

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Clair Bell, Cabinet Member for Adult Social Care and Public Health

## DECISION NO:

20/00108

## For publication

### Key decision: Yes

Adoption or significant amendment of major strategies or frameworks

**Title of Decision: RESIDENTIAL CARE HOME SERVICES CONTRACT FOR PEOPLE WITH LEARNING DISABILITY, PHYSICAL DISABILITY AND MENTAL HEALTH NEEDS - OPENING OF THE DYNAMIC PURCHASING SYSTEM**

**Decision:** As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **APPROVE** the use of the Dynamic Purchasing System to enable new services to join the Residential Care Home Contract for people with a learning disability, people with a physical disability and people with mental health needs, and:
- b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, included but not limited to entering into and finalising the terms of the contracts or other legal agreement, as necessary to implement the decision.

**Reason(s) for decision:** The Dynamic Purchasing System is a procurement method designed to be opened periodically to enable new entrants to join, to meet our needs and demand and forms part of the process for the commissioning of Residential Care Home Services for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. Contracts for these services were awarded under decision number 18/00030, however provision was not made in that decision to allow new services to join the contract. This decision seeks authority to use the Dynamic Purchasing System on a regular basis to ensure the appropriate mechanism is in place to award contracts to new services joining the Residential Care Home Services Contract.

Care homes form part of the services to meet statutory requirement for provision of services across Kent for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. This provision relates to Strategic Outcome 2 and 3.

**Financial Implications:** The Dynamic Purchasing System is a procurement method to allow new entrants to join the contract. It is estimated that costs for services joining the Residential Care Home Services Contract through the Dynamic Purchasing System will be the same as previously reported and in line with the current overall value of the contract. Current contract arrangements are for a minimum of 4 years with 2 x 2year extensions. The total value of the 4-year contract is approximately £412m.

**Legal Implications:** New services joining the contract will be assessed in line with current Public Contract Regulations 2015 and therefore there is a low risk of legal challenge.

**Equalities implications:** The Equality Impact Assessment has been updated with the changes

proposed and can be fully considered.

**Data Protection implications:** A Data Protection Impact Assessment has been developed and will be updated as the work to deliver the new contracts is progressed.

**Cabinet Committee recommendations and other consultation:** The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 25 November 2020 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

**Any alternatives considered and rejected:**

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

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signed

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date