

**DELEGATED POWERS REPORT NO.**

**1954**

**SUBJECT: Extension to the Carer’s Nurse Contract with Central London Community Health NHS Trust (CLCH)**

**Control sheet**

**All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing**

<b>All reports</b>		
1. Governance Service receive draft report	Name of GSO Date	Andrew Charlwood 06/03/13
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Andrew Charlwood 06/03/13
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Fin. officer Date	Farhana Begum 19/02/13
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Res. officer Date	N/A
5. Strategic Procurement clearance obtained ( <i>report author to complete</i> )	Name of SPO Date	Lesley Meeks 20/02/13
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	Lanna Childs / Sheila Saunders 21/02/12
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Andrew Nathan 12/02/13
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Andrew Nathan 12/02/13
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Andrew Charlwood 07/03/13
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Andrew Charlwood 08/03/13
11. Report published by Governance Service to website	Name of GSO Date	Andrew Charlwood 08/03/13
12. Head of Service informed report is published	Name of GSO Date	Andrew Charlwood 08/03/13
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (COUNCIL FUNCTION)**

<b>Subject</b>	<b>Extension to the Carers Nurse Contract with Central London Community Health NHS Trust (CLCH)</b>
<b>Officer taking decision</b>	Assistant Director Transformation and Resources, Adult Social Care and Health
<b>Date of decision</b>	7 March 2013

Summary	This report details the decision of the Assistant Director Transformation and Resources to extend the carers nurse contract with Central London Community Health NHS Trust (CLCH) by one year
---------	---

Officer Contributors	Jasvinder Perihar, Carers Strategic and Commissioning Lead, Adult Social Care and Health Gabrielle Melvin, Commissioning Officer, Adult Social Care and Health
Status (public or exempt)	Public
Wards affected	All
Enclosures	None

Contact for further information: Jasvinder Perihar, Carers Strategic and Commissioning Lead, email: [jasvinder.perihar@barnet.gov.uk](mailto:jasvinder.perihar@barnet.gov.uk), telephone: 020 8359 2532

Serial No. 1954
-----------------

## 1. RELEVANT PREVIOUS DECISIONS

- 1.1 Health and Well Being Board Financial Planning Sub-Group, 8<sup>th</sup> March 2012, , Agenda Item 6, Approval of Business Case – Health Carer Support Project

## 2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 This report supports delivery of the following Corporate Plan priorities:  
**Better services with less money** – The carers nurse forms part of a wider suite of services which aim to support carers early in the carers support pathway, enabling carers to maintain their caring role. The key outcome of providing a carers nurse is to help sustain the caring role with appropriate information and support. This approach is geared to help avoid unnecessary admissions to acute care for the carer and person cared for and residential/nursing care for the cared for person.
- 2.2 **Sharing opportunities and sharing responsibilities** -The NHS Operating Framework for England 2012/13 supports carers. It requires the Primary Care Trust (PCT) to agree policies, plans and budgets to support carers with local authorities and voluntary groups, following a joint assessment of local needs.

## 3. RISK MANAGEMENT ISSUES

- 3.1 I do not consider that the issues involved are likely to raise significant levels of public concern or give rise to policy considerations as the decision required is an extension to an existing contract, within the parameters of Contract Procedure Rules.
- 3.2 The carer's nurse position is currently vacant. Although not statutory, this service is an important component of the council's support offer to carers. Without a contract in place that spans 2013/2014 the recruitment of the carers nurse position cannot commence. There are currently 22 carers on a waiting list for appointments with the carers nurse. Extending the contract for the carers nurse will ensure we meet our stated commitment to carers and prevent an underspend of allocated funding for this post.
- 3.3 Without timely early intervention and preventative support for carers which is often low cost, sustaining the caring role will be put at risk, the carer's physical and mental well being may deteriorate leading to more than one person needing health and social care support.

## 4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 Pursuant to the Equality Act 2010, the council and all other organisations exercising public functions on its behalf must have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with protected characteristic and those without. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or

belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

- 4.2 Any organisation providing public sector services will be under scrutiny of the council to ensure that the delivery of services complies with the council's public sector equalities duties.
- 4.3 The contract for the carer's nurse service will include explicit requirements fully covering the council's duties under equalities legislation. This includes clauses to pay due regard to equality of opportunity for recruitment, promotion and training of employees as well as provision of the service.

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

- 5.1 NHS funding for the overarching NHS Carers Support project was agreed in principle by the NHS Quality, Innovation, Productivity and Prevention (QIPP) Group on 19<sup>th</sup> January 2012. The subsequent proposal to QIPP group requested and was granted Section 256 funding of £200,000. £50,000 was allocated to provide a Carers Nurse Service for Barnet carers from 1st April 2013 – 31<sup>st</sup> March 2014.
- 5.2 The overarching business case for the Carers Support project was approved at the Health and Well Being Board Financial Planning Sub Group in March 2012.
- 5.3 The current two year £100,000 contract with Central London Community Health NHS Trust expires on 31 March 2013. Due to the exceptional circumstances around this contract (most importantly the waiting list building up for the service) the Council have decided to extend the current contract by another year, with a contract value of £50,000 to be funded by 2013/14 allocation of Section 256 monies.
- 5.4 A full procurement process to test the market for alternative providers for future contracts will be undertaken during the year of the contract extension. At present there are only two NHS Trusts in London that exclusively deliver out-of-hospital, community-based NHS healthcare services, and 18 across England.

## **6. LEGAL ISSUES**

- 6.1 By section 1 of the Carers and Disabled Children Act 2000, Local Authorities have a statutory duty to undertake carers' assessments if it is satisfied that the person cared for is someone for whom it may provide or arrange for the provision of community care services, and they must provide support for individuals which takes account of their family circumstances and promotes family life and which supports them to have a life outside of caring. The makes provision for local authorities to provide support directly to and for the carer. The Carers strategy refresh 2012 is consistent with the Council's legal obligations. It supports the delivery of the five outcomes of the National Carers Strategy, 2010.
- 6.2 The Carers' Support contract falls within Part B of Schedule 3 to the Public Contract Regulations 2006 (as amended). In addition, the value of the contract, with the

extension, falls below the threshold of £173,394. Consequently the application of the full European procurement rules is not triggered.

- 6.3 Whilst the Council is required to comply with the Treaty on the Functioning of the European Union (formerly the EC Treaty principles) in the way that it carries out procurements, given the nature and value of the contract (including the extension) it seems unlikely that there will be a sufficient degree of cross-border interest for the duty to advertise, pursuant to the Treaty, to be engaged.

## **7. CONSTITUTIONAL POWERS**

- 7.1 Council Constitution, Part 3, Responsibility for Functions, Section 6.1 details the powers delegated to officer which provides that Chief Officers can take decisions without consultation with Cabinet Member concerned where it is a decision authorised to be taken by the Chief Officer under the Contract Procedure Rules.

- 7.2 Council Constitution, Contract Procedure Rules, Section 5.6 details the acceptance parameters for contract extensions. Section 5.6.1 details the following requirements in respect of contract extensions:

5.6.1.1 The initial contract was based on a competitive tender or quotations;

5.6.1.2 the initial contract has not been extended before; and

5.6.1.3 the value of the extension is less than half the cost of the existing contract without the extension and has a budget allocation having had regard to the following:

i. If initial contract was subject to EU tender procedure that the extension option was declared within the OJEU notice; acceptance report (Delegated Powers Report/Cabinet Resources Committee Report) and the contract includes extension clauses

ii. If initial contract value was subject to sub EU threshold procedure (Barnet tender/quotation process) the extension does not take the value past EU threshold

- 7.3 The initial contract was awarded through reasonable means of selection in accordance with Table 7.3 of the Contract Procedure Rules for Part B Services, covering Social Care, Educational and Temporary Housing Contracts of a value up to £499,000. The initial contract has not been extended previously and the requested extension does not exceed half of the cost of the existing contract without the extension (as set out in clauses 5.6.1.2 and 5.6.1.3) of the Contract Procedure Rules. Furthermore, the extension will not take the contract value above the relevant EU threshold.

## **8. BACKGROUND INFORMATION**

- 8.1 The NHS Operating Framework for 2012/13 emphasises carer's support as a key area for improvement. It states Primary Care Trust (PCT) clusters will need to agree policies, plans and budgets to support carers with local authorities and

voluntary groups, following a joint assessment of local needs which should be published with the plans.

- 8.2 The Carers Nurse (or Carers Matron) role is unique to the London Borough of Barnet at present and has received national recognition for the value of the service. The Carers Nurse is also the only role which undertakes outreach into carers' homes and targets those who are not being supported elsewhere. The Carers Nurse works alongside GP practices and primary health care professionals to identify hidden carers and support their health care needs (a current gap in service provision in other local authorities). The Carers Matron works with around 200 carers a year and currently, there are 22 carers on a waiting list for the nurse.
- 8.3 Caring impacts on carer's health and wellbeing; it is therefore essential that carers are supported to maintain their own health and wellbeing to avoid breakdown of the caring role. The purpose of this service is to provide an integrated care management approach to support carers caring for Barnet residents with long term conditions and complex health and social care problems. The outcome of this work will help to sustain the caring role with appropriate information and support. This approach helps reduce unnecessary admissions to acute care for the carer and person cared for and residential/nursing care for the cared for person.
- 8.4 The most current anecdotal evidence from Department of Health Carers Demonstration sites (Yeandle and Wigfield, 2011), shows that supporting carers through health checks and in GP practices results in:
- Preventing hospital or residential care admissions of the cared for
  - Supporting carers to sustain their caring role
  - Earlier identification of physical and/or mental health issues
  - Improved health and well being for carers
  - Efficiency saving in GP practices
  - Increasing self care for carers
- 8.5 The Council and NHS Barnet recognises the significant health, emotional and social needs of people involved in the unpaid care of the disabled, frail and terminally ill in the community. Through this contract extension, the council wishes to continue the delivery of the Carers Nurse Service to support the health and emotional needs of carers.

## **9. LIST OF BACKGROUND PAPERS**

- 9.1 Barnet Carers Strategy 2009-2012
- 9.2 Barnet Carers Strategy Refresh 2012 available from [www.barnet.gov.uk/download/downloads/id/2425/barnet\\_carers\\_strategy\\_refresh\\_2012-13](http://www.barnet.gov.uk/download/downloads/id/2425/barnet_carers_strategy_refresh_2012-13)

**10. OFFICER'S DECISION**

**I authorise the following action**

- 10.1 The extension of the Council's Carer's Nurse Contract with Central London Community Health NHS Trust (CLCH) for a period of one year up to a value of £50,000**

**Signed**



---

**Assistant Director Transformation and  
Resources, Adult Social Care and Health**

**Date**

**7 March 2013**

---