

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3834

Author:

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Department:

Strategy and Resources

Contact:

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Subject:

Support services at Ashiana and Basera

Total Value:

£142,320 (Type: Revenue)

Decision Being Taken:

- 1) To approve dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) in order to directly award the contract to Nottingham Community Housing Association for Ashiana and Basera service.
- 2) To approve awarding a maximum 3-year contract (01 April 2020 - 31 March 2023) to the 'Support services at Ashiana and Basera', including expenditure of up to a maximum £142,320. After the first year of the contract, there will be provision to extend the contract for up to 2 more years (1+1) to fund the delivery of services.
- 3) To delegate authority to the Director of Commissioning and Procurement to enter into the contract and the Head of Contracting and Procurement to sign the Contract with the service provider.

**Reasons for the Decision(s)** The service provides support to older Asian adults (45+ years) who have support needs relating to their health, disability or cultural needs. Support is delivered within a housing provision. The service provides specific support relating to the cultural and language needs of citizens.

The contract is due to expire on 31 March 2020 and in order to review options for how we provide support to older Asian adults, it is recommended that the service be extended. It is proposed that the service will be scrutinised, through contract monitoring, during the initial extension period (year-1) and this will inform a review exercise in 2020/21. The outcome of the review will inform commissioning intentions for the future and the service will be reviewed on an annual basis during any future extension periods.

It is recommended that funding for the services continue through a new block contract for a period of 3 years with an annual contract value of £47,440 This arrangement will provide the Council with a fixed contract and price.

The rationale to dispense from financial regulations and not procure the service is based upon the following:

- The service is provided by the housing company, and cannot be separately offered by an alternative support provider at these properties.
- Residents hold assured shorthold tenancies and so cannot be expected to move into alternative accommodation in order to receive support.
- The current service is meeting contractual targets.

**Other Options Considered:**

1. Seek to review service provision before the contract expires on 31 March 2020 - Rejected as any changes to the current service would require consultation and engagement with citizens and stakeholders, and it is unlikely this could be achieved in order to make changes to the service by April 2020.
2. Do nothing - Rejected as the current contracts are ending and new arrangements are required.

**Background Papers:** None.

**Published Works:** None.

**Affected Wards:** Dales, Hyson Green and Arboretum

**Colleague / Councillor Interests:** None.

<b>Dispensation from Financial Regulations:</b>	Yes
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	N/A
<b>Equality:</b>	Please login to the system to view the EIA document: AshianaBasera_EIA 2020.docx
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	26/03/2020
<b>Advice Sought:</b>	Legal, Finance, Procurement, Equality and Diversity
<b>Legal Advice:</b>	<p>This report seeks approval to provide for funding to the Nottingham Community Housing Association to provide support services to a specific cohort of citizens with defined characteristics. This type of targeted service is permissible under the Equality Act 2010 ('the Act').</p> <p>The Act permits positive action for the provision of accomodation and services to citizens who have a protected characteristic such as in this case being race. However the actiopn taken must be a proportionate means of helping the citizens with those protected characteristics to overcome or minimise disadvantages they face, meet their needs and/or encourage their participation in activities in which participation by such citizens is disproportionately low.</p> <p>The Housing Association is responsible for the allocations policy at the accomodation so it must be able to justify its policy in accordance with the Act. It is understood that the City Council will be undertaking a review of this service and that review should include a consideration of whether this service continues to meet the requirements of the Act.</p> <p>The City Council should have a funding and commissioning agreement in place with the Housing Association.</p> <p>Advice provided by Andrew James (Team Leader Contracts and Commercial) on 13/02/2020.</p>

**Finance Advice:**

This decision seeks approval to direct award a contract to Nottingham Community Housing Association (NCHA) for the provision of support services at Ashiana and Basera. The proposed contract duration is 1 year with the potential to extend on a further 1+1 year basis, which is due to commence from 1st April 2020.

The total cost of this decision is £142,320 based on the maximum contract duration of 1+1+1 years, or £47,440 per annum. This decision will be funded from existing Housing Related Support (HRS) budgets, as incorporated within the Medium Term Financial Plan (MTFP).

The proposal to award the contract on a 1 year basis initially will allow sufficient time to review the options for how we provide support to this client group, whilst ensuring service continuity. The contract will be closely monitored and this feedback mechanism will help inform the wider review of the service.

In order to make a direct contract award, this decision seeks dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) and for reasons outlined by the report author, this is deemed appropriate in this instance.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 10/02/2020.

**Equality and Diversity Advice:**

The draft Equality Impact Assessment has been reviewed and there were no changes required as this proposal is to continue to fund a service that particularly benefits protected groups.

Advice provided by Sally Edwards (Equality Diversity & Inclusion Lead) on 22/01/2020.

**Procurement Advice:**

The recommendation to award a contract from 1st April 2020 for 1 year (with provision for a further 1+1 year) to Nottingham Community Housing Association for the provision of support services at Ashiana and Basera will enable the service to continue whilst options around how support to this client group are considered and reviewed. Therefore, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (operational issues) in order to make a direct contract award is supported from a procurement perspective.

Advice provided by Julie Herrod (Procurement Officer) on 07/01/2020.

**Signatures**

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 19/03/2020
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 17/03/2020
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 12/03/2020
Chief Finance Officer's Comments: