

LONDON BOROUGH OF CROYDON

To: all Members of the Council (via e-mail)
Access Croydon, Town Hall Reception

PUBLIC NOTICE OF KEY DECISIONS MADE BY THE CABINET MEMBER FOR FAMILIES, HEALTH & SOCIAL CARE ON 26 APRIL 2019

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 7 May 2019** unless referred to the Scrutiny and Overview Committee:

The following apply to each decision listed below

Reasons for these decisions: are contained in the Part A report attached

Other options considered and rejected: are contained in the Part A report attached

Details of conflicts of Interest declared by the Cabinet Member: none

The Leader of the Council has delegated to the Cabinet Member the power to make the decisions set out below:

CABINET MEMBER'S KEY EXECUTIVE DECISION REFERENCE NO.:
1619FHSC

Decision Title: Floating Support Services for Older People – Contract Extension

Having carefully read and considered the Part A report and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Cabinet Member for Families, Health & Social Care in consultation with the Cabinet Member for Finance & Resources.

RESOLVED: to approve the variation and extension of contract in accordance with Regulation 29 of the Council's Contracts and Tenders Regulations for the Floating Support Service for Older People contract to One Housing for an additional contract term of up to 12 months from 1st April 2019 to 31st March 2020 at an additional cost of up to £180,000. This give a maximum total contract value of £1,200,000.

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 7 May 2019** (5 working days after the decisions were made) unless referred to the Scrutiny and Overview Committee.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
 - i) the Chair or Deputy Chair of the Scrutiny and Overview Committee and 4 members of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Victoria Lower by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the decision taker for reconsideration, setting out in writing the nature of the concerns.
8. The Scrutiny and Overview Committee may refer the decision to Full Council if it considers that the decision is outside of the budget and policy framework of the Council.
9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.

10. The Full Council may decide to take no further action in which case the decision may be implemented.
11. If the Council objects to the decision it can nullify the decision if it is outside of the policy framework and/or inconsistent with the budget.
12. If the decision is within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision. The decision taker shall choose whether to either amend / withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
13. The response shall be notified to all Members of the Scrutiny and Overview Committee
14. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
15. URGENCY: The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process.

Signed: Council Solicitor and Monitoring Officer

Date: 26 April 2019

Contact Officers: victoria.lower@croydon.gov.uk and cliona.may@croydon.gov.uk

PROFORMA

REFERRAL OF A KEY DECISION TO THE SCRUTINY AND OVERVIEW COMMITTEE

For the attention of: Victoria Lower, Democratic Services & Scrutiny
e-mail to
Victoria.lower@croydon.gov.uk and cliona.may@croydon.gov.uk

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee

For General Release

REPORT TO:	Cabinet Member for Families, Health and Social Care
SUBJECT:	Floating Support Services for Older People – Contract Extension
LEAD OFFICER:	Guy Van Dichele - Executive Director of Health Wellbeing and Adults Paul Connolly - Service Manager
CABINET MEMBER:	Councillor Jane Avis - Cabinet Member for Families, Health and Social Care
WARDS:	All

CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON

Corporate Plan/Ambitious for Croydon - Priority Two:

Independence

Helping our residents to be as independent as possible.

FINANCIAL IMPACT

There is an approved budget provision for this service and there is not an adverse or additional impact on council spending.

FORWARD PLAN KEY DECISION REFERENCE NO.: 1619FHSC

This is a Key Decision as defined in the Council's Constitution. The decision may be implemented from 1300 hours on the expiry of 5 working days after it is made, unless the decision is referred to the Scrutiny & Overview Committee by the requisite number of Councillors.

The Leader of the Council has delegated to the Cabinet Member for Families, Health and Social Care the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

- 1.1 The Cabinet Member for Families, Health and Social Care in consultation with Cabinet Member for Finance and Resources is recommended by the Contracts and Commissioning Board to approve the variation and extension of contract in accordance with Regulation 29 of the Council's Contracts and Tenders Regulations for the Floating Support Service for Older People contract to One Housing for an additional contract term of up to 12 months from 1st April 2019 to 31st March 2020 at an additional cost of up to £180,000. This give a maximum total contract value of £1,200,000.

2. EXECUTIVE SUMMARY

- 2.1 In 2013/14, One Housing was awarded a contract for 3+1 years to provide a Floating Support Service for older and vulnerable adults. The contract commenced on 1st April 2014 and in 2017/18 was extended by way of a direct award for a further year to ensure service provision until 31st March 2019.
- 2.2 The Floating Support Service for Older People provides:
- Support to clients to continue to live independently in their own homes;
 - Ensure that clients engage with specialist services where required;
 - Ensure that clients take responsibility for their health needs, particularly to prevent slips, trips, and falls; and subsequent A&E presentations and admissions to hospital;
 - Where admissions to hospital do occur, to work in partnership with statutory and non-statutory organisations, families and key persons in reducing the length of stay;
 - Prevent or delay admission to long term residential care.
- 2.3 These services are essential to ensure for older and vulnerable within the borough to keep them safe, healthy, maintain their independence and prevent them from being admitted into hospital or residential care. The recommendation in this report is to extend the current contract for a further 12 months, until 31st March 2020.
- 2.4 The content of this report has been endorsed by the Contracts and Commissioning Board.

CCB ref. number	CCB Approval Date
CCB1473/18-19	12/04/2019

3. DETAIL

- 3.1 In 2013/14, One Housing was awarded a contract for 3+1 years to provide a Floating Support Service for older and vulnerable adults. This contract was awarded by CSC following a call off from the Supported Housing Framework that preceded the IFA. The contract commenced on 1st April 2014 for continued for the maximum 4 years term. In 2017/18 the contract was extended by way of a direct award for a further year, by CCB as part of the DPS facilitation and IFA extension, to ensure the continuity of the service provision until 31st March 2019.
- 3.2 In 2018, the service was reviewed and number of recommendations have been made to redesign the services currently being provided. These recommendations will be taken into account for the re-commissioning and re-procurement from the new DPS when established later in 2019.

3.3 The proposal in this report is to extend the current contract for one further period of up to 12 months to allow time for the DPS to be established and the redesign of the services to be considered and consulted upon.

3.4 The contract expenditure on this service with One Support over the past contract term is as follows:

Original Contract Award:

2014/15	£ 240k	
2015/16	£ 240k	
2016/17	£ 180k	
2017/18	£ 180k	
		£ 840k (Original Contract Value)
12 Month Extension:		
2018/19	£ 180k	
Total		£ 1,020k

3.5 The Public Contracts Regulations 2015 (PCR), Clause Regulation 72, restricts the ability to make changes to contracts without a new procurement exercise. Paragraph 1(b) states that:

for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor—

- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and/or
- (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract

For the reasons set out at paragraphs 11 and 12 of this report, if a new procurement process were to be undertaken this would cause significant inconvenience. The increase does not exceed 50% of the value of the contract. A notice will be published in accordance with Reg. 72(3) PCR.

4. CONSULTATION

4.1 As part of the service review carried out in 2018, service users have been consulted and their comments and suggestions about the services are being considered and included in the redesign of the services. The extension of the current contract for a further 12 months, will provide additional time to consult service users on the redesigned services

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1

1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2018/19	2019/20	2020/21	2021/22
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure				
Income	180	180	0	0
Effect of decision from report				
Expenditure	180	180	0	0
Income				
Remaining budget	0	0	0	0
Capital Budget available				
Expenditure				
Effect of decision from report				
Expenditure				
Remaining budget				

2 **The effect of the decision:** A budgetary provision already exists for this service.

3 **Risks:** There are no budget risks to continuing the service for another 12 months at the current service levels.

4 **Options:** The options are set out in paragraph 12 of this report.

5 **Future savings/efficiencies:** This service will be re-commissioned during 2019/20 which should lead to savings in 2020/21.

5.2 **Approved by: Ian Geary, Head of Finance, Resources & Accountancy.**

6. LEGAL CONSIDERATIONS

6.1 The Director of Law and Governance it is commented that the legal considerations are as set out in this report.

6.2 Approved by: Sean Murphy, Director of Law and Governance and Deputy Monitoring Officer

7. HUMAN RESOURCES IMPACT

- 7.1 There are no HR implications for Council staff arising from the report.
- 7.2 Approved by: Deborah Calliste Head of HR for Health, Wellbeing and Adults on behalf of the Director of Human Resources.

8. EQUALITIES IMPACT

- 8.1 There are no adverse impacts for Equalities arising from this report.
- 8.2 An equalities impact assessment was carried out prior to the commencement of this contract in 2013. The extension clauses in the original contract have all been utilised and there is a proposal to re-commission and re-procure service from 1st April 2019. A new EqIA will be carried out as part of the redesign of the services and the new process.
- 8.3 Approved by Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 There are no adverse environmental impacts arising from this report.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 There are no adverse impacts for crime and disorder arising from this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

The recommendation in the report are necessary to ensure the continuity of service provision to vulnerable people living within the borough.

12. OPTIONS CONSIDERED AND REJECTED

1. **Do Nothing:** Terminating the contract on 31st March 2019 is not a real option and these services are vital to these vulnerable service users who require supported housing to stay safe.
2. **Commissioning and Procuring a new services:** There is insufficient time to do this before 1st April 2019. However this is the proposal for the longer term. Re-commissioning will commence after April 2019 and a new contract put in place for 1st April 2020.
3. **Bring the Service In-house as part of Make or Buy:** There has been insufficient time to consider this option especially with TUPE applying.

However, this will be considered as a positive option in the review in the next 6 months.

4. **Contract Extension:** Due to the time constraints and the urgent need to provide continuity of services to vulnerable people, the extension of the current contract for 12 months is the preferred option.

CONTACT OFFICER: Channelle Ali,
Commissioning and Contracts Officer
Extension: 64060

APPENDICES TO THIS REPORT: None

BACKGROUND PAPERS: None