



Officer Key Decision

Report to the Chief Executive (for approval under exceptional urgency powers)

Lead Member – Cabinet Member for Adult Social Care Public Health and Leisure

AUTHORITY TO AWARD CONTRACT FOR COMMUNITY EQUIPMENT

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	Appendix 1 (Exempt)
Background Papers¹:	None
Contact Officer(s): (Name, Title, Contact Details)	Name: Edwin Mensah Job Title: Head of Commissioning, Contracting and Market Management Edwin.Mensah@brent.gov.uk

1.0 Executive Summary

- 1.1 This report seeks authority to proceed with a direct award for the provision of Community Equipment services to Provide Care Solutions Ltd. This is to support statutory provision of community equipment to maintain some of Brent's most vulnerable residents both children and adults in the community.

The use of urgency powers is being requested due to the significant and immediate risk to the wellbeing of vulnerable residents who rely on the continued provision of Community Equipment services. This urgency is further compounded by the fast-paced decision-making required following the liquidation of NRS Healthcare Limited, the Council's previous provider, on 1 August 2025, and the subsequent appointment of an Official Receiver and Special Managers.

- 1.2 The Council has previously directly awarded three contracts as short-term contingency measures. It now seeks approval to proceed with a longer-term solution. In addition, it is the Council's intention to enter into a Partnership Agreement with seven other London boroughs (subject to internal approvals) to deliver a more cost-effective service that is subject to greater oversight and reduced risk to the Council.

In relation to the three directly awarded emergency contracts, which commenced on 1 August 2025: one contract was awarded to Accora Limited, the second to Access Rails, and the third to DBS Ventures Ltd (trading as Mobility 2 You). All three contracts required a waiver from the Council's Contract Standing Orders. These emergency arrangements were implemented to ensure that both adults and children received essential equipment to meet statutory health and care needs.

- 1.3 This report requests authority to award a contract to Provide Care Solutions Ltd as required by Contract Standing Order 88,

2.0 Recommendation(s)

That the Chief Executive exercising urgency powers pursuant to paragraph 9.3.2 of Part 3 of the Constitution:

- 2.1 Approves the Direct Award of a contract to Provide Care Solutions Ltd to deliver the Community Equipment Service in Brent for an initial period of two (2) years with the option to extend for an additional one (1) year.
- 2.2 Delegates the option to extend the contract for an additional 1 year to the Corporate Director for Service Reform and Strategy.
- 2.3 The anticipated cost for the duration of this contract will be £12m. which includes the 1-year contract extension provided for in 2.1 above.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

- 3.1.1 This contract for the provision of Community Equipment supports the Brent Borough Plan 2023-2027 priorities of 'Prosperity and Stability in the Borough' and 'A Healthier Brent'. The provision of Community Equipment ensures that Brent residents and communities who are vulnerable and/or with more complex needs receive the best possible support (Strategic Priority 1 - Prosperity and Stability in the Borough) and provides support for people to be cared for closer to home, health and social care community services to help people, and more people supported to live in their own home (Strategic Priority 5 - A Healthier Brent).

Background

- 3.2 On 1 August 2025, the Council's Community Equipment provider, NRS, went into liquidation.
- 3.3 The Community Equipment Service provides a wide range of essential equipment to support residents with health and social care needs. This includes both basic aids for daily living and more complex items designed to promote independence and facilitate timely hospital discharge. The service, previously delivered by NRS, supported adults and children living at home by supplying vital equipment such as raised toilet seats, grab rails, specialist beds, hoists, pressure care equipment, and mattresses. While the majority of service users are aged 65 and over, equipment is also provided to younger disabled adults and children. In addition to equipment provision, the service is responsible for the repair, maintenance, and collection of items, ensuring that residents continue to receive safe and effective support in their homes.
- 3.4 Until 16 September 2025, NRS continued to deliver a limited version of the Community Equipment Service under the oversight of the Official Receiver and Special Managers, following the company's insolvency proceedings. The original contract was commissioned jointly by Westminster City Council (WCC) and the Royal Borough of Kensington and Chelsea (RBKC) in 2023. Service delivery was extended to 21 London boroughs through an informal co-operative arrangement known as the London Community Equipment Consortium ("the Consortium").
- 3.5 The Community Equipment Service plays a critical role in enabling the Council and the NHS to meet their statutory responsibilities under the Care Act 2014 and the NHS Act 2006. In Brent, the service is jointly funded by the Council and NHS, reflecting its importance across both health and social care sectors. For the financial year 2024–25, the total budget allocated to the service is £3.6million. This investment supports a wide range of outcomes for residents.
- 3.6 The Community Equipment Service is a critical component of the health and social care system. Timely provision, repair, and replacement of equipment is essential to safeguarding residents.
- 3.7 The absence of this service would not only result in the Council's failure to deliver its statutory service but have a serious impact on people who require this support across Brent area.

This includes

- Delayed discharges from acute and community hospitals
- Increased unplanned admissions, where provision of equipment could have prevented that, including Technology Enabled Care

- Reduced service to formal carers who need access to moving and handling equipment - i.e. potential increase in double-up packages of care or carer breakdown
- Reduced service for people accessing the end-of-life pathway
- Reduced access to equipment for families with disabled children
- Reduced levels of maintenance of equipment
- Delayed collection of equipment where this is no longer needed or someone passes away

3.8 As part of urgent risk mitigation, it has been necessary to identify an alternative provider for the Community Equipment Service. However, the market for such services is known to be extremely limited. While some boroughs outside of the Consortium, such as Croydon, operate an in-house equipment service, none of the organisations officers approached were able to support or expand their operations to support Brent or the other boroughs in North London affected by the current service disruption.

3.9 Work is underway looking for an organisation with the experience and expertise in community equipment who are potentially able to take over the NRS service for boroughs who are unable to find alternative arrangements. This report seeks a decision to enter a directly awarded contract with which every organisation officer agrees is appropriate to supply the service.

3.10 This report notes and brings to the attention of the Cabinet Member, the two contracts directly awarded for an interim period to cover the Council until a longer-term solution can be mobilised.

4.0 Other options considered and the reasons for recommending this proposal

Options considered:

4.1 Do nothing

Benefits - Opportunity to achieve a saving

Drawbacks - Delays in providing or repairing equipment can lead to serious harm of residents and can impede patient flow out of hospitals. This would be a significant reputational risk to the council. The Council and NHS would also fail to meet their statutory duties without an equipment supplier. For these reasons this option is rejected.

4.2 Develop an in-house offer

Benefits - This would enable the council to have full control over the provision of the service in the future.

Drawbacks - There is insufficient in-house resource (including staffing, equipment and building capacity), expertise and time to set up and mobilise an in-house service to meet demand, and therefore this option would put vulnerable residents at risk. It is something that could be explored further in the future. For these reasons this option is not currently recommended.

4.3 **Competitive procurement**

Benefits - This would ensure the council achieves the best value for money

Drawbacks - Procuring a service of this size and complexity through a competitive process would require approximately 18 months. Additionally, it is anticipated that commissioning resources will remain fully occupied for up to six months due to the immediate urgency of managing both this agreement and any supplementary, one-off support arrangements.

Existing resources must prioritise resident safety and wellbeing, while also continuing to deliver other commissioning projects of comparable importance. Given there is no additional capacity within the current team, and no new resources have been allocated to the authority, it would take up to six months to effectively recruit and onboard additional staff. As a result, commissioning resources must be deployed to address the immediate and challenging situation.

Therefore, there is insufficient time to conduct a full competitive procurement process and still meet the urgent demand for equipment required to keep people safe and well. While a competitive procurement can be planned for the future, in the interim, robust contract management and regular review arrangements will be put in place. For these reasons, this option is not currently recommended.

4.4 **Direct award –**

This option enables the Council to secure a suitable supplier for the provision of community equipment to vulnerable residents. It provides an immediate solution for a two-year period, with the option to extend, while longer-term options are fully explored.

The recommended approach is to directly award a contract to Provide Care Solutions Ltd. As a current provider to other councils, Provide Care Solutions Ltd. has the requisite skills and experience to safely manage this complex service.

This arrangement will allow further planning for longer-term service provision, as detailed in the options appraisal above. The contract is proposed to commence on 22 September, subject to full approval through the Council's governance processes. This start date is one

week after the end of the contract with NRS Healthcare and allows sufficient time to support a smooth transition between providers. It also provides the opportunity to retain skilled staff and mitigate risks of disruption to residents.

4.5 Key Risks

Risk Factor	Risk rating			Risk details	Mitigation strategy
	High	Med	Low		
Reputational	X			Community Equipment is a statutory requirement, it would be damaging to Brent if it failed to deliver service and have significant impact on Brent residents who require equipment	Brent has been working with a partnership of seven other boroughs on transition plans with the interim providers. Negotiations with potential providers are progressing, with the aim of delivering a phased service from late September
Financial	X			There would be significant financial impact if Brent are unable to award contract, due to costly interim solutions	Section 75 agreement between NHS and social care as health will be expected to contributions, negotiation with new provider
Operational	X			There have been issues with the interim arrangement regarding	Brent would continue with the existing arrangements with interim

				equipment collections and repairs. The transition period between NRS and a replacement provider has created a gap in service provision, limiting the Council's ability to process anything other than urgent and critical equipment order	providers and continue to work with provider to find solutions to plug gaps in interim service
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5.0 Stakeholder and ward member consultation and engagement

- 5.1 Due to the timescales required to implement interim service delivery at pace and an alternative community equipment solution in the short to medium term, as well as commercial sensitivity and official receivership considerations, it has not been possible to undertake consultation or community engagement ahead of time. Once the contract is mobilised, and as part of ongoing contract monitoring, data will be collected to support the Council's understanding of the resident experience of the service.

6.0 Financial Considerations

- 6.1 Costs for the variable elements of this contract are expected to be broadly in line with the previous contract. A fixed element for overheads, which was not part of the previous contract with NRS, has been added to this contract. Each Borough will pay a portion of this overhead based on 2024/25 activity. For Brent, this is estimated to be an addition £0.3 annually.
- 6.2 Based on 2024/25 data, the estimated cost of the variable element of this contract is £3.8m annually. The total estimated annual cost of this contract is £4.1m, when factoring in Brent's share of the overheads.
- 6.3 The cost of this contract will be paid from Adult Social Care budgets, and it is expected that this will cause a budgetary pressure, for which mitigations will need to be developed.
- 6.4 The NHS contribute to more than half of the cost of this contract. Brent pay the invoices on a monthly basis and subsequently recharge the NHS for their share quarterly. The estimated contribution from the NHS towards the cost of this

contract is £2.6m. The estimated net amount Brent will contribute towards this contract is £1.5m.

- 6.5 Maximum costs are not factored into this contract. This contract will need to be closely monitored to ensure costs are managed. Any overspends against the contract are shared with the NHS.

7.0 Legal Considerations

- 7.1 This report seeks urgent approval to make a direct award contract to Provide Care Ltd for the provision of a community equipment service. This follows the current Provider NRS Healthcare, formally entering insolvency on 16 September 2025. The Council has a statutory duty under the Care Act 2014 to provide community equipment services. The report clearly sets out circumstances of urgency and identifies the need for urgent action to be taken to ensure the needs of vulnerable residents can be met and the Council fulfils its statutory duties.
- 7.2 Officers in Section 3 have outlined why they consider the matter is urgent and the decision cannot wait until the next Cabinet meeting. The Chief Executive is authorised pursuant to Paragraph 9.3.2 of Part 3 of the Constitution to exercise either executive or non-executive functions where the matter is urgent unless this is prohibited by law. The decisions, which are the subject of this report, are not prohibited by law and she may therefore exercise such powers if she is of the view that proposals are urgent.
- 7.3 Pursuant to paragraph 9.3.3 of Part 3 of the Council's Constitution, if the Chief Executive exercises her urgency powers pursuant to paragraph 9.3.2 (as referred to in the previous paragraph), she is required to notify, as appropriate, the Leader or Deputy Leader of the Council, the Lead Member with portfolio responsibility for the matter to which the decision relates and the Leader of the Principal Opposition Group of any such action. The requirements which must be followed regarding making a key decision which has not been published in the Forward Plan at least 28 days before the date of the decision are set out in paragraph 38 of the Access To Information Rules.
- 7.4 Standing Order 14e, provides for call-in, to be disapplied in a situation of urgency provided that the Chief Executive is of the view that proposals are urgent.
- 7.5 Under the Procurement Act 2023 a direct award can be made in cases of extreme and unavoidable urgency, provided specific conditions are met. This is governed by Section 41 and Schedule 5 paragraph 13 of the Act. A direct award is justified where: (a) The goods, services, or works are strictly necessary due to extreme and unavoidable urgency, and (b) The contract cannot be awarded via a competitive tendering procedure. Paragraph 14 of Schedule 5 adds urgency is considered unavoidable only if: It is not attributable to any act or omission of the contracting authority, and it could not have been foreseen by

the contracting authority.

- 7.6 The Council must publish a transparency notice and a contract award notice before entering into contract.

8.0 Equity, Diversity & Inclusion (EDI) Considerations

- 8.1 The Public Sector Equality Duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 8.2 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.
- 8.3 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.
- 8.4 An Equality Impact Assessment will be carried out for longer term requirement of this contract
- 8.5 The Community Equipment Service is essential to meeting the Council’s duties under the Equality Act 2010, particularly in advancing equality of opportunity for disabled residents, older people, and families with disabled children. Timely access to equipment directly supports independence, dignity, and safety in the home, and helps prevent avoidable hospital admissions and carer breakdown.
- 8.6 While consultation has not been possible given the urgent nature of the service disruption, risks to residents with protected characteristics has been considered, and mitigation measures include robust contract monitoring to ensure service quality and equity of access, until a longer-term service provider can be mobilised.

9.0 Climate Change and Environmental Considerations

- 9.1 All contractors submitted sustainability statements as part of the tender which outlined climate change and environmental considerations. These included

deadlines on decarbonising their fleet and details of their proposed waste management plans. All statements were scored as part of the submission.

- 9.2 These proposals will continue to be formalised through the mobilisation period for all contractors, including Mears, and will be monitored throughout the year at Core Group meetings.

10.0 Human Resources/Property Considerations (if appropriate)

- 10.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the Contract.

11.0 Communication Considerations

- 11.1 The Council has maintained regular communication with customers awaiting equipment, ensuring they are kept informed about expected delivery timelines and any potential delays. In addition, officers have updated colleagues in health and social care—who are the primary prescribers of community equipment—regarding the current service status and interim arrangements.

Throughout this process, officers have kept the Lead Member fully briefed on next steps and plans, including both the interim solution and the development of longer-term community equipment provision. This ongoing engagement has supported transparency and enabled stakeholders to manage expectations during the transition period.

Report sign off:

Kim Wright, under delegated urgency powers
Chief Executive, Brent Council