



EXTENSION TO THE PERSONAL CARE AND SUPPORT FRAMEWORK AGREEMENTS

Councillor Wayne Fitzgerald, Deputy Leader of the Council and Cabinet Member for Integrated Adult Social Care and Health

January 2016

Deadline date: N/A

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| Cabinet portfolio holder: | Councillor Wayne Fitzgerald, Deputy Leader of the Council and Cabinet Member for Integrated Adult Social Care and Health Wendi Ogle-Welbourn, Corporate Director, People and Communities |
| Responsible Director: | |
| 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/11JAN16/01 |
| 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, in consultation with the Cabinet Member for Resources, is recommended to:

1. Approve expenditure for the extension of the Framework Agreements the Council has with the following providers for the provision of personal care and support (homecare) services until 19 January 2018:

- (a) Affinity Trust;
- (b) Atlas Care Services Ltd;
- (c) Augusta Care Ltd;
- (d) Axiom Care Limited;
- (e) Axiom Housing Association Limited;
- (f) Cross Keys Homes Limited;
- (g) FPS (Peterborough) Limited;
- (h) Hales Group Limited;
- (i) Housing & Care 21;
- (j) Cozy Care Limited;
- (k) Lifeways Community Care Limited;
- (l) Mears Care Limited;
- (m) Nestor Primecare Services Limited (trading as Allied Healthcare);
- (n) Prestige Nursing Limited;
- (o) Royal Mencap Society;
- (p) Sage Care Limited;
- (q) Select Support Partnerships Ltd;
- (r) Social Care Solutions Limited;
- (s) Springfield Care Limited;
- (t) Total Home Care Solutions Limited; and
- (u) Voyage 1 Limited.

Cllr Seaton, Cabinet Member for Resources, comments that: No Comment.

1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks approval of expenditure for the extension of the Framework Agreements for the provision of personal care and support (homecare) services. The expenditure relates to the extension period 20 January 2016 to 19 January 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 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 Framework Agreement contracts with the providers listed in Recommendation 1 for the provision of personal care and support (homecare) services. It is noted that there are two Framework Agreement contracts in respect of the provider detailed

at (p) of Recommendation 1 of this report. The Framework Agreement contracts have a term of 20 January 2014 to 19 January 2016 and provide the option to extend the terms 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 contracts and also authorises the option to extend the contracts for two further 12 month periods. It is noted that the annex to JAN14/CMDN/01 did not expressly list the provider detailed at (t) of Recommendation 1 of this report, but that the Council does have a Framework Agreement in place with that provider.

4.2 The Council is required to issue extensions to the providers listed in Recommendation 1, in respect of the period 20 January 2016 to 19 January 2017. In due course, extensions may also be issued in respect of the period 20 January 2017 to 19 January 2018. It is noted that JAN14/CMDN/01 detailed the initial term of the Framework Agreements to be 6 January 2014 to 5 January 2016, whereas the actual initial terms were 20 January 2014 to 19 January 2016. Whilst the authority in JAN14/CMDN/01 authorised the extension periods, the contract values were not included in the original CMDN. The purpose of this report is to approve expenditure for the extension periods.

4.3 There are no fixed contracted hours with the providers on the current Framework Agreements, 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 periods is £22,000,000 (£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 January 2017 providing continuity and consistency within a much needed service for the residents of Peterborough. The retendering of generic homecare services is due to commence in January 2016 and having the Framework Agreements in place over this period is vital to ensure the care and support needs of vulnerable adults continue to be met. In due course, further extensions of the Framework Agreements may be issued in respect of the period 20 January 2017 to 19 January 2018.

7. REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION

7.1 The Framework Agreement contracts provide scope that the Council may extend the term of the contracts by a period of 2 years (by two further 12 month periods) up to 19 January 2018. The Council intends to issue extensions to the providers listed in Recommendation 1 to extend the Framework Agreements by a 12 month period, to 19 January 2017.

7.2 Although retendering of part of the service (generic homecare services) is due to commence in January 2016, the Framework Agreements also cover specialist homecare services, which are not included in the retender. It is therefore envisaged that further extensions will be issued in due course, to extend the Framework Agreements by a further 12 month period, to 19 January 2018.

- 7.3 This report is to authorise the expenditure of the full extension periods (20 January 2016 to 19 January 2018). The estimated maximum value of the extension periods is £22,000,000 (£11,000,000 per annum).
- 7.4 Approval of the recommendation will ensure that the extensions value is authorised and that the Council complies with the Openness of Local Government Bodies Regulations 2014.
- 7.5 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, although authorises the option to extend the contracts by two further twelve month periods, does not specifically authorise the value of the extension periods. This would demonstrate lack of compliance with Openness of Local Government Bodies Regulations 2014.
- 8.2 Not to extend the Framework Agreement contracts and re-procure the service for one year until the the planned tender exercise is completed. This would mean an upheaval in the whole of homecare services delivered in Peterborough, purely for a short term interim measure. Additionally, as only the generic element of the homecare service is subject to the planned tender exercise commencing in 2016, this would not assist in relation to the specialist element. Extending current arrangements as the contracts permit enables lessons learned from the generic homecare tender planned to take place from January 2016, to be implemented in any re-procurement of specialist homecare services in due course. The option to extend the existing contracts have already been authorised 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 on a 12 month basis. In addition, any change in service providers could affect continuity of service for service users. 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 Agreements 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 periods is £22,000,000 (£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 Legal and Procurement Implications

The legal and procurement implications of the Framework Agreements are set out in the original CMDN, which authorises the extension periods. The extension of the Framework supports the Council in complying with its statutory duties under the Care Act 2014. The approval of the recommendation will ensure that the extensions 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

CMDN JAN14/CMDN/01