

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	1888
Author:	Elaine Fox
Department:	Children and Families
Contact:	Elaine Fox (Job Title: Children and Families Development Assistant, Email: elaine.fox@nottinghamcity.gov.uk, Phone: 01158764540)
Subject:	Extension to additional temporary support to enable Adult Social Care to fully implement the new Care Act
Total Value:	£9,500 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To extend the use of 'MD Social Care Services Ltd' to support Nottingham City Council's Adult Social Care team to implement changes brought about by the Care Act, for a total of 20 days.2) To approve dispensation from Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29.
Reasons for the Decision(s)	<p>MD Social Care Services Ltd have been working for a period of 21 days with Nottingham City Council to ensure the Council is ready to implement all requirements of the Care Act. The work undertaken to date has identified areas of focus and priority and preparations to action these, but there is more work required to ensure the new Act is fully implemented.</p> <p>For consistency of quality and to ensure Nottingham City Council complies with the requirements of the Care Act it is proposed to extend the contract with MD Social Care Services Ltd for a fixed period. This will allow work already begun relating to eligibility criteria and care funding arrangements, which require careful calculations and consultation, to be continued and completed.</p> <p>This decision constitutes value for money as it involves the targeting of additional resources to ensure Nottingham City Council meet the requirements of the Care Act. The short-term use of a consultant means a permanent or longer-term post is not required, which would attract additional expense. The use of an experienced individual also ensures the work will be done quickly and will be of sufficient quality that no additional work will be required when the period of engagement with the consultant is complete.</p>

Other Options Considered: 1) To undertake this work using existing resources - there is insufficient capacity within the existing structure to undertake the focused work required to implement all of the requirements of the Care Act in specified timescales. This option was rejected.
2) To tender for an alternative provider for the fixed-term period - the work has already been commenced by MD Social Care Services Ltd and this continuation would enable consistency of approach drawing on the vast experience of the consultant. In addition the time it would take to tender and procure an alternative provider for a limited period such as this would potentially delay present a delay in the work being completed. This option was rejected.

Background Papers: None.

Published Works: Care Act 2014.
Delegated Decision 1559.

Affected Wards: Citywide

Colleague / Councillor Interests: None.

Dispensation from Financial Regulations: Yes

Use of Consultants

Number of Days:20
Rate per Day:450
Total value:9500
Start date:02/02/2015
End date:30/11/2015

Reason for using a consultant: The Care Act cannot be delivered within existing resources and this is recognised by government in relation to specific funding released to assist LAs with implementation. The consultant has the necessary knowledge of Adult Social Care to undertake this work and has already completed 21 days of work with Nottingham City Council to commence preparations for the Care Act requirements; it is requested this arrangement is continued for a fixed period to allow completion of the work and consistency of approach. Once preparations are complete the additional capacity will no longer be required which is why the request for a consultant on a short-term basis has been requested.

Other options considered: To absorb the additional work in-house with existing staffing - this option was rejected. The Adult Social Care Directorate has been formed from two former Directorates, Adult Provision and Adult Assessment; the Directorate also has vacant Head of Service posts. Due to the lack of capacity currently available it is not possible for this work to be undertaken within existing structures without adversely affecting current programmes of work.

Name of consultant: Malcolm Dillon

Reason for selection?	Malcolm Dillon is a former Director of Adult Services with a wealth of understanding and experience of Adult Social Care, including the legislation surrounding it and the challenges faced. Malcolm worked with Nottingham City Council for a period of 21 days between July and October 2014 and extending the contract will ensure consistency of approach and a continuation of the high standards demonstrated so far.
Has the consultant previously completed work for the City Council?	Yes. 21 days' work between July and October 2014.
Specific activities to be undertaken by the consultant are:	To continue to lead and manage delivery of the more complex requirements of the new Care Act, which went through parliament in May 2014. The consultant will work for an additional 20 days (two days per month for ten months) at a cost of £450 per day, totalling £9,000. The consultant will also be required to travel to various sites across the city so additional funding of £500 has been included to fund any travel or other arrangements, although it is not intended for the whole of this funding to be used.
Period of engagement:	20 days
By what process was the consultant selected?	Malcolm Dillon was initially selected for his knowledge and understanding of Adult Social Care within local authorities, along with his vast experience and expertise specific to this area of work. The proposal to continue using Malcolm Dillon for an additional 20 days is ensure the quality of the work going forward is of a similar standard to the work completed so far.
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	Part of the Care Act relates to the safeguarding of vulnerable adults, to ensure they do not become victims of crime by those who would seek to take advantage of their vulnerability. By implementing the requirements of the Act Nottingham City Council will ensure vulnerable adults are appropriately supported to make wise choices in relation to their finance and property, and also in regards to their personal safety.
Equality:	EIA not required. Reasons: This is not a new or changing policy, service or function. The consultant will assist with the ongoing work of the Adult Social Care Directorate.
Social Value Considerations:	None. The decision is below the Social Value Considerations threshold.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	24/03/2015

Advice Sought: Legal, Finance, Procurement, Human Resources

Legal Advice: This report raises no significant legal issues provided the appointment of the consultant is not extended in further tranches to an amount which in aggregate exceeds the relevant EU procurement thresholds.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 13/01/2015.

Finance Advice: This cost of this decision is £9,500 and will be funded from the Care Act Implementation Grant from the Department for Communities and Local Government(DCLG) which has been made available to support local authorities with the changes required as a result of the Care Act. This decision does not impact on the MTFP and the value for money arguments put forward in this report are supported.

This proposal seeks dispensation from Contract Procedure Rules (5.1.1) in accordance with Financial Regulations 3.29, and is appropriate in these circumstances. Advice provided by Darren Revill (Finance Analyst) on 09/02/2015.

Procurement Advice: There are no significant procurement concerns with the proposals provided that the appointment is for a limited short term period and is not an ongoing requirement. The spend is low value and the request for a dispensation is in accordance with the Council's Financial Regulations.

Advice provided by Jo Pettifor (Strategic Procurement Manager) on 22/01/2015.

HR Advice: The recommendations does not appear to have any direct workforce implications, and therefore there is no specific comment from a HR perspective.

Advice provided by Lynn Robinson (HR Business Partner) on 16/01/2015.

Signatures:

Jon Collins (Leader of Nottingham City Council)
SIGNED and Dated: 16/03/2015
Alex Norris (PH Adults, Commissioning and Health)
SIGNED and Dated: 06/03/2015
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 02/03/2015
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 06/03/2015
Chief Financial Officer's Comments: