

	<p>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</p> <p>6th February 2015</p>
<p style="text-align: right;">Title</p>	<p>Waiver of the Contract Procedure Rules For Fremantle Trust and Age Concern Barnet Contracts</p>
<p style="text-align: right;">Report of</p>	<p>Mathew Kendall, Adults and Communities Director</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jess Baines-Holmes, Senior Category Manager, Adults and Communities Jess.baines-holmes@barnet.gov.uk 020 83593312</p>

Summary
<p>This report captures a waiver of the Contract Procedure Rules in order that additional services can be secured to address delays in transfers of care for those in acute hospital settings.</p>

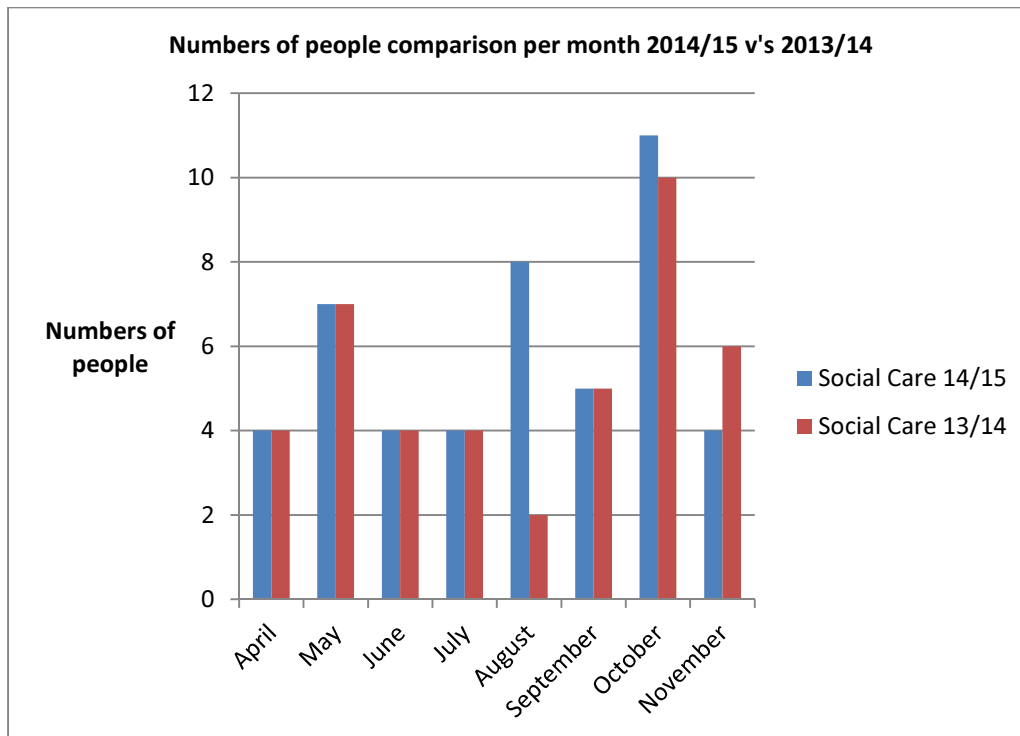
Decisions
<p>1. That the Officer in consultation with the Chairman of the Policy and Resources Committee agree a waiver of the Contract Procedure Rules is to vary the contract with the Fremantle Trust from 2nd February 2015 to 10th May 2015.</p>
<p>2. That the Officer in consultation with the Chairman of the Policy and Resources Committee agree a waiver of the Contract Procedure Rules is to vary the contract with Age UK Barnet from 2nd February 2015 to 10th May 2015.</p>

1. WHY THIS REPORT IS NEEDED

1.1 Current Position

- 1.1.1 The current Winter Pressures within the Health and Social Care System have seen both national and local scrutiny on A&E waiting times. This has led to a wider exploration into how key stakeholders can work together to prevent hospital admissions. It has also led to an increased focus on how the Council can improve partnership work in order to facilitate effective discharges back into the community for people who are medically fit and no longer require secondary care.
- 1.1.2 The population of Older Adults over 65 in the London Borough of Barnet is 50,691. We currently provide Community Services to 3,016 of these people.
- 1.1.3 The table below shows an analysis of London Borough of Barnet Social Care Delays by person since April 2013.

Month	Social Care 14/15	Social Care 13/14
April	4	4
May	7	7
June	4	4
July	4	4
August	8	2
September	5	5
October	11	10
November	4	6
Totals	47	42



1.2 London Borough of Barnet - Current Resilience Funding

- 1.2.1 £120,000 was earmarked for extra domiciliary care and enablement capacity, moving from a position where 1400 hours were supplied to the current position where 1800 planned enablement hours are in place.
- 1.2.2 A further £80,000 was secured to ensure that 7-day working practice was in place across both key Acute Hospitals (Barnet General Hospital & Royal Free Hospital). This has led to the rapid assessment and discharge of 94 patients at the weekend over the last 3 months.
- 1.2.3 In December a second tranche of winter resilience money was identified. However LBB were not successful in securing any of additional funding.

1.3 Further Funding from Department of Health

- 1.3.1 On the 16th January the DOH approved a further tranche of ring-fenced funding to support local authorities who have high levels of delayed transfers across the whole system. The London Borough of Barnet received a grant proposal of £425,000.
- 1.3.2 Proposals were made which it was forecast would make a significant impact on the local care and support network and provide an improved patient flow through a challenging hospital system. An overview of these proposed schemes have been shared with partners at the weekly Urgent Care Summit, with positive approval from senior management within each organisation.

1.4 Proposals Requiring Contract Variation Under this Report

- 1.4.1 The variation to the Fremantle Trust contract will provide additional capacity to provide a better flow out of hospital for patients who are medically fit but may need a short period of enablement before returning home. To ensure that these individuals have the best possible chance of returning home successfully, this service will be complimented by additional Occupational Therapy support which will be provided by the London Borough of Barnet and Central London Community Healthcare working together to maximise workforce capacity.
- 1.4.2 The variation to the Age UK Barnet contract will deliver a service aimed at using volunteer support to ensure that people return from A&E departments with some practical support in their own homes. Age UK will mobilise quickly to establish a manager who will oversee the provision of this support and liaise with the key agencies and manage the volunteers. They will also partner with members of the Barnet Provider Group and other key voluntary sector providers in Barnet.

2. REASONS FOR DECISIONS

- 2.1 Additional funding was received from the Department of Health in late January 2015 to provide extra enablement and intermediate social care packages in the home or in residential care settings. It is essential that this money is used quickly and makes an immediate impact on the ground. As services are required to begin with immediate effect a decision is required as a matter of emergency.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Under the Contract Procedure Rules, a contract variation must be submitted to the Policy and Resources Committee. This would require a delay in service delivery until after the next meeting of the Committee on 17th February. This would not alleviate the significant current pressures and would reduce the effectiveness of the service. Immediate action is required.

4. POST DECISION IMPLEMENTATION

- 4.1 Following approval of these recommendations, contract variations will be sealed and funding released to the organisations. Usage will be monitored to ensure effectiveness of the provisions is maximised and pressure reduced in acute settings.
- 4.2 Adults and Communities Senior Management will continue attending the weekly urgent summits, with Team Leader representation at the three-weekly MDT meetings to facilitate targeted use of services.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This service will directly support the London Borough of Barnet Corporate Plan priority '*To sustain a strong partnership with the local NHS, so that families and individuals can improve their physical and mental health*' by reducing the impact on the acute care system and creating capacity for those who require services within a hospital setting while supporting those who can to return home.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Fremantle Trust Contract Variation

- 5.2.1.1 4 mainstream residential care beds at a cost of £715 per week for the period 2nd February 2015 to 31st March 2015 and £727 per week for the period 1st April 2015 to 10th May 2015.
- 5.2.1.2 4 dementia care residential care beds at a cost of £750 per week for the period 2nd February 2015 to 31st March 2015 and £763 per week for the period 1st April 2015 to 10th May 2015.
- 5.2.1.3 A total contract value for the period 2nd February 2015 to 10th May 2015 of **£82,413.71**

5.2.2 Age UK Barnet Contract Variation

£30,000 for the period 2nd February 2015 to 10th May 2015 to cover costs of management, co-ordination and expenses for volunteers.

5.2.3 The total value for both contracts for the period 2nd Feb 2015 to 10th May 2015 is £113,000. Of this, £64,000 relating to 14/15 spend will be funded from the additional £425,000 resilience funding and the 15/16 spend of £49,000 will be funded from the 15/16 placements budget.

5.3 Legal and Constitutional References

5.3.1 Council Constitution, Contract Procedure Rules – Section 15, clause 15.1 and 15.2 state:

15.1 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 Policy and Resources Committee specifically identifying the reason for which a waiver is sought, including justification and risk.

15.2 Directors, Assistant Directors, Lead Commissioners and Heads of Service may take decisions on emergency matters (i.e. an unexpected occurrence requiring immediate action) in consultation with the Chairman of Policy and Resources Committee providing they report to the next available Policy and Resources Committee, setting out the reasons for the emergency waiver. A copy of the relevant Policy and Resources Committee report must be provided to Central Procurement and stored on the Councils contract repository.

5.4 Risk Management

5.4.1 The London Borough of Barnet has been identified for this additional funding allocation on the basis of Department of Health analysis which looked at Delayed Transfers of Care attributed to social care as a proportion of the number of acute and general hospital beds serving the area. The London Borough of Barnet qualified for funding as a local authority with over 0.5% delayed days in general and acute hospital beds on the basis of local population over 65. Without securing contract variations and commencing these services with immediate effect, there is a high risk that the Council will not be able to reduce pressure on the local acute hospitals and reduce the number of delayed days.

5.5 Equalities and Diversity

5.5.1 There are no Equalities and Diversity considerations relevant to the decision. Services will reduce pressure on acute hospitals and benefit all local residents and communities.

5.6 Consultation and Engagement

5.6.1 None.

6. BACKGROUND PAPERS

6.1 None.

7. DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action

8.1 **A waiver of the Contract Procedure Rules to vary the contract with the Fremantle Trust from 2nd February 2015 to 10th May 2015.**

8.2 **A waiver of the Contract Procedure Rules to vary the contract with Age UK Barnet from 2nd February 2015 to 10th May 2015.**

Signed Matthew Kendall
 Adults and Communities Director

Date 17 February 2015