriate way and in accordance with the correct legislation.
- To allow for relevant and necessary commissioning and commissioned activity to continue in order to maintain service provision for the citizens and meet identified local need.
- To enable timely contract variations, extensions and allocations to be made to services in order to deliver continuation of services in 2020/21.

Other options considered:

- To cancel provision of the services. This is not considered an option due to the impact on the Crime and Drugs Partnership's overall aims to reduce crime, substance misuse and domestic and sexual violence.

55 Exclusion of the public

Resolved to exclude the public from the meeting during consideration of the remaining item in accordance with Section 100(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

56 Crime and Drugs Partnership Contract Approval 2020/21 - Exempt Appendix

Resolved to note the information contained in the exempt appendix.