

	Officer Key Decision
	Report to the Operational Director – Adult Social Care
Visarm House – ‘Step Down Service’ element of contract	

Wards Affected:	Stonebridge
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
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Martin Crick Job Title: Team Manager Commissioning, Contracting and Market Management – Supported Living. Email: martin.crick@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report concerns the authority to terminate the ‘step down function’ element of the contract with Notting Hill Genesis for care and support at Visram House.

2.0 Recommendation(s)

That the Operational Director of Adult Social Care:

- 2.1 Approve terminating the ‘step down function’ element of the contract with Notting Hill Genesis for care and support at Visram House by serving six months notice as detailed in paragraph 3.5.

3.0 Detail

- 3.1 The care and support contract at Visram House was awarded to Notting Hill Genesis with a commencement date of the 4th February 2019. The contract is divided in to two elements. The general extra care function was awarded as a

block contract based on a set number of support hours per service user, whilst a separate element that is specific to a 'step down' service was awarded on the basis of a set amount of support hours to be delivered across the service each week regardless of occupancy.

- 3.2 Visram House is owned by PA Housing and since February 2019 both PA Housing and the Council have been negotiating on a nominations agreement that will work for both organisations. PA Housing have raised concerns that the 'step down' function has never been fully utilised or achieved a consistent occupancy of 100%. They also believe that the 'step down' flats are a potential area of concern for the GLA that provided an element of funding for this property.
- 3.3 The council and PA Housing have now reached agreement on the exact terms and conditions of the nominations agreement. The 'step down' function is now a 'short stay' trial service that does not match the original criteria set out in the original tender for the care and support contract awarded to Notting Hill Genesis. Whilst in the wording it is permissible for anyone who is assessed as not likely to be able to return to their home to step down in to Visram House as long as they are likely to then stay on a permanent basis and sign an AST. This new process does not require Notting Hill Genesis to deliver the dedicated service of 252 hours of care and support per week. It is anticipated that most individuals who use this new 'short stay' service will have relatively low needs or be on the trajectory to Adult Social Care.
- 3.4 Under the original 'step down' function the council also paid PA Housing the 10 beds on a block contract basis. This was at a cost of £148,000.00 pa. The new 'short stay' function is to have up to 8 flats available but there is no funding implications apart from the council paying the first 6 weeks rent and service charge.
- 3.5 Given there is no longer a need for a step down function, Officers wish to terminate this element of the Notting Hill Genesis contract. The Notting Hill Genesis contract permits termination of the whole of any part of the contract at any time by giving not less than 6 months notice. Officers would propose to serve 6 months notice commencing on 20 October 2021.

4.0 Financial Implications

- 4.1 From the end of the 6 month notice period (20/04/2022) until the end of the contract on the 4/2/24, there is a total of 655 days remaining in this contract. By terminating this element of the contract there is an overall saving of £485,879.00 to this Care and Support contract.
- 4.2 The council no longer pays PA housing £148,000 pa for the block 'step down' beds. This is a further saving of £265,590.00.
- 4.3 The saving to this contract is £751,469.00. It is worth noting that whilst this is a saving to this contract there is likely to be an increase in spend in 'step

down' elsewhere. This will either be in the residential market or capacity will need to be built in to other extra care services such as Network Homes.

5.0 Legal Implications

- 5.1 As detailed in paragraph 3.5, the Council's contract with Notting Hill Genesis has provision allowing for termination by the Council of the whole of any part of the contract at any time by the Council giving Notting Hill Genesis not less than 6 months notice. The reason for recommending that notice of termination is served is set out in paragraphs 3.2 and 3.3.
- 5.2 Under section 3(a) of the table at paragraph 9.5 of Part 3 of the Constitution and pursuant to paragraph 9.7 of Part 3, Operational Directors are able to approve termination of a contract (to include termination of part of a contract) without the need for Cabinet approval subject to certain exceptions, restrictions and limitations specified in section 3(a) of the table at paragraph 9.5. None of these exceptions, restrictions or limitations apply and the Operational Director is therefore permitted to terminate the step down element of the Visram House care and support contract.

6.0 Equality Implications

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation
- (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,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 6.2 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.
- 6.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.
- 6.4 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Consultation with Ward Members and Stakeholders

7.1 There has been no consultation with ward members.

8.0 Human Resources/Property Implications (if appropriate)

8.1 There are no implications for Council staff or property arising from termination of the 'step down function' element of the contract with Notting Hill Genesis.

Report sign off:

Claudia Brown

Operational Director of Adult Social Care