



Cabinet

11 April 2016

Report from the Strategic Director Community Well-being

For Action

Wards Affected:
[ALL]

Approval to establish an inter authority agreement (partnership) with Harrow Council for the provision of a 24/7 specialist telephone helpline and contact centre for vulnerable people and their carers

1.0 Summary

- 1.1 This report sets out proposals for working with the London Borough of Harrow ("Harrow Council") to establish and implement a 24/7 specialist telephone helpline and contact centre for vulnerable people and their carers by May 2016. It seeks Cabinet approval to enter into an Inter Authority Agreement (Partnership) with Harrow Council, and to allow Officers to enter into discussions with Harrow Council with the aim of agreeing appropriate service terms that will result in the signing of an Inter Authority Agreement ("the IAA").

2.0 Recommendations

- 2.1 That Cabinet approves an exemption from the usual tendering requirements set in the Contract Standing Orders 84 for good operational and financial reasons.
- 2.2 That Cabinet approves the creation of an Inter Authority Agreement ("the IAA") that implements co-operation for the provision of a 24/7 specialist telephone helpline and contact centre for vulnerable people and their carers for three (3) years with an option to extend for a further 1+1 years with Harrow Council.

- 2.3 That Cabinet delegates authority to the Cabinet Member for Adults, Health and Wellbeing and the Strategic Director Community Wellbeing, Adults Social Care to agree and finalise the terms of the IAA in consultation with the Chief Legal Officer and the Chief Finance Officer.

3.0 Detail

- 3.1 For over twenty years Harrow Council has provided a specialist 24/7 helpline on behalf of Brent Adult and Children Social Care Services. Initially this focused on remotely monitoring and managing tele-care social alarms and sensor devices. This also includes monitoring of tele-care alarms for individuals funding their own care and support who live in Brent.
- 3.2 Examples of tele-care devices would be a pendant that the individual can wear or sensors (to prevent falls, door, bed, flood gas sensors) and pull-cords alarms placed around the home, which allow individuals to call for help (or alert the call centre automatically if a person has a fall or has left the gas on) at any time of the day or night.
- 3.3 Over time services have been extended, details of services currently provided are listed below. There are four core elements:
- Tele-care Alarms (contact centre for all tele-care emergency alarms and equipment maintenance coordination);
 - Carers Emergency Support (coordinating the response in event of an emergency such as the carer entering hospital); ensuring a vulnerable person receives appropriate support.
 - Emergency Duty Team Out-of-Hours (single point of contact for adult and children emergency issues out of normal working hours, referring clients in need of support to the Social Work Emergency Duty Team);
 - Meals-on-Wheels No Reply (single point of contact to follow up when a vulnerable person has not replied to a planned meals visit, working with the Social Work Emergency Duty Team).
- 3.4 The helpline and alert management service combined supports over 3,000 Brent adults and children every year; their details are confidentially maintained until the time when an emergency occurs and external support needs to be summoned, linked to one of the four services above.
- 3.5 During 2015 officers explored the viability of a number of alternative options to the Harrow Helpline Service. These included; the Brent CCTV control room taking over responsibility for this seemingly similar monitoring service and; including the services within the borough wide out of hours arrangements (which are currently being reviewed by Brent Customer Services). However due to key differences in hardware used, staff skill-set, and national accreditation requirements these options were not taken forward.

- 3.6 The current contract price is £295k per annum. However, over the years the price has remained fixed without any inflationary increases despite on average inflationary increases of 2.65% during that period.
- 3.7 During 2015 Officers undertook a benchmarking exercise which suggests that current market rates of comparable suppliers are approximately 20% above current rates paid.
- 3.8 The telephone helpline & contact centre is part of a wider strategy to increase the use of 'at a distance' support that allows vulnerable people to go about their day to day activities with minimal interference, while offering 'just the right amount of support' at the critical times it is needed, at any time of the day or night.
- 3.9 The Care Act 2014 ("the Care Act") places emphasis on prevention and independence as ways of achieving and exceeding the desired outcomes for service users and carers. The 24/7 telephone helpline & contact centre fulfils these requirements for a group of vulnerable people with unpredictable, unexpected, emergency needs.
- 3.10 Establishing an IAA will deliver shared benefits, consistency of quality support to customers and opportunities to further jointly promote and develop services to meet shared priorities whilst providing quality and value for money services.
- 3.11 This co-operation will also provide the opportunity to update the service key objectives aligned with the Care Act and commence the move to a rigorous outcomes-based approach for all related services.
- 3.12 Senior Officers from Brent and Harrow Council met in February and agreed, subject, to Cabinet approval to discuss and agree the details and arrangements around provision of collaborative service, operations and governance.
- 3.13 Initial consultation has been undertaken during September 2015 with users of the service, potential future users, and social care staff to understand the need the service currently fulfils and what modernisation is required. This information will be incorporated into the detailed service specification.
- 3.14 If Cabinet grants approval, the intention is for the IAA to commence on 1 May 2016.

4.0 Financial Implications

- 3.14 The 2016/17 budget for this service is £295k per annum.
- 3.15 The anticipated contract value of the 5 year contract (3+1+1) is estimated to be £1.475m which fits within the current annual budget envelope.

- 3.16 Whilst the proposal does not directly result in a saving for the Council it does present a £57K avoidance which would be the approximate cost increase if an open tender were undertaken.
- 3.17 In order to secure further value, the contract price will remain fixed despite the fact that the projected number of people using the service is expected to increase over the life of the contract. This is based on the fact that adult social care support demand has risen on average by 2% each year over the last three years. The projected volumes of calls/alerts received by Harrow over the life of this contract are therefore also estimated to increase by 2% each year (or 8% during the contract term).
- 3.18 It is anticipated that the cost of this contract will be funded from the current adult social care budget.

5.0 Legal Implications

- 5.1 The recommendation in this report to enter into an IAA to establish and/or implement co-operation between Harrow Council and Brent for the provision of a 24/7 specialist telephone helpline and contact centre for vulnerable people and their carers falls outside the scope of the Public Contract Regulations 2015 (the “EU Regulations”).
- 5.2 According to Regulation 12(7) of the EU Regulations, contracts concluded exclusively between two or more contracting authorities fall outside the scope of the EU Regulations if they fulfil the following conditions:
- the contract establishes joint co-operation in the performance of public services with a view to achieving mutual objectives; and
 - the implementation of the co-operation is governed only by the public interest; and
 - the participating authorities perform “on the open market” less than 20% of activities concerned by the co-operation.
- 5.3 Council Officers from both Harrow Council and Brent discussed and concluded that they fulfilled the above criteria and were keen to establish a collaborative partnership and enter into an IAA that will establish co-operation between both parties and perform their public interest services with a view to achieving mutual objectives. Officers have also confirmed that their participation “on the open market” is less than 20% of activities concerned.
- 5.4 The estimated value of the proposed IAA is £1.4m over the life of the partnership arrangement and therefore it is classed as a High Value Contract for the purposes of Brent’s Standing Orders.
- 5.5 Contract Standing Order 95(a) provides that for contracts with an estimated value in excess of the EU Threshold, currently set at: £164,176 for services or supplies; and £589,148 for Schedule 3 services, tenders shall be invited using

the procedures outlined in Contract Standing Orders 95(a) and/or (b). However, Contract Standing Order 84(a) provides that subject to compliance with domestic and European legislation, Members may agree an exemption from the requirement to procure in accordance with Contract Standing Orders where there are “good operational and/or financial reasons”.

- 5.6 For the reasons detailed in paragraph 5.2 and 5.3 it is not considered there is a breach of domestic or EU legislation as Regulation 12(7) permits the joint collaborative partnership proposed between the authorities. Furthermore, Officers consider that there are good operational and financial reasons for negotiating and awarding the proposed IAA directly to Harrow Council rather than carrying out a formal tendering process. These reasons are set out in paragraphs 3.6 to 3.13 of the report

6.0 Diversity Implications

- 6.1 The proposals in this report have been subject to an Equality Assessment screening and officers believe that there are no negative diversity implications. As this is a service specifically designed to meet the needs of vulnerable adults, children and carers, the overall impact of this service is a positive or neutral impact on protected groups.

7.0 Staffing Implications

- 7.1 This service is currently provided by an external contractor and there are no staffing implications arising from the proposed partnership.

8.0 Public Services (Social Value) Act 2012

- 8.1 Since 31st January 2013, the Council, in common with all public authorities subject to EU Regulations, has been under duty pursuant to the Public Services (Social Value) Act 2012 to consider how services procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement and whether the council should undertake consultation. This duty applies to the procurement of the proposed contract as services over the threshold for application of the EU Regulations are subject to the requirements of the Public Services (Social Value) Act 2012.
- 8.2 Current service users describe how this service supports them to remain living as independently as possible and to take reasonable risks, such as, climbing stairs, walking in their garden, going to the toilet at night, safe in the knowledge that help is available via their pendant alarm and tele-care equipment if the need arises. Families describe how this service allows them to maintain their caring roles with the knowledge that if they experience their own emergency, a system is in place to address the needs of their cared-for family member at short notice.

- 8.3 The services have as their primary aim improving the social wellbeing of some of the most vulnerable groups in Brent. Participating partners will take account of Social Value Act provisions and seek to implement these as appropriate.

9.0 Background Papers

None.

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