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| DECISION TITLE: Extension to the Homecare Framework Agreements |
| Councillor Wayne Fitzgerald, Cabinet Member for Integrated Adult Social Care and Health |
| December 2017 |
| Deadline date: N/A |

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| Cabinet portfolio holder: | Councillor Wayne FitzGerald, Cabinet Member for Integrated Adult Social Care and Health |
| Responsible Director: | Wendi Ogle-Welbourn, Corporate Director, People and Communities |
| Is this a Key Decision? | YES If yes has it been included on the Forward Plan : Yes Unique Key decision Reference from Forward Plan : KEY/11DEC17/09 |
| Is this decision eligible for call-in? | YES |
| Does this Public report have any annex that contains exempt information? | NO |
| Is this a project and if so has it been registered on Verto? | NO |

RECOMMENDATIONS

The Cabinet Member is recommended to:

1. Approve expenditure for the continued engagement of providers presently engaged under the terms of a Personal Care Framework Agreement which expires on 18 January 2018. The current and proposed providers until 19 July 2018:

- (a) Affinity Trust;
- (b) Atlas Care Services Ltd;
- (c) Augusta Care Limited;
- (d) Cross Keys Homes Limited;
- (e) FPS (Peterborough) Limited;
- (f) Hales Group Limited;
- (g) CareWatch Care Services Limited;
- (h) Cozy Care Limited;
- (i) Lifeways Community Care Limited;
- (j) Mears Care Limited;
- (k) Nestor Primecare Services Limited (trading as Allied Healthcare);
- (l) Prestige Nursing Limited;
- (m) Royal Mencap Society;
- (n) Sage Care Limited;
- (o) Social Care Solutions Limited;
- (p) Springfield Care Limited;

(q) Voyage 1 Limited;
(r) Axiom Housing Association Limited

1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks approval of expenditure for the continued engagement of providers currently contracted under the terms of a Personal Care Framework Agreement expiring on 18 January 2018 upon terms identical to those set out in the framework other than as to termination date which will be 19 July 2018.

2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Integrated Adult Social care and Health to consider exercising delegated authority under paragraph 3.4.8(a) of section 3 – Executive Functions of the Constitution in accordance with the terms of his portfolio at Part 3 of the constitution in accordance with the terms of their portfolio at paragraph b.

3. TIMESCALE

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| Is this a Major Policy Item/Statutory Plan? | NO | If Yes, date for relevant Cabinet Meeting | N/A |
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4. DETAILS OF DECISION REQUIRED

- 4.1 The Council has a Framework Agreement with a number of providers for the provision of personal care and support (homecare) services. There are no fixed contracted hours with the providers on the Framework Agreement, and instead the Council calls off from the Framework in relation to specific packages for service users as and when required, and then pays the providers in accordance with the contracted hourly rate. Estimated maximum expenditure for the extension period is £5,500,000 (£11,000,000 per annum).
- 4.2 The Framework Agreement had an initial term of 20 January 2014 to 19 January 2016 and provided the option to extend by a further period of 2 years (by two 12 month periods). CMDN JAN14/CMDN/01 provided authority for the Council to enter into the Framework Agreement and also authorised the option to extend the contracts for two further 12 month periods (up to 19 January 2018). The expenditure for the extension periods were approved by CMDN JAN16/CMDN/07.
- 4.3 There are no fixed contracted hours with the providers on the current Framework Agreement, and instead the Council calls off from the framework in relation to specific packages for service users as and when required, and then pays the providers in accordance with the contracted hourly rate. Estimated maximum expenditure for the extension period is £5,500,000 (£11,000,000 per annum).

5. CONSULTATION

- 5.1 Consultation is key to the continued successful commissioning of services. Consultation has been undertaken with service providers and key stakeholders including service users.
- 5.2 Consultation carried out when the Framework Agreement was originally procured is set out in JAN14/CMDN/01.

6. ANTICIPATED OUTCOMES

- 6.1 The provision of these services will continue until 19 July 2018 providing continuity and consistency within a much needed service for the residents of Peterborough. The retendering of Care at Home services is also underway and is likely to be go live latest by the end June 2018.

7. REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION

- 7.1 The Council has advertised a tender on 23th October 2017 to appoint a number of providers on a framework agreement. The new framework agreement will replace this agreement and will exist until 19 July 2018 allowing smooth transition and no disruptions to the the current providers and service users. The maximum duration for the new framework agreement will be for a period of 10 years allowing the market to stabilise and focus on developing capacity and a quality service offer, rather than preparing for the next contract.
- 7.2 This report is to authorise the expenditure of the full extension periods (19 January 2018 to 19 July 2018). The estimated maximum value of the extension period is £5,500,000 (£11,000,000 per annum).
- 7.3 Approval of the recommendation will ensure that the extension value is authorised and that the Council complies with the Openness of Local Government Bodies Regulations 2014.
- 7.4 The providers are currently meeting the needs of those who use the services.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 To extend the Framework Agreement contracts and rely on the original CMDN, which does not authorise the option to extend the contracts beyond 19 January 2018. This would demonstrate lack of compliance with Openness of Local Government Bodies Regulations 2014.
- 8.2 The option to extend the existing framework would and avoids the need for the additional expense of re-procurement for a short-term contract and a potentially higher cost of the service if re-procured for only 6 months. In addition, any change in service providers could affect continuity of service for service users.
- 8.3 Direct payments still remain an option for anyone wishing to receive their support from an alternative provider who is not on the Framework.

9. IMPLICATIONS

- 9.1 Financial implications

As detailed in paragraph 4.3, the Framework Agreement do not impose a fixed level of services and instead services for specific packages are provided on a call off basis, as required. There is therefore no fixed financial commitment from the Council to a certain volume of work or annual contract values. Estimated maximum expenditure for the extension period is £5,500,000 (£11,000,000 per annum). This will be funded from adult social care budgets. Given that the retendering of generic homecare takes place during this extension period, spend with the providers on the current framework will reduce, hence a maximum amount rather than an actual amount stated throughout this report.

- 9.2 The Framework Agreement provides for annual price reviews and it is expected that providers will request an increase in prices at commencement of the new contract i.e. 19th January, 2018. The prices are capped at £15.00 per hour which is below the ceiling per hourly rate of £15.30 for Generic and £16.04 for Specialist care within the proposed framework agreement. The authorisation is also required to the officers to accept reasonable requests to increase the price subject to capped rate of £15.00 per hour.

9.3 Legal and procurement implications

The continuation of contracts with the providers supports the Council in complying with its statutory duties under the Care Act 2014. The approval of the recommendation will ensure that the agreement value is authorised and that the Council complies with the Openness of Local Government Bodies Regulations 2014.

10. **DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

None

11. **BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

11.1 Extension of Expenditure with Providers on the Homecare Framework - JAN16/CMDN/07

11.2 Novation of a Personal Care and Support Framework Agreement - OCT17/CMDN/48