

Meeting	Cabinet Resources Committee
Date	24 th September 2013
Subject	Contract Extension: Metropolitan Support Trust – Care Services Contract, Wood Court, Edgware
Report of Summary	Cabinet Member for Adults This report seeks a waiver to the Council’s Contract Procedure Rules so as to extend the contract with Metropolitan Support Trust for care services provided at this Extra Care Housing scheme.

Officer Contributors	Chris Penny, Interim Senior Category Manager, Adults & Communities Sue Tomlin, Commissioning Services Manager, Adults & Communities Martyn Carter, Procurement Manager, Corporate Procurement Team
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	None
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1. RECOMMENDATIONS

- 1.1 That the Committee agree to waive the Contract Procedure Rules as necessary and authorise a 12 months extension to the contract for the care services provided by the Metropolitan Support Trust to residents of Wood Court, the Extra Care Housing scheme located in Edgware.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Amendment to Delegated Powers Report (number 351; publication date 18/11/2008) to accommodate a name change to the provider from Stepforward to Metropolitan Support Trust.
- 2.2 Delegated Powers Report (number 351; publication date 23/8/2007) "The award of a Care and Support Contract for the Wood Court Extra Care Housing Project" to Stepforward.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Council's Corporate Plan includes promoting a healthy, active, independent and informed over 55 population to encourage and support residents to age well. A priority is to offer housing options to older people helping them to live independently for longer and reducing the requirement for residential care.
- 3.2 An increase in housing suitable for older people with care needs including extra care housing is envisaged as the main offer to eligible adults and those with disabilities in preference to residential care which, in future, shall only be offered to the highest dependency older people such as those with later stage dementia.
- 3.3 Pursuant to the objectives detailed in 3.1 and 3.2, the requirement is to protect access to existing Extra Care Housing capacity until a decision is made regarding future funding and supply models being developed with housing and regeneration including housing for older people through the Council's housing strategy which is under review.

4. RISK MANAGEMENT ISSUES

- 4.1 The Extra Care Housing services contract with Metropolitan terminates on 6th October 2013 and there is need for continuity of service.
- 4.2 Changing the care provider will be disruptive to its 39 residents as it may mean some, if not all, care staff are replaced at the scheme. Whereas the impact is difficult to quantify, vulnerable people will need to establish a bond of trust with new carers (service users receive a minimum of 7 hours care per week).

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equalities Act 2010, public sector organisations have a responsibility to consider equality as part of every procurement. The Council and any organisation contracted by the Council to provide services on its

behalf are under an obligation to have due regard to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.

- 5.2 No concerns have been raised against Metropolitan during its contract in relation to Equalities and Diversity.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 A 12 months extension (from 6th October 2013 to 5th October 2014) represents a forecast cost of £364.7k and there is ongoing budget provision for this scheme.
- 6.2 Metropolitan's charges shall remain at existing rates for the duration of the extension.
- 6.3 A tender exercise at this time is unlikely to deliver significant savings. A benchmark of Wood Court's costs against the council's other Extra Care Housing scheme suggests £4.9k savings potential per annum (this figure is based on Metropolitan's hourly billing rate being substituted for that of the other scheme and multiplied by the guaranteed hours applicable under the contract with Metropolitan).

7. LEGAL ISSUES

- 7.1 The contract with Metropolitan falls under Schedule 3, Part B to The Public Contracts Regulations 2006 (as amended) and is not subject to the full EU tendering rules.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Section 14.2 (Extensions and Variations) to the Council's Contract Procedure Rules (20th May 2013) states that:

Contracts may only be extended or varied if all of the following conditions have been met:

- the initial contract was based on a Contract Procedure Rules compliant competitive tender or quotation process;
- the value of the extension or variation added to the value of the original contract does not exceed the original Authorisation threshold as defined in Appendix 1, Table A;
- the extension or variation has an approved budget allocation;
- the extension or variation is in accordance with the terms and conditions of the existing contract;
- if the initial contract was subject to EU tender procedure, that the extension option was declared within the OJEU notice and the original Acceptance (Delegated Powers Report/Cabinet Resources Committee Report) ; and
- the contract has not been extended before;

- 8.2 The conditions of Section 14.2 (Extensions and Variations) to the Council's Contract Procedure Rules (20th May 2013) are not fully met so a waiver is sought in accordance with Section 15.1 (Waiver), of the Council's Contract Procedure Rules (20th May 2013):

In the event that the application of these rules prevents or inhibits the delivery or continuity of service, Directors or Assistant Directors, Lead Commissioners and Heads of Service may apply for a waiver. All applications for a waiver of these Contract Procedure Rules must be submitted to Cabinet Resources Committee specifically identifying the reason for which a waiver is sought, including justification and risk.

9. BACKGROUND INFORMATION

- 9.1 Extra Care Housing schemes offer a flexible way to support people to live in their own home, independently, for as long as possible and demand for such schemes is set to increase as they are key to the Council's residential care strategy.
- 9.2 Metropolitan provides care services to the Extra Care Housing scheme at Wood Court, Burnt Oak, Edgware. The care contract has been in operation since 6th October 2008 and concludes on 5th October 2013. The contract term was for three years with option to extend by a further two years.
- 9.3 No significant quality or safeguarding issues have been raised at the scheme and Metropolitan remains considered as providing a good service.
- 9.4 Wood Court was completed in 2008 and consists of 39 self-contained wheelchair accessible flats with assistive technology and communal facilities, (including a dining room, lounge, laundry room, hairdressing facilities, assisted bathrooms and communal gardens). The land on which Wood Court was built was transferred by the Council to Catalyst Housing (the landlord) at nil value and a 100% nominations agreement in perpetuity for tenancies was agreed.
- 9.5 The scheme is currently fully occupied with a small waiting list. The flats are let on secure assured tenancies and there is anecdotal evidence of interest in the scheme from other borough's and private clients so making full use of the nomination rights to the accommodation (through the agreement with Catalyst) is important if capacity is to be retained.
- 9.6 Projections of need for extra care housing show a continued shortfall in provision in the borough. Current proposals for ECH will bring the total stock to 215 properties which is well within the lowest estimates of need. Protecting the capacity of existing schemes is therefore a priority.
- 9.7 An increase in housing suitable for older people with care needs including extra care housing is envisaged as the main offer to eligible adults and those with disabilities in preference to residential care which, in future, shall only be

offered to the highest dependency older people such as those with later stage dementia.

9.8 The Council operates a nominations agreement with Metropolitan to Deborah Lodge, a sheltered housing scheme which also includes sheltered plus housing for residents with lower level care needs. This is located nearby (approximately 20 metres from Wood Court). There is interest to investigate synergies between the two schemes which might identify future savings and efficiencies greater than those potentially offered through a tender exercise at this time. Areas considered for further investigation include:

- Sharing staff across both schemes.
- Extending Extra Care Housing, as a scheme, to Deborah Lodge.
- Offering day services from premises.
- Offering meal deliveries and restaurant services from premises.
- Adding capacity by adapting under utilised guest accommodation.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Cleared by Finance (Officer's initials)	AD
Cleared by Legal (Officer's initials)	RP