

	<b>Adults and Safeguarding Committee</b> <b>22 January 2018</b>
<b>Title</b>	<b>Extension of extra care contract for provision of care and support</b>
<b>Report of</b>	Chairman of the Adults and Safeguarding Committee
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	None
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## Summary

In August 2003, the Department of Health(DH) in partnership with the Housing Corporation and supported by the Office of the Deputy Prime Minister made available a Housing Fund for Extra Care for the development of extra care housing. The London Borough of Barnet developed a bid in partnership with Sanctuary Housing. One of the conditions of this partnership was that the care arm of Sanctuary would provide the care. The Housing Corporation agreed to support the scheme within their 2004-2006 National Affordable Housing Programme with the requirement that the Housing Association must acquire the site by 31<sup>st</sup> March 2006.

The land on which Goodwin Court was built was transferred by the Council to Sanctuary (the landlord) for nil value in return for nomination rights to the property for 60 years. The

extra care scheme has been operational since July 2008. The care and support contract with Sanctuary was entered into for a period of 10 years. The care and support contract is due to expire 31<sup>st</sup> May 2018.

Under the nominations agreement between the Council and Sanctuary Housing relating to Goodwin Court, the Council can make direct award of contract for the care and support service to Sanctuary. This report asks for agreement from the Committee to extend the contractual relationship with Sanctuary for the provision of care and support at Goodwin Court extra care housing scheme from 1 June 2018 for a period of 3 years with the option to extend for a further 2 years. Extension of the contract will ensure the vulnerable residents of Goodwin Court have continuity of care, minimal disruption to their services and continuing benefit from having one organisation providing integrated housing, support and care services.

## **Officer Recommendations**

1. That the Committee agree to extend the contract with the Sanctuary Group to residents of Goodwin Court, (extra care housing scheme), for the provision of care and support service from 1 June 2018 for the period of three years (with an optional extension of two years), in accordance with the conditions of the land transfer, capital funding agreement, and the Nominations Agreement.

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 To seek the agreement of the Committee to extend the contractual arrangement with the Sanctuary Group (Sanctuary), for provision of care and support services at Goodwin Court extra care schemes from 1<sup>st</sup> June 2018 for the period three years (with an optional extension of two years).
- 1.2 Goodwin Court was the first extra care housing scheme developed in Barnet for older and disabled people. The original proposals for the development of the Goodwin Court extra care scheme were based on needs identified in an independent report into the Housing Needs of Older People in Barnet, August 2000. The challenges identified were:
  - The increased number of older people who experience problems with mobility
  - Responding to the needs of people with dementia
  - Meeting the accommodation needs of people with learning disabilities who are moving to old age
  - Making appropriate provision for the significant and growing number of elders from minority ethnic communities in the borough
- 1.3 In August 2003, the Department of Health(DH) in partnership with the Housing Corporation and supported by the Office of the Deputy Prime Minister made available a Housing Fund for Extra Care for the development of new extra care housing. Applications were invited from partnerships between local authorities and housing associations. The London Borough of Barnet developed a bid in partnership with Sanctuary Housing. One of the conditions of this partnership was that the care arm of Sanctuary would provide the care.

The bid was submitted to the DH in November 2003. As there was strong competition for access to the Special Fund, Barnet's application to the Fund was not successful, however the Housing Corporation agreed to support the scheme within their 2004-2006 National Affordable Housing Programme with the requirement that the Housing Association must acquire the site by 31<sup>st</sup> March 2006.

- 1.4 Goodwin Court extra care scheme has been operational since July 2008 and consists of 52 self-contained flats for rent and there are also 11 leasehold flats. The care and support contract covers the 52 flats for rent. The scheme's communal facilities include lounge and on-site restaurant, hairdressing salon, assisted bathrooms and communal gardens. The scheme is situated over 3 floors with lifts to all floors. The land on which Goodwin Court was built was transferred by the Council to Sanctuary (the landlord) for nil value in return for nomination rights to the property for 60 years.
- 1.5 Sanctuary provide care services at the Extra Care Housing Scheme at Goodwin Court in East Barnet. The care and support contract for the service was for a period of 10 years and is due to expire on 31<sup>st</sup> May 2018. The Nominations Agreement that the Council has in place with Sanctuary for Goodwin Court, allows the Council to award directly to Sanctuary for the provision of care and support services at Goodwin Court.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Sanctuary are (and will remain) the property owner providing full landlord functions to tenants. This is currently provided as part of an integrated service incorporating the on-site care and support service, although the latter is subject to a separate contract. This integrated approach achieves good value for money and seamless support for vulnerable tenants. The Council wishes to continue the integrated provision, in accordance with the original conditions and intentions of the land transfer and capital funding agreement.
- 2.2 Goodwin Court has a CQC rating of Good and Sanctuary is considered as providing a good service.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 An alternative option is to go out to competitive tender for the care and support service. This option is not consistent with the intention of the partnership with Sanctuary, including the land transfer, the capital funding agreement and the 60-year nominations agreement. In addition, the separate tender of the care and support service could change the current integrated provision, resulting in some disruption for vulnerable tenants and creating additional, operational risks around the interface between Sanctuary as the

landlord and a third party provider as the on-site care and support provider. Therefore, this option is not recommended.

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 The Commissioning Director, Adults and Health, will progress plans to extend the care and support contract with Sanctuary for the provision of services at Goodwin Court if the Committee approves the recommendations.
- 4.2 The Council will continue work with the provider to develop a new pricing model, in the context of broader extra care market development work to modernise and simplify extra care funding models.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

The Corporate Plan 2015 – 2020 sets out the Council's vision and strategy for the next five years based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that
- prevention is better than cure
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

5.1.1 The 2016-2017 Addendum to the 2015-2020 Adults and Safeguarding Commissioning Plan includes the following commissioning priorities:

- Developing best practice social care, focused on what people can do and how they can help themselves.
- Diversifying Barnet's accommodation offer to help more people live independently.
- Transforming day care provision to ensure that people remain active and engaged through access to employment and volunteering.
- Improving the borough's leisure facilities, parks and open spaces to support and encourage active and healthy lifestyles, helping to manage demand for adult social services.
- Expanding evidence-based prevention and early support, including technology, to make sure people can use services closer to home to help them stay independent for as long as possible.

5.1.2 Extra Care Housing is a key element of the Council's commissioning of services that support vulnerable older people to maintain their independence, receiving care and support in their own homes, engaging in their local community, and avoiding more institutional settings.

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

5.2.1 The cost of care and support provided by Sanctuary at Goodwin Court was £617k in 2015/16 and £516k in 2016/17. The budget for Extra Care provision for 2017/18 is £986k per annum and this includes Goodwin Court extra care scheme. 2017/18 spend with Sanctuary is expected to be at least the same as 2016/17, if not more, and in the event that the new pricing model results in a higher contract fee, the additional cost will be met from within the Adult Social Care Budget.

## 5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. In taking forward the proposals due regard will be paid to the Social Value Act.

## 5.4 **Legal and Constitutional References**

5.4.1 Under the Nominations Agreement the Council can lawfully extend the contract with Sanctuary Housing Association.

5.4.2 The Council's Constitution (Contract Procedure Rules) set out the Authorisation and Acceptance Thresholds, which for extension and acceptance of this contract is the Adult and Safeguarding Committee.

5.4.3 The Council's Constitution (Article 7) outlines the responsibilities of the Adults and Safeguarding Committee which includes: Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.

## 5.5 **Risk Management**

5.5.1 The Extra Care Housing services contract with Sanctuary for provision of care and support services at Goodwin Court expires 31<sup>st</sup> May 2018. Authorisation of extension will ensure continuity of contractual arrangements.

5.5.2 Extending the contractual relationship with Sanctuary for the care and support service at Goodwin Court will avoid disrupting its 52 residents. Changing the care and support provider (i.e. if the Council were to decide to go out to market) 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.

5.5.3 Having one provider being both the Landlord and the care and support provider enables good integrated working practice that better support the independence of residents, and avoids potential conflicts and operational problems of two providers in one scheme.

## 5.6 **Equalities and Diversity**

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010

- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services.

- 5.6.2 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.
- 5.6.3 No concerns have been raised about Sanctuary Housing during its contract in relations to Equalities and diversity.

## 5.7 Consultation and Engagement

- 5.7.1 Carer and service user representatives have been involved in research into good practice in care and support in ECH schemes, through in-borough visits and out of borough visits. This will inform the development of the wider Barnet model of extra care and the reshaping of the specification for the Goodwin Court care and support contract.

## 5.8 Insight

- 5.8.1 NA.

## 6. BACKGROUND PAPERS

- 6.1 Extension of Extra Care Services, Adults and Safeguarding Committee, 10 November 2016 (Item 9)  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=8674&Ver=4>
- 6.2 Appendix 1 of the Annual Procurement Forward Plan (agenda Item 10) for 2017/2018 presented to the Policy and Resources Committee on 1 December 2016 which provided approval for the extension/tender of extra care housing schemes and sheltered plus schemes.  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8731&Ver4>
- 6.3 Approval for care and support contract to be provided by Sanctuary Housing Association, Action taken by Members under Delegated Powers Executive Function, 5 April 2006
- 6.4 Goodwin Court, Church Hill, East Barnet – freehold transfer and redevelopment proposals agreed for 52 extra care sheltered housing flats for rent and 18 flats for sale to older people, Cabinet Resources Committee, 23 September 2004