

Nottingham City Council Delegated Decision



Reference Number:

3719

Author:

Karla Banfield

Department:

Strategy and Resources

Contact:

Rasool Bibi Gore

(Job Title: Lead Commissioning Manager, Email: rasool.gore@nottinghamcity.gov.uk, Phone: 01158762299)

Subject:

Extension of Accredited Homecare Provision

Total Value:

£207,514 (Type: Revenue)

Decision Being Taken:

1) To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to extend the accredited homecare provider contracts for a period of up to three months from 1st January 2020 to 31st March 2020.

2) To delegate authority to the Head of Contracting and Procurement to award and sign the contract extension.

Reasons for the Decision(s)

The current model of Homecare provision for vulnerable adults includes four lead providers that work in geographical areas of the City, which is underpinned and supported by a list of providers who have been approved through an accreditation process. The accredited list of providers supplements the capacity in place through area based lead providers. The intention of this model is to ensure we have services in place to deliver reliable care of sufficient quality and capacity, to support vulnerable adults to stay in their homes and live independently and in safety. The current accreditation expires on 31 December 2019.

Approval was given at Commissioning and Procurement Sub-Committee on 11 September 2018 to tender for new accredited homecare provision for a period of 8 years from 1 April 2019. It was subsequently decided to delay the implementation of this decision in order to undertake commissioning analysis to review the model of delivery and to understand what could be done to improve the specification of the accredited list in order to increase capacity and improve quality. This work revealed that:

- The current homecare model is delivering around 95% of the required capacity.
- There are no models of good practice in the country where a local authority is claiming that their model of homecare solves all capacity and quality issues.
- It would be risky to implement an untested model when the current model delivers 95% of what is required.
- The proposed solution was to retain the current model and update the current service specification and tender process to improve quality and capacity. At the same time, it is proposed to continue building good relationships with providers and to make incremental changes to operations to improve ways of working and increase quality and capacity.

It is recommended to extend the current contracts for accredited homecare for three months, from 1 January to 31 March because:

- This will allow alignment of the contract date with that of the lead providers, which runs from April to March.
- This will enable the correct NHS contract for 2020 to be issued. The accredited provider contract will be issued under NHS terms and conditions as the Clinical Commissioning Group is jointly contracting this work. The alternative would be to issue the contract on the 2019/20 on 1st January and then to reissue on the 2020/21 contract from 1 April. This would have significant resource implications for both the Council, the Clinical Commissioning Group and providers
- A potential change of providers would be more difficult to implement during the winter pressures period, when demand for homecare increases.

New contracts for accredited homecare will therefore be in place from 1 April 2020 and a procurement process to enable this is underway.

Briefing notes documents:

Copy of Copy of Financial Calculations - 3 months extension to accredited list v4.xlsx

Other Options Considered:

1. To go out to tender for new services to commence 1 January.
This option is not recommended due to the reasons mentioned in the 'reason for decision' section.
2. To commission a different model of delivery.
This option is not recommended as it could put current delivery capacity at risk.

Background Papers:

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests:

Dispensation from Financial Regulations: Yes

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: N/A

Equality: EIA not required. Reasons: This is continuation of an existing service, so there is likely to be very little change in how citizens access services.

Regard for NHS Constitution: Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 02/12/2019

Advice Sought: Legal, Finance, Procurement

Legal Advice:

The proposals in this report raise no significant legal issues and are supported.

It is understood, for the reasons given within the report, that an extension of the existing contract will enable the service to continue without disruption during winter pressures until the new contract is implemented and will allow alignment with the lead provider contract.

The services are considered light touch under the procurement regulations and therefore fall below the procurement thresholds and so a dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported. It is understood that it would not be timely or cost efficient to tender these services separately on an interim basis prior to the implementation of the new accreditation contract that is due to established early next year.

Legal services will support colleagues as necessary with any contractual arrangements required. Advice provided by Dionne Claire Screamon (Solicitor) on 14/10/2019.

Finance Advice:

This decision seeks approval to extend current contracts with accredited homecare providers for a period of 3 months to 31 March 2020.

The contract extensions will enable service continuation throughout winter and will allow for new contracts, under NHS T&C's, to be awarded through the current accreditation process from 1 April 2020, this revised timeframe also aligns with the lead provider contract.

The total estimated cost of this decision is c£0.208m based on the contract extension period and average hours delivered. This decision will be funded from existing budget provision for homecare incorporated within the Medium Term Financial Plan.

This decision seeks dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) and for reasons outlined by the report author, this is deemed appropriate in these circumstances.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 28/10/2019.

Procurement Advice:

This decision relates to the extension of the existing contracts with accredited homecare providers for a 3 month period in order for new contracts awarded through the current accreditation process to commence on 1st April 2020. This will ensure continuity of service provision to citizens over the winter period and additionally will allow for the new contracts to be issued on the correct NHS terms for 2020 and aligned with those of the lead homecare providers. For these reasons, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) is supported from a procurement perspective. Advice provided by Jo Pettifor (Procurement Team Manager) on 03/10/2019.

Signatures

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 22/11/2019
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 13/11/2019

Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 06/11/2019
Chief Finance Officer's Comments: