

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3258

Author:

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Department:

Strategy and Resources

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Subject:

Extra Care Housing at Woodvale

Key Decision (decision valued at more than £1million):

Yes

Total Value:

£1.277 million (This is based on the number and profile of citizens currently in receipt of care) (Type: Revenue)

Decision Being Taken:

To dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow for a direct award for Metropolitan Housing Association to deliver the care services at Woodvale.

Reasons for the Decision(s)

This decision follows a Commissioning and Procurement Subcommittee report submitted and approved in April 2018. Permission for a change in provider is now requested for the reasons set out below.

Woodvale is currently an Extra Care service. Residents of Extra Care have their own tenancy and then benefit from an onsite care provider who is available 24 hours a day.

Nottingham City Council is committed to the provision of Extra Care service as part of the Better Lives Better Outcomes programme. By providing tenancies with onsite support, including night provision, citizens are able to remain independent in their own homes for longer. This approach can delay or prevent the need for residential care. Nottingham City uses higher levels of residential care than comparable authorities do and part of the Big Ticket work is to reduce this percentage.

The landlord of Woodvale is Metropolitan and the care provider, who is commissioned by Nottingham City Council, is Agincare. The current contract with Agincare ends on 31st October 2018. Permission was obtained to procure an onsite care provider through an open and transparent tender process at the Commissioning and Procurement Subcommittee in April 2018. Subsequent to receiving that permission, Nottingham City Council has been approached by Metropolitan who have advised that they are developing the care side of their business and as a result the Woodvale premises is no longer available for a third party organisation to deliver an onsite care service. Metropolitan wish to utilise a delivery model where they are both the landlord and care provider.

As part of the review of Extra Care services a new service specification has been developed which includes an allocations process for all parties to follow to ensure that Nottingham City Council maximises its nomination rights.

Metropolitan have agreed to adhere to the new service specification and there will be no change to the hourly rate which has previously been approved.

Other Options Considered:

1. Deliver the care services through the Homecare Accreditation and Framework. This option would put additional pressure on the Homecare market and could not meet the needs of citizens who have care during the night. Under this option those requiring care during the night would need to move to alternative accommodation such as residential care

2. Move residents of Woodvale into the new Extra Care service being developed at Winwood Heights. This service is not due to be completed until April / May 2019 so option 1 would need to be pursued in the interim period between November 2018 until May 2019. Residents of Woodvale have tenancies and may not wish to leave their current accommodation. Citizens of Extra Care can have complex needs and a move is likely to necessitate a change of carer which would be particularly distressing where there is a risk of dementia. Nottingham City Council is actively looking to increase the amount of Extra Care provision within the City in order to reduce reliance on residential care. If the residents of Woodvale moved to Winwood Heights then this would leave only 5 new units available which would significantly impact the ability to reduce reliance on residential care, improve outcomes for older people and to realise the savings associated with this.

3. Do nothing. This is not an option as the current contract with Agincare is coming to an end and a new contractual arrangement is required. Metropolitan have stated that Woodvale is no longer available for a third party to deliver an onsite care service so a tender process is no longer possible.

Background Papers:

Published Works:	Extra Care Provision within Nottingham City - report to the Commissioning and Procurement Sub-Committee on 10 April 2018.
Affected Wards:	Citywide
Colleague / Councillor Interests:	
Dispensation from Financial Regulations:	Yes
Consultations:	Date: 18/06/2018
	Other: Councillor Graham Chapman, Portfolio Holder for Finance, Resources and Commercial Services.
	As required by financial regulations, Councillor Chapman has been consulted and has approved the dispensation.
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	Not applicable
Equality:	EIA not required. Reasons: The service received by the Citizens would not alter and the same service specification and contractual arrangements would apply.
Decision Type:	Leader's Key Decision
Subject to Call In:	Yes
Call In Expiry date:	18/09/2018
Advice Sought:	Legal, Finance, Procurement
Legal Advice:	This report does not raise any significant legal issues and a direct award to Metropolitan is permissible for the following reason. As Metropolitan is the landlord and can refuse permission for other providers to have a presence at the premises which is necessary to deliver the Extra Care services the City Council can award the contract to Metropolitan without a tender. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 05/07/2018.

Finance Advice:

This decision is required as a result of the landlord of Woodvale Extra Care Scheme refusing permission for other providers to deliver care within the scheme. Approval of spend to support this decision was obtained at Commissioning and Procurement Sub-Committee on 10 April 2018 within the 'Extra Care Provision in Nottingham City' Report. The value of £1.227m representing the estimated level of spend on care provision over the contract term of 6 years is within the approval value agreed at Sub-Committee and Metropolitan have agreed to the pricing arrangements previously approved. It should be noted that spend on care provision is approved through the council's scheme of delegation for adult's care packages.

This proposal seeks dispensation from Contract Procedure Rules (5.1.2) in accordance with Financial Regulations 3.29, and due to operational reasons and considering the legal and procurement advice is appropriate in these circumstances. Advice provided by Darren Revill (Senior Commercial Business Partner) on 31/07/2018.

Procurement Advice:

The recommendation to award a contract to Metropolitan Housing Association for the provision of Care Services at Woodvale Extra Care Scheme as proposed will enable the continued provision of the service, in accordance with the Extra Care model, which enables citizens to remain independent in their own homes for longer. The option of tendering for an alternative care provider is not feasible as the landlord has indicated that they would not make the property available for another provider to deliver care on site. 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 29/06/2018.

Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 11/09/2018
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 29/08/2018
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 29/08/2018
Chief Finance Officer's Comments: