

	<p style="text-align: center;">CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</p>
<p style="text-align: center;">Title</p>	<p style="text-align: center;">Agreement to enter into a Contract for the provision of Generic Housing Related Floating Support and Specialist Mental Health Floating Support services with Barnet Homes (including entering into Letter of Intent with Barnet Homes)</p>
<p style="text-align: center;">Report of</p>	<p>Executive Director, Adults and Health</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>None</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Sarah Perrin, Head of Commissioning, Mental Health & Dementia Sarah.perrin@barnet.gov.uk Nazia Scott, Health and Social Care Commissioner Nazia.scott@barnet.gov.uk</p>

Summary

Both the generic housing related support and specialist mental health floating support services are part of the council's prevention and early support offer; promoting independence and wellbeing. Currently the provision of generic housing related support is delivered via a block contract in place with Notting Hill Genesis Housing (NGH) and specialist mental health floating support is delivered through the Support at Home service of the Accommodation and Support Approved List. The current services are due to end on 31st July 2019.

In preparation for this the council began a competitive procurement process as required under the Public Contracts Regulations 2015. The authorisation to commence came from the Procurement Forward Plan 2018/19 which was agreed by Policy and Resources Committee in December 2017. The contract value for the purpose of the procurement was £370k per annum; this equated to a total contract value of £1.48million over the three-year contract life and included the option for an additional one-year extension. The annual contract value is broken down into £200k allocated for the provision of generic floating housing related support and £170k allocated for the provision of specialist mental health floating support. A compliant OJEU tender was conducted and a market engagement event was held on 25th February 2019, however the council did not receive any tender bids.

Council officers therefore approached the council's local authority trading company, The Barnet Group, who run a similar housing related support for residents of Barnet Homes properties to assess the feasibility of the service transferring directly to Barnet Homes. As a result of this it has been agreed that Barnet Homes will take on responsibility for delivery of the generic housing related support service including specialist mental health floating support from 1st August 2019. As noted, Barnet Homes already deliver a similar service and are therefore well placed to take on delivery of the new service.

Decisions

1. To enter into a Contract with Barnet Homes for the provision of Generic Housing Related Floating Support and Specialist Mental Health Floating Support services from 1st August 2019 for a period of three (3) years (with the option to extend for an additional period(s) of up to one (1) year) subject to satisfactory performance (including entering into Letter of Intent with Barnet Homes).

1. WHY THIS REPORT IS NEEDED

- 1.1 The Policy and Resources Committee agreed the Annual Procurement Forward Plan for 2018/19 on 5 December 2017 which included authorisation for Adults and Communities to procure Housing Related Floating Support services.
- 1.2 Housing related floating support and specialist mental health floating support are crucial preventative services for the community; supporting people to maintain and maximise their independence and wellbeing and supporting better management of demand for statutory services.

- 1.3 The current commissioned generic housing related support service is available to all adults in the community, free of charge and does not require users to be eligible for support as outlined in the Care Act 2014, the service is intended to predominately support those with health and social care needs, aiming to prevent escalation of need for care and support.
- 1.4 Housing related support is aimed at resolving issues and preventing crisis. The floating support service works across all housing tenures and deliver a preventative service to people living in any type of housing tenure in the community and to people who have been assessed by the Provider as requiring housing-related support. They may be living within the London Borough of Barnet or in temporary accommodation outside the borough that has been arranged by the council or Barnet Homes. The service may also be used by those who may be leaving hospital, registered care, be homeless, threatened with homelessness or living in accommodation that is not meeting their identified needs.
- 1.5 Key aims of the service include: -
- ensuring that any housing related concerns are dealt with as early as possible
 - enabling people to sustain their tenancy or home
 - reducing the need for more intensive support at a later stage
 - helping people to maximise and maintain their independence and wellbeing
 - minimising re-admission into hospitals, residential care and other institutional settings
 - helping individuals to step down from within services into community based settings
 - promoting self-reliance and self-management
 - supporting a reduction in social isolation
- 1.6 Currently the provision of generic housing related support is delivered via a block contract in place with Notting Hill Genesis Housing (NGH) and specialist mental health floating support is delivered through the Support at Home service of the Accommodation and Support Approved List. The current services are due to end on 31st July 2019.
- 1.7 In preparation for this the council began a competitive procurement process as required under the Public Contracts Regulations 2015. The authorisation to commence came from the Procurement Forward Plan 2018/19 which was agreed by Policy and Resources Committee in December 2017.
- 1.8 The contract value for the purpose of the procurement was £370k per annum; this equated to a total contract value of £1.48million over the three-year contract life and included the option for an additional one-year extension. The annual contract value is broken down into £200k allocated for the provision of generic floating housing related support and £170k allocated for the provision of specialist mental health floating support.
- 1.9 A compliant OJEU tender was conducted and a market engagement event was held on 25th February 2019, however the council did not receive any tender bids. Council officers therefore approached the council's local authority trading company, The Barnet Group, who run a similar housing related support for residents of Barnet Homes properties to assess the feasibility of the service transferring directly to Barnet Homes.
- 1.10 By way of policy background to the procurement it is worth noting that:

- (a) The Care Act 2014 sets out a vision for a reformed care and support system with a focus on prevention and wellbeing. The Act gives the council responsibility for making sure that people have more control over their care through effective care and support planning and personalisation. The Act created new statutory duties for the council regarding: -
- wellbeing
 - eligibility
 - prevention
 - information and advice
 - transition to adult care and support and advocacy
 - supporting carers
 - advocacy
- (b) Prevention and early intervention: - The council has embedded a new model for adult social care; orientating professionals towards prevention and early intervention for both carers and users as well as integrating community and peer groups into the model. This model embeds strengths-based practice into the culture. The concept of strengths-based practice is heavily advocated in The Care Act 2014 consolidating personalisation and placing it at the heart of adult social care. A strengths-based approach enables people to focus on their own strengths and assets and recognises what goals they want to achieve, looking at what community resources are available to support them.
- (c) Barnet's Joint Health and Wellbeing Strategy (2015–2020) includes the overarching aims of "Keeping Well" and "Promoting Independence". The recommissioning of this support service clearly supports key priorities in the Health and Wellbeing Strategy such as improving wellbeing for all and care when needed.
- (d) Barnet's Corporate Plan 2019 – 2024 identifies the following three main outcomes and associated priorities: -
- Our residents live happy, healthy, independent lives with the most vulnerable protected
 - Safe and strong communities where people get along well
 - A pleasant, well maintained borough that we protect and invest in
- (e) The Adults and Safeguarding Committee sets out the following priorities for 2019 – 2024: -
- Integrating health and social care and providing support for those with mental health problems and complex needs
 - Supporting those with disabilities, older, and vulnerable residents to remain independent and have a good quality of life
 - Encouraging residents to lead active and healthy lifestyles and maintain their mental wellbeing
 - Safeguarding adults at risk of abuse and neglect
 - Efficient delivery of statutory duties
- (f) The Housing Strategy's main themes include promoting independence, tackling homelessness, and ensure housing is safe and secure.

- (g) The Homelessness and Rough Sleeping Strategy's main themes include: -
- Preventing homelessness
 - Reducing the use of temporary accommodation and securing accommodation for people who are homeless or at risk of it
 - Establishing effective partnerships, working arrangements and support to those who are or used to be homeless, to improve their resilience and reduce the risk of them from becoming homeless again
 - Supporting rough sleepers to address their housing and other needs

2. REASONS FOR RECOMMENDATIONS

2.1 It is expected that the contract for Housing related floating support and specialist mental health floating support services to be put into place with Barnet Homes will support the council to achieve the following outcomes: -

- To support people to remain in their own homes, to maintain high standards of independent living for longer, to avoid social isolation and to prevent and reduce the use of high-cost residential placements at a later stage in life.

2.1 Background: -

2.1.1 Generic housing related support

The current Provider for the generic housing related floating support service is Notting Hill Genesis Housing. The current contract was due to end on 29th June 2019. The current contract value is £402k per annum. As part of the medium term financial strategy in 2018, it was agreed that the contract value for this service would be reduced to £200k per annum when re-procured.

2.1.2 Specialist mental health floating support

Notting Hill Genesis Housing (NGH) has provided specialist mental health floating support to adults with mental ill health under the Accommodation and Support Approved List since April 2017. Prior to the commencement of the Accommodation and Support Approved List in April 2017, the provision of specialist mental health floating support had been provided as part of the generic floating housing related support contract.

2.1.3 In December 2018 an options paper was presented to Adults and Communities Senior Management Team recommending that specialist mental health floating support was reintegrated into the generic floating housing related support service when procurement was commenced to deliver an improved, integrated service offer. This recommendation was accepted. Therefore, in preparation for the upcoming procurement a termination letter was sent to all Lot 1 Providers to advise of the Council's intention to terminate Lot 1 effective from 31 July 2019.

2.1.4 Following agreement to reintegrate specialist mental health floating support into the housing related support contract in December 2018 the Council began a competitive procurement process as required under The Public Contracts Regulations 2015. The authorisation to commence came from the Procurement Forward Plan 2018/19 which was agreed by Policy and Resources Committee. To support procurement, engagement activity was undertaken with operational staff, key stakeholders across the Council and

with the wider market. This included a market engagement event on 25 February 2019, which was attended by four organisations.

- 2.1.5 The contract value for the purpose of the procurement was £370k per annum; £200k allocated to provision of generic floating housing related support and £170k allocated to provision of specialist mental health floating support via the integrated contract. The tender went live on 8th March 2019 and closed on 26th April 2019. Prior to the commencement of the procurement and throughout the procurement process the risk of limited or no bids being received due to the reduced contract value was highlighted.
- 2.1.6 A compliant OJEU tender was conducted via the Council's eSourcing platform and the competitive tender closed at midday on 26th April. The Council did not receive any bids. Therefore, a further extension to the generic housing related support service was agreed with the incumbent Provider for a further month; providing an end date for the generic housing related support contract of 31st July 2019.
- 2.1.7 Council officers then began conversations with the council's Local Authority Trading Company, The Barnet Group, to explore if they would be able to take on delivery of this service. Following due diligence checks the Barnet Group advised that Barnet Homes would take on responsibility for delivery of the generic housing related support service including specialist mental health floating support from 1st August 2019. However, to support this Barnet Homes requested the council provide them with a letter of intent providing assurance on a number of areas that they identified. The council considered the request made by Barnet Homes regarding provision of a letter of intent and agreed to the request. Barnet Homes already deliver a Floating Support Service for Barnet Homes resident and therefore, are well placed to take on responsibility for delivery of this Service.
- 2.1.8 To ensure smooth transition of the services to Barnet Homes the following actions are being completed:
 - a. Changes occurring will be captured via a Change Notice between Barnet Homes and the council in accordance with the Barnet Homes Management Agreement.
 - b. Contract will be put in place between Barnet Homes and the council.
 - c. Transition planning is being undertaken between the incumbent Provider and Barnet Homes
 - d. A Letter of Intent has been provided to Barnet Homes

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The incumbent Provider was not prepared to further extend the contract.

4. POST DECISION IMPLEMENTATION

- 4.1 If the decision recommended in this report is approved, Barnet Homes will be formerly advised and the mobilisation plan completed.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This contract supports delivery of Barnet's Corporate Plan 2019-2024.
- 5.1.2 The Contract with Barnet Homes will be robustly monitored and reviewed including their performance through key performance measures and outcome indicators.
- 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.2.1 Finance & Value for Money
- 5.2.2 The contract value is £370k per annum; £200k allocated to provision of generic floating housing related support and £170k allocated to provision of specialist mental health floating support via the integrated contract. The total contract value is £1,110,000 (three years) and if extended by a further year (subject to satisfactory performance) the total contract value is £1,480m.
- 5.2.3 The cost of Housing Related Support is funded from the Adult Social Care base budget and there is ongoing budget provision for this service within the Adult Social Care Budget.
- 5.2.4 However, to note that whilst the contract value is £370,000 per annum which equates to £246,666.67 for the remainder of this financial year (1st August 2019 until 31st March 2020) to support the successful mobilisation of the service within Barnet Homes and ensure the successful long term viability of the service in line with the contract value; the council has provided Barnet Homes with a letter of intent underwriting potential additional costs that they may be incurred by them for the remaining 8 months of this financial year (1st August 2019 to 31st March 2020). These are as follows: -
- 5.2.5 Up to a further £218,333.33 for the period 1st August 2019 until 31st March 2020 whilst Barnet Homes carries out service remodelling and staff consultations with staff (remodelling will consider appropriate reduction to staffing numbers in line with service delivery requirements within the base contract value per annum and how best to ensure the service is efficient and sustainable within the contract value moving forward). The costs are to include and these are on the basis that such costs are not due to any act or omission of Barnet Homes:
- IT devices;
 - IT licences;
 - Capita set-up costs;
 - Citrix licences;
 - DBS checks;
 - Mobilisation costs (project team, legal costs, etc.);
 - Induction costs;
 - Payroll set-up costs;
 - HR system set-up costs;
 - Overheads recovery
- 5.2.6 The letter of intent clearly sets out the council's agreement with Barnet Homes that such additional costs being underwritten and which may be incurred will be kept to an absolute minimum with the aim to bring the cost of service delivery in line with the base budget of £370k per annum as soon as possible.

5.2.7 A Project Board will be established between Barnet Homes and the council following go live of the service on 1st August 2019 to oversee service remodelling to ensure that costs are kept to a minimum and sets out a finite date for all remodelling to have occurred to bring the service delivery costs in line with the base budget no later than 31st March 2020.

5.2.8 Regular financial monitoring forms part of the contract, as does working within the ethos of continuous service improvement. The Provider will be required to evidence key performance indicators that will form part of performance monitoring and contract monitoring which will take place on a quarterly basis.

5.3 Social Value

5.3.1 N/A

5.4 Legal and Constitutional References

5.4.1 HB Public Law has confirmed that the so-called “Teckal” exemption (Regulation 12[1]) applies under The Public Agreements Regulations 2015 (PCR 2015). This exemption allows the council to make a direct award of a service agreement to Barnet Homes without a competitive procurement.

5.3.1. The Teckal exemption is satisfied because:

- Regulation 12a – Barnet Homes is “controlled” by the council (as it is the sole shareholder through The Barnet Group). There is a shareholder agreement in place between The Barnet Group and the Council;
- Regulation 12b – Barnet Homes carries out over 80% of its activities for the Council; and
- Regulation 12c – There is no private ownership of Barnet Homes

5.4.2 HB Public Law drafted contract terms and conditions based on instructions received prior to tender.

5.4.3 HB Public Law will adapt this Contract and complete the same with Barnet Homes.

5.4.4 Where a Contract is within Budget, the Council’s Constitution Article 10 - Table B Para E (Contract Procedure Rules – March 2018) authorises the award of a Contract, which has received prior authorisation through the Annual Procurement Forward Plan, P&R Committee by an authorised Chief Officer in consultation with Chairman of relevant theme Committee.

5.5 Risk Management

5.5.1 The award of the Contract is unlikely to raise any public concern as the Service is already in operation and there will be minimal change for existing service users.

5.5.2 Risks of non-delivery will be managed by the existing strategic and operational relationship with Barnet Homes in relation to the Contract and robust contract monitoring.

5.6 Equalities and Diversity

- 5.6.1 The core provisions of the Equality Act 2010 came into force on 1st October 2010 and the public sector equality duty (section 149 of the Act) came into force on 5th April 2011. Under section 149, the Council must have due regard to the need to eliminate discrimination, harassment and victimisation prohibited under the Act and to advance equality for opportunity and foster good relations between those with protected characteristics and those without.
- 5.6.2 The protected characteristics are age; disability; race; gender reassignment; pregnancy and maternity; religion or belief; sex; and sexual orientation. They also cover marriage and civil partnership with regard to eliminating discrimination.
- 5.6.3 Any organisation providing public sector services is subject to scrutiny by the Council to ensure that delivery complies with the public sector equality duty.
- 5.6.4 The contract for the recommissioned services includes explicit requirements fully covering the Council's duties under equality legislation and the specification requires that hard to reach groups are to be identified and have the opportunity to receive the services.
- 5.6.5 The Equality Impact Assessment undertaken for this Tender found that there will be no negative impact because the services will continue to be delivered within the budget envelope specified and there is no reduction in service anticipated. This will still apply albeit that the Council will now be entering into a Contract with Barnet Homes for the provision of this service.
- 5.6.6 Further equality-specific measures may be developed as the contract progresses to ensure that the organisation acts in keeping with the Council's public sector equality duty.

5.7 Corporate Parenting

- 5.7.1 N/A

5.8 Consultation and Engagement

- 5.8.1 The specification has been developed by a cross-directorate project group and informed by the finding of engagement that the Council did with a range of stakeholders (including Adult Social Care staff, Housing, Family Services, Care Quality team, The Network, Providers) during workshops conducted in early 2019.

5.9 Insight

- 5.9.1 N/A

6. BACKGROUND PAPERS

- 6.1 Policy and Resources Committee approved the Procurement Forward Plan for 2018/2019 on 5th December 2017 - <http://barnet.moderngov.co.uk/documents/g8739/Printed%20minutes%2005th-Dec-2017%2019.00%20Policy%20and%20Resources%20Committee.pdf?T=1>

Chairman: Cllr Sachin Rajput

Has been consulted

Signed

Cllr Sachin Rajput

Date: 24 July 2019

Chief Officer: Dawn Wakeling

Decision maker having taken into account the views of the Chairman

Signed

A handwritten signature in cursive script, appearing to read 'D Wakeling', written in black ink. The signature is fluid and includes a long horizontal stroke extending to the left.

Executive Director, Adults & Health

Date: 24 July 2019
