

DELEGATED POWERS REPORT NO.

1860

**SUBJECT: Interim Support at New Supported Housing Setting – Sarnes Court  
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 Corporate Governance for publishing**

1. Governance Service receive draft report	Name of GSO Date	Maria Lugangira 21 November 2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Maria Lugangira 21 November 2012
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Finance officer Date	Anisa Darr 21 November 2012
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Resource officer Date	N/A
5. Strategic Procurement clearance obtained ( <i>report author to complete</i> )	Name of SPO Date	Lesley Meeks 30 November 2012
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	John O'Hara 30 November 2012
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Andrew Nathan 21 November 2012
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Andrew Nathan 21 November 2012
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Helen Duncan-Turnbull 3 December 2012
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Services for publishing	Name of GSO Date	DPR 9 April 2013
11. Report published by Governance Services to website	Name of GSO Date	Andrew Charlwood 10 April 2013
12. Head of Service informed report is published.	Name of GSO Date	Andrew Charlwood 10 April 2013
<b>Key decisions only:</b>		
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 (EXECUTIVE FUNCTION)

<b>Subject</b>	<b>Interim Support at New Supported Housing Setting: Sarnes Court</b>
<b>Officers taking decision</b>	Deputy Director, Adult Social Care and Health Director of Commercial Services
<b>Date of decision</b>	13 December 2012
<b>Summary</b>	To approve contract award to Sanctuary Housing Association for one year to deliver interim support at Sarnes Court
<b>Officer Contributors</b>	Helen Duncan-Turnbull, Head of Integrated Learning Disability Services James Taylor, Deputy Head Commissioning and Supply Management Heather Bates, Commissioning Manager
<b>Status (public or exempt)</b>	Public
<b>Wards affected</b>	All
<b>Enclosures</b>	None
<b>Reason for exemption from call-in (if appropriate)</b>	None
<b>Key decision</b>	No

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Serial No. 1860

## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Cabinet Resources Committee, 25 March 2008, (Decision item 9) resolved (1) That subject to the grant of planning permission, the Council's freehold interest in Sarnes Court be sold to Metropolitan Housing Trust; (2) That subject to the scheme receiving Housing Corporation funding and proceeding, the Head of Housing be instructed to arrange for the tenants of Sarnes Court to be re-accommodated, meeting the costs of home loss and disturbance payments from the Housing Revenue Account pending reimbursement of the capital receipt received from the sale of the site; and (3) That the Council receive 100% nomination rights to the supported housing scheme, for a minimum of 60 years.
- 1.2 Cabinet 20 February 2012 (Decision Item 6) received the Corporate Plan, Budget, Council Tax and Medium Term Financial Strategy proposals for the period from 2012/13 to 2014/15 and recommended them to Council for adoption. This includes the Adult Social Care and Health Business Plan which includes objectives supporting the use of good quality independent housing and personal budgets.

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 Adult Social Care and Health is committed to the promotion of independence and personalisation, resulting in an enhanced quality of life for service users. The Move-On Project brings resources together from within Adult Social Care and Health and Housing to deliver pathways to independence housing and mainstream opportunities and services, supporting the Council's Corporate Plan 2012-13 priority 'Sharing Opportunities, Sharing Responsibilities'.
- 2.2 Government policies and guidance including Valuing People<sup>1</sup>, 'Our Health, Our Care, Our Say'<sup>2</sup>, Valuing People Now<sup>3</sup>, 'A Vision for Adult Social Care: Capable Communities and Active Citizens'<sup>4</sup> the recent Health and Social Care Act<sup>5</sup>, and Think Local, Act Personal<sup>6</sup> call for not only individualised, person centred services but that every service recipient should have a personal budget and wherever possible, a direct payment to enable them to manage services in the way they choose.
- 2.3 The provision of good quality housing with support which maximises opportunities for independence is linked to the delivery of key elements of the Council's medium term financial strategy. Significant financial resources in excess of £19m are committed to over 300 residential placements for younger adults, many out of borough. The establishment of Sarnes Court as a supported housing location provides a viable alternative and contributes to the Council's Corporate Plan 2012-13 priority 'Better services with less money'.
- 2.5 The proposed service gives the opportunity for the department to prototype personal budgets within the supported living sector. Because support in this sector is linked to the provision of accommodation, it can be very fixed, generally tied to a single support provider, with little opportunity for the service user to choose a different support provider. This prototyping will inform the current Adult Social Care

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<sup>1</sup> Valuing People - DH 2001

<sup>2</sup> Our Health, Our Care, Our Say - DH 2006

<sup>3</sup> Valuing People Now - DH 2009

<sup>4</sup> Vision for Adult Social Care: Capable Communities and Active Citizens - DH 2010

<sup>5</sup> Equity and Excellence: Liberating the NHS - DH 2010

<sup>6</sup> Think Local, Act Personal – personalisation, productivity and efficiency – SCIE, 2010

and Health's framework procurement for supported living which is due to take effect later this year.

### **3. RISK MANAGEMENT ISSUES**

- 3.1 This establishment of an interim service to provide additional, transitional support on top of that provided through personal budgets, enables a presence to be established in the building by staff who can offer assistance with all issues relating to the provision of support or housing management. The interim service will help embed this new way of working, maintaining an overview of residents' individual support arrangements and escalating a response should these break down, as well as managing building and neighbour issues such as anti-social behaviour, precluding the potential exploitation of vulnerable people. It is officers' view that without this transitional support, the service may fail, putting individual residents at risk.
- 3.2 Performance and cost savings targets associated with moves to Sarnes Court have been set, focusing on reduction in the overall number and cost of residential care placements and in addition a reduction in the number of out of borough residential placements, which in particular will enable a closer focus on care management and resultant reduction of risk.
- 3.3 As a new model of care and support, the commissioning project group will review the interim service at three and six months. Arrangements will be made in good time once transition support comes to an end. The group is accountable to the Commissioning Board chaired by the Associate Director of Adult Social Care and Health.

### **4. EQUALITIES AND DIVERSITY ISSUES**

- 4.1 The Equality Act 2010 requires that the Council and all other organisations exercising public functions on its behalf take any relevant steps to (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (ii) advance equality of opportunity between those with a protected characteristic and those without; and (iii) promote good relations between those with protected characteristic and those without. Through the contract Sanctuary Housing Association will comply with all these statutory obligations.
- 4.2 The interim service will operate inclusively to meet the care and support needs of adult social care and health service users whose needs are eligible through the Fair Access to Care criteria.
- 4.3 The interim service will benefit all care groups but especially people with learning disabilities, enabling individual consideration and choice and control of relevant housing and support options, in line with the Council's transformation and personalisation agenda.

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

- 5.1 Sanctuary Housing Association will provide interim services at Sarnes Court for a period of one year for the sum of £61,480. The proposed contract will be funded from the Adult Social Care and Health purchasing budget which includes sufficient provision.
- 5.2 Normally the process for the award of a contract would involve attaining more than one quotation. Based on the proposed contract term, value and synergy with existing housing and care services it has been determined that a single quotation from Sanctuary Housing Association offers value for money on this interim basis, and additionally, because of issues referenced at section 8.6, that only a single source of supply exists for this provision.
- 5.3 The contract specification and performance framework includes a range of quality measures and key performance indicators. The service will be monitored through the commissioning project group comprising members of Commissioning, Supply Management and Care Services Delivery and by the department's Supply Management Team.
- 5.4 There are no staffing, IT, property or sustainability issues.

## **6. LEGAL ISSUES**

- 6.1 Procurement processes must comply with the European procurement rules and the Treaty obligations of transparency, equality of treatment and non discrimination as well as the Council's Contract Procedure Rules.
- 6.2 As the value of the contract is below the current European threshold (£173,934) the Public (Contracts) Regulations 2006 (as amended) do not apply.
- 6.3 In accordance with the Council's Contract Procedure Rules, there will be a need for the Council and Sanctuary Housing Association to enter into a written contract to document the terms for supply of the services.

## **7. CONSTITUTIONAL POWERS**

- 7.1 Council's Constitution, Part 3, Responsibility for Functions - Section 6, Powers Delegated to Officers, provides that Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 12) 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 – Paragraph 5.5 (Table 5-1) – sets out authorisation and acceptance thresholds for works, supplies and services. Directors/Assistant Directors are authorised to accept tenders up to a value of

£173,934 where the tender/quotation is the lowest or it represents value for money and is the best available option for the Council.

- 7.3 Council Constitution, Contract Procedure Rules – Paragraph 6.17– sets out procedure in relation to single source suppliers. Where the Director/Assistant Director is satisfied, following the making of suitable investigations, that there is only one supplier in the market for the required supplies/services/works, the competitive tendering provisions will not apply provided that:
- the Director/Assistant Director and the Director of Commercial Services approve the entry into the contract with the single provider;
  - should the Director/Assistant Director and Director of Commercial Services be one and the same the approval for entry into the contract with a single provider requires Deputy Chief Executive concurrence, and
  - there is compliance with the Authorisation and Acceptance procedures

## **8. BACKGROUND INFORMATION**

- 8.1 This report seeks authority to award a contract for a period of one year to Sanctuary Housing Association, at a value of £61,480, to provide housing-related and overnight support services on a transitional basis at Sarnes Court.
- 8.2 Sarnes Court has been commissioned as a brand new supported housing location for adult social care and health service recipients. It comprises 18 self-contained one-bedroom units with some communal facilities. The building has been developed by Sanctuary Housing Association who own and manage the building.
- 8.3 In order to manage risk and ensure the safety of vulnerable residents on site, Adult Social Care and Health wish to procure an interim on site service during the day and overnight in order to safeguard vulnerable residents on moving into the building, for many of whom this is their first opportunity to live independently.
- 8.4 It is intended that this interim service is part funded through a service charge for intensive housing management. As part of the rent and service charges for the building, this funding source is only available to Sanctuary Housing Association as the landlord of the building. Adult Social Care and Health will then ‘top-up’ the remainder of the service to be funded through the Adult Social Care and Health purchasing budget.
- 8.5 This interim service is required only on a transitional basis for a period of one year in order to enable residents to settle into independent living, following which, if this need is still apparent, this will be funded through personal budgets. This also precludes the need to extend the contract beyond the stated period.
- 8.6 It is the opinion of officers within Adult Social Care and Health that for the following reasons, there is only one supplier in the market for the required service, and therefore competitive tendering provisions will not apply:
- 8.6.1 There is a risk that splitting and contracting separately for this interim support would not sufficiently appeal to providers, as the contract is low value and for such a short period of time.
- 8.6.2 Sanctuary Housing Association is not in a position to make housing funding available to another provider via a sub-contract or service level agreement.
- 8.6.3 In addition, due to the number of providers already on site delivering

services to residents, Sanctuary Housing Association will not allow access to the building to another provider of services, as the staff accommodation is in use by their own staff delivering services on site and there would be issues of space, liability and client confidentiality to surmount in sharing these.

8.7 In addition, the award offers opportunities to establish value for money and improved services as follows:

8.7.1 Agreeing to fund the service in this way offers the right amount of support for a short period of time, with the ability to offset the cost through the housing funding available separately to Sanctuary Housing Association. This saves on costs for Adult Social Care and Health. If the whole service were to be procured to provide the same cover on a standalone basis, this would cost Adult Social Care and Health in the region of £140,000. Offering the contract to Sanctuary Housing Association therefore saves Adult Social Care and Health approximately £80,000.

8.7.2 The amount of funding available would only cover the costs of a whole time equivalent member of staff meaning that the cover procured would be subject to periods of absence through annual, sickness and other leave. By combining the funding streams, this enables Sanctuary to provide the core support as part of a wider integrated service with cover available at all times.

8.7.3 The proposed interim service is an extension of existing services already offered by Sanctuary Housing Association as part of their landlord responsibilities, enabling efficient and integrated service delivery through a single provider, and providing a better experience for vulnerable residents.

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

9.1 The following are available:

- Adult Social Care & Health Business Plan
- Move-On Project Initiation Document, Plan and Board minutes
- Sarnes Court Project Business Case, Plan, Commissioning Group minutes

9.2 Any person wishing to inspect the background papers listed above should telephone Heather Bates, Commissioning Manager, on 0208 359 4940.

**10. OFFICER'S DECISION**

**We authorise the following action:**

- 10.1 The Council to enter a contract with Sanctuary Housing Association to the value of £61,480 for a period of one year for the provision of interim support services at Sarnes Court**

**Signed** Dawn Wakeling  
**Deputy Director, Adult Social Care and Health**

**Date** 12 December 2012

**Signed** Craig Cooper  
**Director of Commercial Services**

**Date** 13 December 2012