

	Officer Key Decision
	Report from the Corporate Director of Care, Health and Wellbeing
	Cabinet Member for Public Health and Adult Social Care
Authority to Extend Contracts for Adult Social Care and Children and Young People with Disabilities Homecare Services	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Andrew Davies, Job Title: Head of Commissioning, Contracting and Market Management Andrew.davies@brent.gov.uk

1.0 Executive Summary

- 1.1. This report requests authority to extend contracts in respect of home care services for Adult Social Care and Children and Young People with Disabilities as required by Contract Standing Order 112. The report summarises the reasons for the request to extend the contracts and the duration of the extension.

2.0 Recommendation(s)

- 2.1 The Corporate Director of Care, Health and Wellbeing approves the extension of the contracts for the provision of home care services to Adults and Children and Young People with the providers listed below in section 3.10 for a period of 12 months.

3.0 Detail

- 3.1 In 2020, the Council advertised tenders to establish Lead providers for the provision of home care services for Adult Social Care and Children and Young People with Disabilities Providers were awarded contracts commencing in January 2021 for a period of 3 years with an option to extend for 2 years on a 1+1 year basis at the Council's sole discretion ('the Contracts').

- 3.2 The Homecare lead provider contracts were based on a patch system with the homecare services split into 13 patches which were aligned with the borough wards at the time of commissioning. Services for older people and people with physical disabilities were included in Lots 1 to 13. There were also lead providers for specialist services (Children and Young People with Disabilities, Learning Disabilities and Mental Health). As there are fewer home care hours for these client groups the borough was split into east and west for Children and Young People (Lots 14 and 15) and north and south for learning disabilities and mental health (Lots 16 to 19)
- 3.3 There is a provision in the current contract to extend for a further 2 years on a 1+1 basis and Officers have entered discussions with the Providers to extend their contracts for an initial 12 months.
- 3.4 The extension will ensure that vulnerable people in the specified client groups are well supported. In addition, given that there are no concerns with these providers, this maintains the stability of service delivery and care for service users. The Council has been able to manage the quality of the providers through consistent monitoring which has helped to minimize the number of complaints regarding the contracted providers to date.
- 3.5 As part of the contract, the providers are required to pay London Living Wage which has enabled them to recruit and retain a stable workforce whilst ensuring continuity for our service users and high quality care.
- 3.6 Our lead providers were asked, during the tendering process, to outline their Social Value commitment to Brent. These commitments will allow providers to deliver a range of different activities which will add value to Brent.

Examples of these activities include:

- (a) Virtual Coffee Morning and Dementia Training Sessions- An engaging online event hosted by the provider that focuses on dementia awareness and provides valuable training. This event is open to residents, family members, and voluntary sector groups that are interested in expanding their knowledge and skills in dementia care.
 - (b) Training and Support- The provider has a team of in-house assessors and trainers that can deliver training to Brent residents on all mandatory modules of the Care Certificate based upon individuals needs/relevance.
 - (c) Hub Events- These are a series of free events for Brent residents designed to appeal to specific groups at risk of social isolation.
- 3.7 If we were unable to extend contract there would be a risk to our service users regarding service delivery and continuity of care. We would also need to consider alternative ways of delivering home care which would have to be via our spot market as we are unlikely to award our home care framework.

3.8 Under section 3(b) of the table at paragraph 9.5 of Part 3 of the Constitution, Corporate Directors are able to extend contracts and agreements without the need for Cabinet approval provided that:

- (a) The extension would not be in breach of Procurement Legislation.
- (b) The extension does not substantially alter the terms and conditions of the contract.
- (c) There is sufficient existing budgetary provision.
- (d) If the extension goes beyond the period of extension provided for in the contract (if any) or is otherwise not in accordance with the extension provisions in the contract:
 - (i) in the case of any contract, agreement, deed or other transaction with a life of not more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of six months; or
 - (ii) in the case of any contract, agreement, deed or other transaction with a life of more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of one year.
- (e) The relevant cabinet member shall be consulted prior to a decision within (d) (i) or (ii) above and may request that the decision instead be referred to them.

3.9 It is considered that the Corporate Director has delegated authority to agree the extension as, in addressing the points detailed in paragraph 3.5, (a) the extension will not be in breach of the Procurement Legislation as clause of the Contracts provides for it; (b) the terms and conditions of the Contracts will remain the same; (c) the extension will not go beyond the period of extension provided for in the contracts and (d) paragraph 3.5(d)(i) and (ii) do not apply as the extension provision in the contracts is for 2 years on the basis of 1+1.

3.10 Schedule of List of Providers

Lots 1 to 13 – Older Persons & Physical Disability

Lots	Patch	Provider
1	Older People and Physical Disability Patch 1 Northwick Park and Preston	MiHomecare Limited
2	Older People and Physical Disability Patch 2 Sudbury	Active Care & Support Ltd
3	Older People and Physical Disability Patch 3 Tokyngton	J.C Michael Group Ltd
4	Older People and Physical Disability Patch 4 Wembley Central & Alperton	J.C Michael Group Ltd

5	Older People and Physical Disability Patch 5 Stonebridge	Eleanor Nursing and Social Care Limited
6	Older People and Physical Disability Patch 6 Queensbury & Kenton	MiHomecare Limited
7	Older People and Physical Disability Patch 7 Barnhill	Active Care & Support Ltd
8	Older People and Physical Disability Patch 8 Welsh Harp & Fryent	Dendera Ltd t/a Dendera Care
9	Older People and Physical Disability Patch 9 Dudden Hill & Dollis Hill	Eleanor Nursing and Social Care Limited
10	Older People and Physical Disability Patch 10 Harlesden	Supreme Care Services Limited
11	Older People and Physical Disability Patch 11 Willesden Green & Kensal Green	Supreme Care Services Limited
12	Older People and Physical Disability Patch 12 Mapesbury & Brondesbury	Healthvision UK Ltd
13	Older People and Physical Disability Patch 13 Queens Park and Kilburn	Healthvision UK Ltd

Lots 14 and 15 - Children and Young People with disabilities Homecare Services:

Lots	Patch	Provider
14	Specialist Provider - Children's Homecare West Zone	Goldsmith Personnel
14	Specialist Provider - Children's Homecare West Zone	Standard Nursing Agency and Care Services Ltd
15	Specialist Provider - Children's Homecare West Zone	Supreme Company and Sons Ltd
15	Specialist Provider - Children's Homecare East Zone	Standard Nursing Agency and Care Services Ltd

Lots 16, 17, 18 and 19 – Specialist mental Health and Learning Disabilities

16	Specialist Provider Learning Disabilities North Zone	Unique Personnel (UK) Ltd
17	Specialist Provider Learning Disabilities South Zone	Allfor Care Services Ltd
18	Specialist Provider Mental Health North Zone	Onecare-UK Ltd
19	Specialist Provider Mental Health South Zone	Bluebird Care Brent

4.0 Stakeholder and ward member consultation and engagement

4.1 There is no consultation required with the Ward members and Stakeholders.

5.0 Financial Considerations

5.1 The initial term of the contract value will be £16.5m, with an option to extend for a period of up to a further two years at a value of £5.5m each year.

5.2 The full cost of the contract at today's prices, including the extension option, is estimated to be £27,507,274.

5.3 The full cost of the contract and/or extension will be funded from the Community and Prevention Contracts budget with Adult Social Care.

6.0 Legal Considerations

6.1 Officers recommend the extension of the Contracts for the provision of homecare services to Adults and Children and Young persons with the Providers listed in Schedule 1 (List of Providers) for a period of 12 months.

6.2 The value of the original each Contract is such that it is subject to full application of the Public Contract Regulation 2015 (PCR 2015).

6.3 The contract contains express provision allowing for the extension as recommended and as such extension is permitted in accordance with the PCR 2015.

6.4 The Corporate Director is authorised pursuant to Paragraphs 9.5 of Part 3 of the Constitution to extend contracts subject to the conditions set out in paragraph 3.8 above. As set out in paragraph 3.8 above, none of these conditions preclude the Corporate Director agreeing the recommended extension.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender

reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.

7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

8.0 Climate Change and Environmental Considerations

8.1 These services are currently provided by external contractors and there are no implications for Council staff arising from extending the Contracts.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 These services are currently provided by external contractors and there are no implications for Council staff arising from extending the Contracts.

10.0 Communication Considerations

None.

Report sign off:

***Rachel Crossley, Corporate Director, Care,
Health and Wellbeing***