

Nottingham City Council

Commissioning and Procurement Sub-Committee

Minutes of the meeting held remotely via Zoom on 9 February 2021 from 10.02 am - 10.20 am

Membership

Present

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

Absent

Colleagues, partners and others in attendance:

Steve Oakley	- Acting Director of Commissioning and Procurement
Ceri Walters	- Head of Commercial Finance
Phil Wye	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 17 February 2021. Decisions cannot be implemented until the working day after this date.

32 Apologies for Absence

None.

33 Declarations of Interests

None.

34 Minutes

The minutes of the meeting held on 12 January 2021 were confirmed as a correct record.

35 Fee Rates for Adult Social Care Services 2021/22

Councillor Adele Williams introduced the report presenting proposals for fee rates in 2021/22 across adult social care contracted provision. Nottingham City Council is contractually bound to consider fee rates on an annual basis where it has a statutory duty to provide a service. The Council will consult with providers on these proposals and consider responses prior to implementation from April 2021.

Resolved to

- (1) approve proposals for fee rates for Adult Social Care Services in 2021/22 as outlined in the pricing details at exempt appendix 1, which will be consulted upon with service providers;**
- (2) delegate authority to the Head of Contracting and Procurement to agree fee rates in accordance with the proposals detailed in the exempt appendix 1 pricing detail. This is subject to the outcome of consultation with providers and in line with the Council budget. Subject to consultation and recommendation 4, the agreed rates will be implemented from April 2021;**
- (3) approve the total spend associated with this decision of £3.757m. Approval to spend against the high cost placement provision will be through the Council's scheme of delegation for adults care packages;**
- (4) note that if upon completion of the consultation the financial impact of any revised proposals exceed the budget available, further approval will be required.**

Reasons for recommendations:

- Nottingham City Council (the Council) is contractually bound to consider fee rates in respect of services that it has a duty to provide. This is balanced against budget commitments and pressures for the Council.
- In accordance with the Council's legal obligation, it is proposed to consult with adult social care providers with regard to these proposals during February-March 2021. The Head of Contracting and Procurement will take account of consultation responses and issue variations to existing contracts reflective of the proposals in this report should no significant issue arise. Should the outcome of these consultations require consideration of significant change to the shape and financial consequence of these proposals (with due regard given to the available budget) a further report will be presented through the appropriate governance process.
- These proposals and the associated financial modelling are based on information currently available about service utilisation and demand changes as a result of Covid-19. Recommendations in future years will be based on the relevant circumstances at the time and the financial considerations arising.

Other options considered:

- Do nothing – the Council is contractually bound to review contract fee rates on an annual basis. Doing nothing would present a risk of legal challenge and for this reason, this option was rejected.
- Offer different fee rate proposals. This option is not recommended as the proposals have resulted from significant work and modelling between finance and contracting, taking into account knowledge of the market and feedback from providers, and the overall budget pressures for Adult Social Care. The final

proposals have taken account of the potential impact on service delivery and risk of market failure. Offering different fee rate proposals would place further pressure on the Adult Social Care budget and this is not a feasible option.

- To undertake analysis of individual provider costs and offer fee rates based on factors such as wage rates paid, pension contributions, profit and void levels etc. This option would not be feasible at this time as it would be administratively burdensome due to variations in rates of pay and other costs across the sector.

36 Exclusion of the public

The Committee decided to exclude the public from the meeting during consideration of the remaining agenda item in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act.

37 Fee Rates for Adult Social Care 2021/22 - Exempt Appendices

Resolved to note the information contained in the exempt appendix.