

ACTION TAKEN BY CABINET MEMBER (EXECUTIVE FUNCTION)

Subject **Electronic Call Monitoring**

Cabinet Member Cabinet Member for Adults

Date of Decision 20 March 2014

Date of decision comes into effect 1 April 2014

Summary	This report seeks to extend the contact with Care Monitoring 2000 Limited for the supply of an electronic call monitoring system until November 2015 through a contract extension and a single source procurement.
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Officer Contributors Sally Smith, Interim Category Manager, Adults and Communities

Status (public or exempt) Public

Wards affected All

Enclosures None

Reason for exemption from call-in (if appropriate) Not applicable

Key decision No

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1. RELEVANT PREVIOUS DECISIONS

- 1.1 Cabinet Resources Committee, 20 June 2012 (Decision item 12) – resolved that approval be given to proceed with the contract procurement activity for future years.
- 1.2 Cabinet Resources Committee, 7 November 2011 (Decision item 10) – resolve to waive certain Contract Procedure Rules and regularise contractual relationships with existing providers in respect of specified existing contracts for Adults' and Children's services.
- 1.3 Cabinet Resources Committee, 25 February 2013 (Decision 16) – waiver of relevant rules within the Council's Contract Procedure Rules in order to extend the contract with Care Monitoring 2000 Ltd for the supply of an electronic call monitoring system.
- 1.4 The Cabinet Member for Adults and Communities, under Delegated Powers Report, January 2013 – Award of a number of Contracts to supply Home Care to residents until October 2015.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 Within the Council's Corporate Plan, Better services with less money – the new contract allows for contract management and monitoring.
- 2.2 Within the Council's Corporate Plan: sharing opportunities, sharing responsibilities – the new contract will ensure the Council and contractor are clear on the terms which govern the provision of services and therefore better able to monitor day to day delivery of services.

3. RISK MANAGEMENT ISSUES

- 3.1 The electronic call monitoring system supplied by Care Monitoring 2000 Ltd, is a key system with which more than 600 care workers use to log details of their visits to clients. This in turn drives the Council's self-billing and suppliers' payments' activities. The electronic call monitoring system is currently providing a vital service in monitoring the daily service to service users. If this service was to cease; there would be an impact on the method of day-to-day monitoring and payment of home and community services especially to the most vulnerable. This would cause a strain on current Council resources and may adversely affect officers' capacity to place packages, monitor services daily and ensure payments are made to suppliers.
- 3.2 There are a number of new providers being sought within the current Home and Community Support service in order to meet demand. By maintaining the current monitoring system this would aid in stabilising this current period of transition. Current providers are already using this system effectively and several of the potential new providers are also able to use this system.
- 3.4 The Council is also undergoing several changes to their IT systems in the next 12 months (payment and client records), and the current Home and Community Support contracts come to an end in October 2015. If the existing care monitoring system is changed leading up to these IT changes; there could be an adverse risk to procuring a new payment, case management system and monitoring system

without allowing these systems to be fully integrated and before the Home and Community Strategy and re-procurement exercise has started.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 Public sector organisations have a responsibility to consider equality as part of procurement and contracts. Any organisation contracted by the Council to provide services on its behalf is also under an obligation to have due regard to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of equalities and diversity.
- 4.2 The new contract does not compromise any issues under the Council's Equalities Policy or in meeting its statutory equalities duties.
- 4.3 All information held in respect to client and care worker information is retained in the strictest confidence within the monitoring system and complies with IT security.

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

- 5.1 The current annual value of the contract with Care Monitoring 2000 Ltd is £120,000. There is sufficient funding within the Adult Social Care and Health budget to meet this cost.
- 5.2 In addition to the contract cost, there is a one off cost to any new home care provider joining the care monitoring system to cover the cost of training and project management. This cost has been borne by the Council. The current rate is £3,314 per provider to join, however, this has been reduced to £2,319 in order to facilitate current capacity issues in the service. It is anticipated that there will be around one to three new providers added to the system this financial year at a maximum cost of £6,957.
- 5.3 The contract with Care Monitoring 2000 Ltd will be reviewed and potentially replaced as part of the strategic review of home and community support which will take place in 2014-2015. As part of the re-tender process of the Home and Community Support contracts in 2015 consideration and inclusion of the case management system and monitoring system will take place.

6. LEGAL ISSUES

- 6.1 The contract with Care Monitoring 2000 Ltd falls under Part A Services of the Public Contracts Regulations 2006 (as amended), and is therefore subject to the full EU tendering rules. However the contract length proposed is a short period of time to invest and implement a new IT system and is considered unattractive.
- 6.2 The Council wishes to enter into a contract for the provision of an electronic monitoring and payment system with the provider as a single tender action. The Council's Commercial and Customer Services Director has approved the contract awards as a Single Tender Action as required by Contract Procedure Rule 9.1 of the Council's Constitution.
- 6.3 The proposed contracts will be in a standard form approved by the Council's Legal Services.

7. CONSTITUTIONAL POWERS

- 7.1 Council's Constitution, Responsibility for Functions - Paragraph 7, Powers Delegated to Officers, provides that Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 11) can take decisions, in consultation with the Cabinet Member concerned (or without consultation where it is a decision authorised to be taken by the Chief Officer under the Contract Procedure Rules or it involves the implementation of policy or earlier decision of the Council or Cabinet or Committee or it is in respect of operational matters within the Chief Officer's sphere of managerial or professional responsibility and is not significant in terms of budget or policy): to authorise and accept quotations for contracts to the limits placed on Chief Officers by Contract Procedure Rules for approved schemes with sufficient estimate provision.
- 7.2 Council Constitution, Contract Procedure Rules sets out authorisation and acceptance thresholds and procurement methods for Contracts.
- 7.3 Council's Constitution, Contract Procedure Rules Section 9, allows for a single tender action or commitment to take place with approval in advance by the Commercial and Customer Services Director.
- 7.4 Council's Constitution, Contract Procedure Rules Section 7, authorisation has been given on the Forward Plan 2013/14 remaining Quarter and Forward Plan 2014/15 to grant permission to seek new contracts for Home and Community Support.

8. BACKGROUND INFORMATION

- 8.1 The Council commissioned Care Monitoring 2000 Ltd to provide an electronic call monitoring system following a competitive procurement process in 2002. The cost of the contract is dependent upon the number of clients who receive a home care visit, and each time a carer records a visit, a charge is made to the Council.
- 8.2 Although the Council have used Care Monitoring 2000 Ltd since 2002, until February 2013 no written contract had ever been entered into and the Council had operated with Care Monitoring 2000 Ltd on an "invoice and payment" basis only representing a commercial risk. This was non-compliant with the Council's Contract Procurement Rules. Since April 2013, there has been a compliant contract with Care Monitoring 2000 Ltd for one year plus one year extension.
- 8.3 It was thought that a full procurement process would be carried out in 2013 once the NSCSO partner was appointed for a monitoring and payment system. Following internal reviews and strategic category planning in 2013, this now needs to be part of the strategy for Adult Social Care and IT mapping and implementation work is currently underway.
- 8.4 This report seeks authorisation to extend the existing contract for the extension of one year to March 2015, and to authorise a single tender action for 8 months from April 2015 to the end of November 2015. The total contract extension would be from March 2014 to November 2015. This approach is a strategic one, taking into account the current Home and Community contracts and the IT improvements taking place within the Council over the next 18 months.

8.5 The current Home and Community Support contracts end in 2015, therefore any decision to change the call monitoring system needs to be reflected in the future decisions regarding Home and Community Support service and contracts. In addition, the Council is also changing the payment system in 2015 and the adult case management system in 2014/15. There is a risk that any decision made now, will not tie in with future new contracts.

8.6 It is anticipated that any replacement of the existing case management system within Adult Social Services may incorporate the functionality of the current electronic monitoring system provided by Care Monitoring 2000 Ltd. This could mean that only one in-house system would be required to provide the necessary monitoring and payment mechanisms.

9. LIST OF BACKGROUND PAPERS

9.1 None

10. DECISION OF THE CABINET MEMBER(S)

I authorise the following action

10.1 To enter into a contract with Care Monitoring 2000 Ltd from March 2014 to November 2015 to provide a call monitoring system for the Home and Community Support Contracted providers.

Signed



Date

20th March 2014
