



Executive
14 January 2013

**Report from the Director of Adult
Social Services and Regeneration &
Major Projects**

Wards affected:
ALL

**Delegation of authority for the Director of Regeneration and
Major Projects and the Director of Adult Social Services to
jointly award supporting people contracts**

1.0 Summary

- 1.1 This report requests that the Executive delegates authority for the Director of Regeneration & Major Projects and the Director of Adult Social Services in consultation with the Leader and Lead Members to award six (6) call-off contracts from the Supporting People Framework.

2.0 Recommendations

- 2.1 That the Executive delegates authority to the Director of Regeneration & Major Projects and the Director of Adult Social Services in consultation with the Leader and Lead Members to award six (6) call-off contracts from the Supporting People Framework for a period of two (2) years followed by discretionary extensions of 1 year plus 1 year (a maximum contract term of four [4] years).

3.0 Detail

Background

- 3.1 Supporting People is a national preventative programme administered by local government which aims to enable vulnerable people to live independently in the community through providing housing-related support services. Housing support workers, sheltered housing

managers, women's refuge workers, etc. support vulnerable adults to prevent hospital admissions, evictions, mental ill health, homelessness and anti-social behaviour. The budget is additionally utilised to provide a range of non-statutory welfare services including handyperson, accident prevention, and hospital discharge support. The programme provides support to over 3,500 people at any time, through 62 separate contracts, held across 38 providers. Some of these services are accommodation-based, whilst others are 'floating' in that they operate across locations and are not fixed to tenure types.

- 3.2 Responsibility for the commissioning of services to provide local housing-related support sits with Brent Council's Adult Social Care (ASC) department. Governance of this service area is maintained jointly by the ASC Departmental Management Team and the Supporting People Commissioning Body.
- 3.3 This service area and associated budget are currently subject to the One Council Supporting People Project, which is tasked with delivering further savings of £900k in 2013-14 which is dependent on the successful re-procurement of existing contracts.
- 3.4 On 12th November 2012, the Executive authorised the appointment of service providers to a Framework procured by Brent, to enable the re-commissioning of local housing-related support services. The Framework has 4 lots covering different client groups and service types. In addition, the Executive approved the award of 5 contracts for various client groups called off from this Framework for services associated with contracts due to expire on 31st January 2013.
- 3.5 A further wave of housing-related support services are associated with contracts due to expire on 31st March 2013. To maintain continuous arrangements for these services, a further 6 contracts must be called off the Framework to commence from 1st April 2013. These contracts are further described below (wave 2).
- 3.6 Each provider on the Framework is contractually committed to the rates set out in the tender for the Framework. Under the call off procedures set out in the framework, however, providers must have the opportunity to revisit these rates in light of the staffing costs that they will incur as a result of TUPE transfer of staff from the current providers.
- 3.7 It is anticipated that the timetable for contract call off will be as follows:
 - a) Invitation and TUPE information issued to eligible Framework providers: 6th December 2012
 - b) Submissions and TUPE prices received from providers: 21st December
 - c) Evaluation of TUPE prices completed 21st January 2013
 - d) Successful/ unsuccessful letters issued: 21st January 2013

e) New contract implementation: 1st February – 31st March 2013

3.8. A two month period following the issue of successful/ unsuccessful letters is required to implement the new contracts to provide sufficient time for TUPE consultation with staff employed by current providers to be completed. If new contracts do not commence on 1st April 2013, officers would need to return to Executive to seek authority to extend existing service arrangements out of contract, which would pose a risk to the Council. To avoid this risk, it is proposed that the Director of Regeneration & Major Projects and the Director of Adult Social Services are granted joint delegated authority to award these contracts.

Wave 2 Call - off contracts

3.9 The 5 contracts to be called off the framework agreement are:

From Lot 1

- Contract 1: Single Homeless Accommodation-based Support

From Lot 2

- Contract 2: Single Homeless Floating Support
- Contract 3: Older People Floating Support

From all Framework provider on Lots 1 and 2 who are eligible to provide services for families, teenage parents, and women at risk of domestic violence:

- Contract 4: Women and Families Accommodation-based & Floating Support

From Lot 4

- Contract 5: Activities Co-ordination

From all providers on Lot 1 and 2 who are eligible to provide services for older people:

- Contract 6: Emergency Response

4.0 Financial Implications

4.1 Current contract costs associated with the services to be included in the new contracts are £4.332m per annum. The cost of the new contracts will not be confirmed until TUPE prices have been returned and evaluated. However, to give an indication of the savings that may be delivered, in accordance with Executive report approved on 12th

November 2012, TUPE prices received through the call off of Wave 1 contracts are expected to deliver savings of £1.6m against current investment of £4.612m. Therefore, it is anticipated that Wave 2 contracts will also cost less than current investment.

5.0 Legal Implications

- 5.1 These contracts are classified as High Value Contracts under the Council's Contract Standing Orders. As such, Contract Standing Orders requires the award of contracts by the Executive.
- 5.2 The essence of this report is the delegation by the Executive of its usual role in awarding High Value Contracts to the Directors of the two Departments involved in Supporting People contracts. This is due to insufficient time to return to the Executive after the mini-competition process described in section 3, in light of the new contracts needing to start on 1st April 2013. Members need to be satisfied that sufficient information has been provided in section 3 in order to justify the delegation.

6.0 Diversity Implications

- 6.1 An Equalities Impact Assessment (EIA) has been undertaken in accordance with the Equality Act 2012. A copy of the EIA is appended to the 12th November Executive report requesting authority to award the Supporting People Framework. This EIA has been approved by the Customer and Community Engagement Team.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There will be TUPE implications arising from the award of call-off contracts under the Framework Agreements. The assumption is that TUPE is likely to apply to incumbent Provider's staff currently providing services that are included in the tender process. As such, protection will be afforded under the TUPE regulations to such staff where assigned to the service immediately prior to the contract start date and who do not object to transferring, so that they will transfer to the organisation awarded the contract on their existing terms and conditions.

8.0 Other Implications

- 8.1 There are no other known implications that may impact upon the award of this contract.

9.0 Background Papers

9.1 None.

Contact Officers

Integrated Commissioner, Chris Pelletier, tel: 020 8937 4036,
chris.pelletier@brent.gov.uk,

ALISON ELLIOTT
Director of Adult Social Services

ANDY DONALD
Director of Regeneration and Major Projects