	Officer Key Decision
	Report to the Corporate Director of Service Reform and Strategy

AUTHORITY TO EXTEND THE CONTRACT FOR SOCIAL CARE AND SUPPORT PROVISION IN EXTRA CARE SCHEME – HONEYPOT LANE

Wards Affected:	Queensbury
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)	Open
No. of Appendices:	None
Background Papers:	None
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1.0 Executive Summary

1.1 This report requests authority to extend a contract in respect of social care and support services at the extra care scheme of Honeypot Lane with Creative Support Limited as required by Contract Standing Order 112. The report summarises the reasons for the request to extend and the duration of the extension.

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2.0 Recommendation(s)

That the Corporate Director of Service Reform and Strategy:

2.1 Approves the extension of the contract for Social Care and Support Services at the Extra Care scheme of Honeypot Lane with Creative Support Limited for a period of one (1) year, valued at £854,092.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

3.1.1 The proposal within this report supports several key Council priorities as set out in the Borough Plan "Moving Brent Forward Together". The focus on neighbourhoods are in line with Strategic Priority 5 – A Healthier Brent. The strategy states that "we will make sure our health and social care services meet local need and reduce health inequalities." This includes "targeted interventions for those communities who find our services hard to access."

3.1.2 Strategic Priority 5 within the Brent Borough plan 2023-27: Moving Brent Forward Together is about building a healthier Brent. One of the desired outcomes of this is Desired Outcome 1 under tackling health inequalities, to ensure all adults with care and support needs are able to access support and services and they are integrated with health, culturally competent and responsive to individual need. To work with NHS and partners to deliver more cross-sector working within services that impact on health, such as housing, mental health and community safety.

3.1.3 Desired outcome 2 of the Strategic Priority 5 is for localised services for local needs. This includes continuing to support people and offer care and support within their neighbourhood, by developing health and social care community services to help people, including those with complex needs, to live at home independently while also addressing key health issues including heart disease and respiratory conditions.

3.1.4 The proposed extension of the extra care contract at Honeypot Lane will help achieve desired outcome 1 and 2 of the Strategic Priority 5 by ensuring extra care accommodation with core and assessed support is available to adult social care residents over the age of 50 to allow them to live more independently and promote their wellbeing.

3.2 Background

3.2.1 The Council entered into a contract for social care and support services at the extra care scheme of Honeypot Lane with Creative Support Limited, commencing on the 11th of December 2023 for a period of 3

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years with an option to extend by yearly periods up to a maximum of 2 years (on a 3+1+1 basis), at the Council's absolute discretion (the "Contract').

3.2.2 As stated above, the Contract is for a period of 3 years with the option to extend by yearly periods up to a maximum of 2 years. The Contract is due to expire on 10th December 2026, and Officers wish to utilise the first option to extend the Contract for a further one year. This is the first year of the extension provided for in the Contract, and this report addresses why officers believe the Contract should be extended.

3.2.3 There are 61 units at The Willows, Honeypot Lane, of which 5 are used as step-down properties. The term step-down is used to describe accommodation units used to house residents who are medically fit to be discharged from hospital but continue to require care and support preventing a return to their own homes or may need a different type of accommodation. The service is designed to meet the varying needs of residents, to promote health and wellbeing and to enable borough residents to live independently in their home and reduce the potential of moving to residential care. The scheme generates efficiency savings to Adult Social Care (ASC) through the provision of care and support in place of residential placements, where the council is responsible for care and accommodation costs. In an extra care service, the Council will fund care, Housing Benefit is used to pay accommodation costs. The services are available for people who self-fund and can afford their rent and care costs.

3.2.4 The proposed extension of one year will ensure continuity of services for residents in the extra care scheme at The Willows, Honeypot Lane, and will ensure that residents continue to be well supported. The Council has no concerns regarding the performance of Creative Support Limited and has effectively managed service quality through ongoing contract monitoring arrangements. Officers are satisfied that the Provider has delivered the services in accordance with the Contract requirements and therefore recommend exercising the first option to extend the Contract. The extension will also provide sufficient time for Officers to plan a re-procurement exercise for the services and to consider whether the service should be re-procured jointly with another extra care scheme as part of that process.

3.2.5 Under section 3(b) of the table at paragraph 9.5 of Part 3 of the Constitution, Corporate Directors and 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.

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(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.

3.2.6 It is considered that the Corporate Director, Service Reform and Strategy, has delegated authority to agree the extension as, addressing the points detailed in paragraph 3.2.5:

(a) The proposed extension of 12 months was provided for when the contracts were let and is thus permitted in accordance with Regulation 72(1)(a) of the Public Contracts Regulations 2015.

(b) The extension does not substantially alter the terms and conditions of the Contract, as the Council is exercising an existing contractual option to extend the Contract for a further one-year period on the same terms and conditions.

(c) there is sufficient existing budgetary provision, please refer to section 5.

(d) The extensions do not go beyond the period of extension provided for in the Contract and is in accordance with the extension provisions in the Contract and therefore sub-paragraphs (d)(i) and (ii) do not apply;

(e) The requirement to consult with the relevant cabinet member does not apply as the decision does not fall within (d) (i) or (ii).

4.0 Stakeholder and ward member consultation and engagement

4.1 The requirement for the provider to consult and engage with residents regarding the service is included in the service specification to ensure

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the provider understands and addresses issues that are important to the residents.

5.0 Financial Considerations

5.1 The value of the proposed contract extension is £854,092.00 which will be for the care and support service at the extra care scheme of Honeypot Lane with Creative Support Limited for a period of one year only commencing from the 11th of December 2026 to the 10th of December 2027.

5.2 The cost of this contract extension will be funded from the Adult Social Care (ASC) budget within the Service Reform and Strategy Directorate.

6.0 Legal Considerations

6.1 Officers recommend the extension of the contract for Social Care and Support Services at the Extra Care scheme of Honeypot Lane with Creative Support Limited for a period of one (1) year from 11 December 2026 to 10 December 2027, valued at £854,092.

6.2 The Contract was procured prior to 24 February 2025, as such, the Contract is governed under the Public Contracts Regulations 2015 (PCR 2015). The value of the Contract is such that it is subject to the full application of the PCR 2015.

6.3 A contract may only be modified (to include an extension) without a new procurement procedure where this is done in accordance with Regulation 72 of the PCR 2015. Regulation 72 sets out various circumstances in which it is possible to extend a contract. Regulation 72(1)(a) provides that a contract may be modified where the modifications, irrespective of their monetary value, have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which may include price revision clauses or options, provided that such clauses—

(i) state the scope and nature of possible modifications or options as well as the conditions under which they may be used, and
(ii) do not provide for modifications or options that would alter the overall nature of the contract or the framework agreement;

The Contract contains express provisions allowing for the option to extend by one year and was provided for in clear, precise and unequivocal review clauses within the initial procurement documents. Accordingly, the proposed extension is permitted in accordance with Regulation 72(1)(a) of the PCR 2015.

6.4 The Corporate Director, Service Reform and Strategy, is authorised pursuant to Paragraph 9.5 of Part 3 of the Constitution to extend

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contracts subject to the conditions set out in paragraph 3.2.5 above. As set out in paragraph 3.2.6 above, none of these conditions preclude the Corporate Director from agreeing the recommended extension.

6.5 In accordance with Contract Standing Order 112, the Corporate Director should only agree to extend the Contract if the extension will achieve best value and is reasonable in all the circumstances. The Corporate Director is referred to section 3 of this report for further information.

6.6 As the decision that is being sought here is a Key Decision, the decision may not be taken by the Corporate Director unless this matter has been published on the Forward Plan. The Key Decision must be published on the Forward Plan (Paragraph 30 of the Access to Information Rules) and must be included on the Forward Plan not less than 28 days before the decision is to be made. (Paragraph 34 of the Access to Information Rules). The decision has been placed on the Forward Plan for the requisite period. The decision will be subject to a 5 clear day call-in period before it can be implemented, provided there is no call-in.

6.7 The provider will require access to certain areas within the Council's premises, including meeting rooms and staff welfare/rest facilities, for the purposes of delivering the service. It is therefore proposed that the provider be granted non-exclusive licence to occupy such areas as are reasonably required for the provision of the services. The licence will be granted under existing officer delegations in accordance with the Council's Constitution. The licence will be ancillary to, and coterminous with, the service contract and will confer no security of tenure or exclusive possession.

7.0 Equity, 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

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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.

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

8.0 Climate Change and Environmental Considerations

8.1 This report relates to the extension of an existing Contract and does not involve any significant changes to service delivery, property assets or operational arrangements. Therefore, there are no additional climate change or environmental impacts arising from the proposed extension. The provider will continue to be expected to operate in accordance with the Council's environmental objectives and any contractual requirements relating to sustainability, carbon reduction and environmental management.

9.0 Human Resources/Property Implications (if appropriate)

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

9.2 The Council is the landlord and owner of the relevant property where services are delivered at Honeypot Lane.

10.0 Communication Considerations

10.1 Relevant stakeholders, including the provider and service users (where appropriate), will be informed of the Contract extension through existing communication channels.

Report sign off:

Rachel Crossley
Corporate Director Service Reform and Strategy

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