

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

Richard Smith, Corporate Director of Adult Social Care and Health

To: Adult Social Care Cabinet Committee – 29 September 2021

Subject: **DECISIONS TAKEN OUTSIDE OF THE CABINET COMMITTEE MEETING CYCLE**

Classification: Unrestricted

FOR INFORMATION ONLY

Summary: The following decisions were taken between meetings as they could not reasonably be deferred to the next programmed meeting of the Adult Social Care Cabinet Committee for the reason set out below.

Recommendation: The Adult Social Care Cabinet Committee is asked to **NOTE** that the following decisions have been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

21/00063 – Kent Integrated Domestic Abuse Service (KIDAS) Contract Extension
21/00078 – Princess Christian’s Farm

1. Introduction

- 1.1 In accordance with the council’s governance arrangements, all significant or Key Decisions must be listed in the Forward Plan of Key Decisions and should be submitted to the relevant Cabinet Committee for endorsement or recommendation prior to the decision being taken by the Cabinet Member or Cabinet.
- 1.2 For the reason set out below it has not been possible for these decisions to be discussed by the Cabinet Committee prior to being taken by the Cabinet Member or Cabinet. Therefore, in accordance with process as set out in Part 2 paragraph 12.35 of the Constitution, the following decisions were taken and published to all Members of this Cabinet Committee and the Scrutiny Committee.

2. Decisions

- 2.1 21/00063 - Kent Integrated Domestic Abuse Service (KIDAS) Contract Extension

The current term of the Kent Integrated Domestic Abuse Service (KIDAS) contract is due to expire on 31 March 2022. The performance of the Kent Integrated Domestic Abuse Service (KIDAS) contract has been evaluated and

found to be good. The contract provides an ideal vehicle to mobilise the 2021/22 new funding allocation and effectively and compliantly to support the council in delivering its new statutory duties under the Domestic Abuse Act 2021. The contract has two options to extend. The first contract extension runs to 31 March 2024 at a value of £4,636,690.40.

The second two-year extension available will be subsequently needed, subject to good performance and market testing. This will enable the council to respond to the future government plans for this agenda. This extension will run to 31 March 2026 and its value is £4,636,690.40.

It was not possible to bring this decision to an earlier Cabinet Committee due to the timing of the Domestic Abuse Act legislation and accompanying guidance. Whilst Domestic Abuse Act legislation received Royal Assent in April, the guidance about the new legal obligations was not published until mid-June and the government's consultation period on this guidance did not conclude until 27 July. It is this guidance that enables the council to judge whether the existing contractual arrangements are best placed to meet its newly acquired responsibilities. With no cabinet committee date between July, August and most of September, taking the decision out of cycle gives members the most time to make any alternative recommendations, should they wish. A delay until the September committee would mean the decision could not be taken and implemented until the end of October which will leave members with little alternative but to extend.

2.2 21/00078 - Princess Christian's Farm

To agree to the updated service specification for the provision and to the procurement of a replacement provider, using the Urgent Procurement processes to deliver services at the Princess Christian's Farm and authorise the Corporate Director for Adult Social Care and Health to enter into the necessary contracts following the procurement process and the Director of Infrastructure to finalise the terms of any necessary legal documents including the termination and granting of lease/s to facilitate the service provision Princess Christian's Farm.

A decision was taken by North Kent College to concentrate the new Hadlow College's efforts on the provision of education. As such a decision has been made to pull back from additional aspects that the former Hadlow College was previously involved with, many of which were no longer financially viable and / or aligned to the revised direction of North Kent College. One of these has been the decision to not renew the sub-contract for Princess Christian's Farm with the current service provision coming to an end in October 2021.

Options were considered as set out in the recommendation report including sourcing other arrangements for the 70 service users who access the service by KCC. Given the current limited capacity of other provision due to COVID there is a real challenge in finding suitable alternative provision for those attending the farm, should it close. In order to meet the best interests of the current service users and ensure continued provision it is necessary to secure a new provider for the service.

Reason for Urgency - A key decision was needed to be taken via the Statutory Urgency Process because:

- The current provider's licence to run the service is due to expire on 31st October 2021. Urgent procedures are required to ensure enough time is allowed to award a contract and allow TUPE transfer negotiations before the new provider can take over running of the service.
- Awaiting results of the survey to know if the Farm was viable for procurement. There was uncertainty on the state of the Farm buildings and whether this could have an impact on interested providers. Therefore the results of the survey were required before KCC would be in a position to take an informed decision, with procurement viability having been successfully confirmed.
- It was unclear of market interest in taking over the provision / Farm. Going to market without gauging interest from the market would have been high risk, especially on the potential impact of those attending the Farm, should a new provider not be found.

3. Recommendation

3.1 Recommendation: The Adult Social Care Cabinet Committee is asked to **NOTE** that the following decision has been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

21/00063 – Kent Integrated Domestic Abuse Service (KIDAS) Contract Extension

21/00078 – Princess Christian's Farm

4. Background documents

21/00063 - Kent Integrated Domestic Abuse Service (KIDAS) contract extension

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2513>

21/00078 - Princess Christian's Farm

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2514>

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