

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4279

Author:

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Department:

Finance and Resources

Contact:

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Subject:

Extension of carer support contracts

Total Value:

£714,040 (Type: Revenue)

Decision Being Taken:

1) Approve the expenditure of £714,040 across the three contracts, over the 12 month period of the contract extension.
2) Approve dispensation from financial regulation 4.1.2 of the Contract Procedures Rules, to extend the three carers support contracts for 12 months, until 31st March 2023, to align with the end date of Nottinghamshire County Council's Carers Hub contract.

Reasons for the Decision(s)

Nottingham City Council commissions three services which support carers - the Carers Hub which provides a single point of contact to carry out statutory functions and provide support on behalf of Nottingham City Council, Carers Respite which provides much-needed breaks from caring, and Action for Young Carers (AYC) which carries out statutory functions and support for young carers and their families. These services are jointly commissioned with Nottingham and Nottinghamshire Clinical Commissioning Group (CCG) and funded through the Better Care Fund (BCF). The contracts end on 31st March 2022. Extending the City Carers contracts would allow Nottingham City Council to explore joint-commissioning options with the County Council, via a full joint review of carers support, and to jointly commission support for carers if this is identified as the preferred option.

In order for this option to be viable, we would first need to align the end dates of the City and County Carers Hub contracts. For several years this has not been possible - the contract end dates were too far apart. This is the first opportunity in years, where the contract end dates are close enough to be brought together. This will require -

- Nottingham City Council to extend the carer's contracts by 12 months, to align with the proposed end date of the County Carers Hub contract.
- Nottinghamshire County Council not to exercise the full extension of their Carers Hub contract.

Nottinghamshire County Council have agreed to work with the City Council, to jointly review the carers' services. If we were to jointly commission carers support services, this would -

Give citizens who are carers the model of carers support service they have been asking for, for a long time. Local carers have been asking for a single point of contact for carers across the City and County for many years. The current Carers Hub contract is provided by Tu Vida, who also provide the Carers Hub for the County. Tu Vida are operating the Carers Hubs as one point of contact, so from the carer's perspective they now have a single service. However, this situation is not stable - whenever either the City or County Council undergoes procurement of the Carers Hub there is a risk that the outcome will be two different providers. The only way to negate that risk is to look at jointly commissioning the Carers Hub across the City/County footprint.

Support identification of unknown carers, particularly by Health professionals

Identifying unknown carers is always a significant issue - carers often don't recognise themselves as such, or seek support, until they have already experienced significant stress and trauma due to their caring role. Health organisations such as GPs, hospitals and secondary health services are key in identifying carers, since they collectively see far more carers than any other - certainly far more than local authorities. Successful identification of carers depends upon the engagement of Health professionals. Such professionals have limited capacity to maintain up-to-date information on differing support offers, and seldom recognise the different support across City and County boundaries.

Make it easier for carers to get the right support for themselves and the citizens they care for

Nottingham City boundaries are very tightly drawn. It is well documented that citizens do not see City/County boundaries, and do not feel that services available to them should differ from the support available to neighbours who, in some cases, are only a street away or less. This is particularly relevant in the case of carers, where the carer may live in the City and the person they care for might live in the County, or vice versa. This creates confusion, particularly for new carers at what is already an immensely stressful time - such carers can find themselves in contact with both City and County Councils, and City and County carer support services. A single point of contact of the City and County would support equity of access to services for carers living close to the City/County borders, or those caring across the City/County boundaries.

Support the direction of local carer support including the Carers Strategy

The Carers Strategy is currently being refreshed. The new strategy will be joint with the City and County Councils, CCG, and Tu Vida who provide the Carers Hub. The strategy will be co-produced with carers from the City and County. In light of the joint strategy it would be logical to explore joint-commissioning services - we would be highly inconsistent if we didn't explore this option.

Align with the direction of travel of our CCG commissioning partners

Since the carer support services were commissioned, our commissioning partners the City and County CCGs have merged into a single organisation - Nottingham and Nottinghamshire CCG. The Integrated Care System (ICS) which sits across the City and County has formed, and there has been an increasing drive to work across a City/County footprint. Exploring joint commissioning options would support this agenda.

Best value through combining procurement, service and contract management costs

We would seek to ensure Best Value through the joint commissioning of this service by securing economies of scale for the contract and creating additional efficiencies achieved by combining the commissioning and procurement process, and service and contract management costs, to establish a more streamlined cost effective and efficient service.

Maintain alignment of the City carers support contracts.

Carers support services were re-commissioned, jointly with the CCG, in 2016/17. During this review the contract end dates of the carer support services were aligned, to enable commissioners to consider options for service models - for example, whether to combine the young carers service with the adult Carers Hub. Having aligned the contract end dates, extending the end dates of all three carers' contracts would allow us to keep this advantage, and support future decisions around the service model in the coming joint-commissioning review.

Please note that extending the carers support contracts this does not commit the City Council to joint commissioning at this stage, but it does give us an opportunity to explore joint commissioning options, which we have never had since the Care Act changed the face of support for carers in 2014. Following the contract extension a full review of carers support services will take place, and formal approval will be sought for any procurement which is to take place as a result of the review. Any such procurement will take place via a fair and transparent process which is in line with Nottingham City Council's financial regulations.

Other Options Considered:

- 1) Review the Carers support services as a City only, and re-commission in line with the current contract end dates. This option does not offer any particular advantages - it does not deliver the service model that carers have repeatedly requested, does not offer any efficiencies, does not support equity of access by carers living close to City/County borders or caring across the City/County divide, does not align with the City's direction of travel and would not be supported by the CCG, with whom we joint-commission the services. Therefore this option was rejected.
- 2) Allow the current contracts to end and tender for new contracts for one year, while the review of carer support services is undertaken which may result in alignment with the County and CCG's contracts. The option to let new contracts just for one year would not deliver Best Value to Nottingham City Council, as it would be unlikely to realise a successful outcome due to risks and costs to the market in establishing a service for such a short term, including costs which may be associated with the Transfer of Undertakings. Therefore this option was rejected
- 3) Do nothing - Allow contracts to end and not re-commission them, removing support for carers outside personal budgets. The Care Act 2014 places a duty on local authorities to proactively identify and meet the needs of carers in their area who might have support needs that are not being met. Without commissioned carer support services the requirement to carry out Carers Assessments and Young Carers assessments would fall entirely on Adults and Childrens social services, resulting in long waiting times for assessments, fewer carers being assessed and likely escalation of needs in both the carer and the cared-for citizen during this time. As well as the potentially disastrous impact on the quality of life of these citizens, this would be likely to result in increased costs to both Health and Social Services. Therefore this option was rejected

Background Papers:

None

Unpublished background papers:

None

Published Works:

'Commissioning support services for carers' report to Health & Wellbeing Board Commissioning Sub-Committee Sept. 2016

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Dispensation from Financial Regulations:

Yes

Consultations:**Date:** 01/09/2016**Minority Groups:** Separate consultation was carried out with carers from the BAME community, as part of the 2016/17 Strategic Commissioning Review (i.e. when the current carers support services were being commissioned).

Carers from BAME communities were consulted through a BAME carers group. One of the messages from the consultation was that carers can find it difficult to navigate systems and services to access support. Having a single point of contact across the City and County would help with this.

Date: 01/07/2016

Other: Consultation with unpaid carers as part of the 2016/17 Strategic Commissioning Review (i.e. when the current carers support services were being commissioned).

One of the messages from the consultation was that carers can find it difficult to navigate systems and services to access support. Having a single point of contact across the City and County would help with this.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: This decision represents a continuation of existing services, rather than a change to services. Therefore no EIA is required at this time. Once the review of carers services has taken place, an EIA will be carried out to evaluate the proposed model of carers support.

Social Value Considerations:

A core function of the Carers Support Services is to add social value by supporting carers to continue in their caring role, therefore supporting cared-for citizens to maintain their independence and avoid the requirement for more intensive forms of support. The providers are contributing social value to carers and cared-for citizens by delivering the services.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

23/07/2021

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

The proposals in this report seek to extend the contracts the Council currently have in place for 3 different carers support services, for a period of up to 12 months. The extension will allow the Council to align its contracts with those currently commissioned by County with a view of undertaking a joint review and if appropriate, jointly commissioning the services across the City and County. The benefits of this are considered within the report which include efficient and consistent support provision and best value achieved by combined commissioning.

The Council is not committed to a particular route as a result of these extensions and any future contracts will need to be subject to a compliant tender process, either directly or in collaboration with County.

The services delivered across 3 different contracts are deemed to be different and so can be considered individually. The services fall within the light touch arrangements of the Public Contracts Regulations 2015 and the extensions are considered to be permitted modifications within those.

For the reasons given within the report, dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29, are supported. Advice provided by Dionne Claire Scretton (Solicitor) on 28/06/2021.

Finance Advice:

This decision seeks approval to extend the current carer support contracts outlined by the report author for a period of 12 months from April 2022 to March 2023 to enable Nottingham City Council to explore joint commissioning options with Nottinghamshire County Council, via a full joint review of carers support and to jointly commission support for carers if this is identified as the preferred option.

The total cost of this decision, £0.714m, is due to be funded from the 2022/23 Better Care Fund, which will be subject to a separate joint approval process with Nottingham City Clinical Commissioning Group (CCG). The 2022/23 planning template will be completed in partnership with Nottingham City CCG and once complete, will go to Nottingham City Health & Wellbeing Board for formal approval before being returned to NHS England.

The carers services outlined in this report have always been funded from the BCF historically and meet the objectives of this funding, however, if there are any changes to the grant conditions which means this decision can no longer be funded from the grant funding, the service must identify alternative funding to fully mitigate this expenditure across Adult Social Care ensuring there is no adverse impact on the Council budget and that there is continued provision of these statutory services.

The existing arrangements are considered to offer value for money and will ensure continued service provision as well as the ability to feed in work on the Carers Strategy through the development of this service, however the alignment of the contract end dates with Nottinghamshire County Council for these services will enable exploration of joint commissioning opportunities which may provide increased value for money and enhanced outcomes for our citizens and carers.

This decision also seeks dispensation from Financial Regulation 4.1.2 of the Contract Procedures Rules to extend the three carers support contracts for a period of 12 months as outlined by the report author and this is deemed reasonable in this instance.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 15/06/2021.

Procurement Advice:

The Decision to approve to dispense with Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29, to allow a 12 month extension to each of the three carers support contracts, is supported by the Procurement Team who have been consulted in this decision. This will allow for alignment with the County Council's carers contracts in order to review the services and commission jointly if appropriate. These services are let under the Light Touch Regime of the Public Contract Regulations 2015 and are permitted modifications within these regulations. Advice provided by Nicola Harrison (Procurement Lead Officer) on 28/06/2021.

Signatures

Adele Williams (Portfolio Holder for Adults and Health)

SIGNED and Dated: 16/07/2021

Catherine Underwood (Corporate Director for People)

SIGNED and Dated: 05/07/2021

Clive Heaphy as Chief Finance Officer (Chief Finance Officer) - Dispensation from Financial Regulations

SIGNED and Dated: 01/07/2021

Chief Finance Officer's Comments: