

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2297
Author:	Antony Dixon
Department:	Children and Families
Contact:	Antony Dixon (Job Title: Strategic Commissioning Manager, Email: antony.dixon@nottinghamcity.gov.uk, Phone: 01158763491)
Subject:	Call Off The CSE Framework to establish a shared supported living service for citizens with Mental Health support needs
Total Value:	See exempt finance appendix (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1.To approve the use of a mini competition process to procure a provider from the Care, Support and Enablement (CSE) Framework for a contract for 3 years +2 .2 To delegate authority to the Head of Contracting and Procurement to approve the outcome of the tender and sign the contract arising from it.3. To approve the spend associated with this decision as detailed in the exempt finance appendix.

Reasons for the Decision(s)

To support the procurement of care providers to deliver care in the community to vulnerable adults a Care, Support and Enablement Framework was approved by Executive Board Commissioning Sub Committee in 2013. The providers appointed to the framework are organisations that can be requested to deliver support services in accordance with a service specification which all providers on the framework are required to work to, at an hourly rate set by the framework. The framework and specification have been operational for two years. In total there are currently almost 40 providers on the framework. At the time when the framework was set up the need to procure a provider for a complete scheme, due to a lack of suitable accommodation, was not foreseen.

This is the first call off for a provider where there is a landlord. There is a need to have a process to appoint a provider to deliver services to citizens allocated a tenancy at Benedict Court. Adult Social Care will be responsible for nominating citizens for the four units.

Benedict Court at Top Valley comprises of 34 flats in total. The site was a former independent living scheme which has been redesigned with all former older people's flats now let as general accommodation. During 2015 the former warden's house and community room have been refurbished and 4 individual living accommodation units and one office/communal space have been created.

Nottingham City Homes (NCH) has agreed for the four refurbished units to be made available as living accommodation for four citizens with enduring mental health support needs. This approach will support current gaps in available living accommodation within Nottingham for citizens with enduring needs and also enable a more cost effective housing solution for those citizens suitable to be housed at Benedict Court. Additionally the Adult Assessment Health Team will ensure cost efficiencies arising from 'stepping down' support is a consideration as to which citizen to place within the service provision.

A void rate of 8% has been agreed as the rate that Nottingham City Homes would normally incur due to empty properties. Any financial loss above 8% will be met through Adult Social Care budgets. An agreement between Adult Social Care and Nottingham City Homes setting out working arrangements including financial loss that may be incurred will be in place to cover the length of the contract.

For openness and transparency a process for selecting a care provider will be used. This will involve a mini competition process where providers on the Care, Support and Enablement Framework will be invited to complete a short 'Call Off' form.

This is a pilot for the service. This will be then be assessed using criterion such as cost and quality in order to secure value for money. Evaluation will be undertaken to capture any learning to consider for any similar schemes in the future.

Other Options Considered:

- 1. Do nothing
Would not make use of accommodation to help close gaps in securing accommodation for citizens with enduring mental health support needs.
 - 2. Award direct to a provider
 - 3. Undertake a separate tender
- A competitive mini tender is proposed in order to seek best value for Nottingham Citizens.

Background Papers:

**DDM July 2014 approving expenditure to refurbish Community Room and Wardens accommodation at Benedict Court
Report to Executive Board Commissioning Sub Committee 20/2/13 'Procurement of care, support and enablement services
(Accommodation Based Shared Services and individual community based services) for vulnerable adults.**

Published Works:

None

Affected Wards:

Citywide

**Colleague / Councillor
Interests:**

None

**Any Information Exempt
from publication:**

Yes

Exempt Information:

**Description of what is
exempt:**

The financial observation in this report are exempt.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to
the financial or business
affairs of any particular
person (including the
authority holding that
information).**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it would reveal commercially sensitive information.

**Documents exempt from
publication:**

CSE Call Off - Mental Health Support Exempt Finance Appendix1.doc

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: Accommodation increases capacity of available housing for vulnerable adults.

Decision Type:

Portfolio Holder

Subject to Call In:

No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted:
Consultation Date: 01/01/1900

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

The services to be provided were not originally included within the scope of the Care Support and Enablement framework contract. Following discussions with the report author and commissioning team they have confirmed that the need for additional mental health supported living accommodation was not anticipated at the time of award of the framework. It is permissible under the Contract Procedure Regulations 2015 to modify contracts in this situation providing the Council has acted diligently and the value of the modification does not exceed 50% of the original contract value. This proposal meets those requirements and is a permissible modification to the framework contract.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 17/12/2015.

Finance Advice:

This advice is exempt from publication and is contained within an exempt appendix Advice provided by Darren Revill (Finance Analyst) on 14/12/2015.

Procurement Advice:

The proposal is to call-off from the Care Support and Enablement framework. Although the framework was not originally set up to call off for this type of service, this is because it had not been anticipated that there would be a need to identify suitable accommodation and then procure a Service Provider to deliver services into it. Because this need could not have been foreseen at the time the framework was established, this modification is permissible under Contract Procedure Rule 72c. As the service is for Mental Health provision Providers who are invited to tender need to be those appointed to deliver Mental Health services only, as they have qualified to be appointed to the Framework for this specialism. A mini-competition will be run during which all CSE mental health providers will be invited to bid to deliver the service. Their tender responses will be evaluated using a formal procurement evaluation process, taking into account both price and quality. The pricing will be structured in such a way that it is possible to separate out office costs so that evaluation can be undertaken as to whether it is more cost effective for the Council to fund these separately or as part of a rolled up hourly rate. This proposal is therefore supported from a Procurement perspective. Advice provided by Kate Lowman (Lead Procurement Officer) on 14/12/2015.

Signatures

Alex Norris (Portfolio Holder for Adults and Health)
SIGNED and Dated: 08/01/2016
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 07/01/2016