

# KENT COUNTY COUNCIL – RECORD OF DECISION

## DECISION TAKEN BY:

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

## DECISION NO:

21/00081

## For publication

## Key decision: Yes

Expenditure in excess of £1m

## Title of Decision

**CARE AND SUPPORT IN THE HOME SERVICE PHASE 2 -SUPPORTED LIVING**

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

- a) **AWARD** contracts to additional providers as detailed in exempt Appendix 1; and
- b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of and entering into required contract or other legal agreements, as necessary to implement the decision.

**Reason(s) for decision:** There is a mixed economy of Care in the Home Services across Kent for older and vulnerable residents with assessed needs, predominantly contracted to external providers and spot purchasing arrangements. The scope of these services includes:

Phase 1 – Home Care Services and Supporting Independence Services (SIS)

The services in scope deliver very similar tasks in people's homes and there was an opportunity to achieve improved consistency across the market by bringing services together. Additionally, providers delivering services such as SIS are already delivering within an outcomes-focused approach, whilst the Home Care provision remained time and task focussed.

Phase 2 – Supported Living and Care in the Home Community Vacancies

The contract was retendered in 2019 and was implemented in part in June 2020, a second tender process was opened in March 2021 to add new providers to the contract addressing the market gaps identified since June 2020.

Aligning services under one contractual arrangement has enabled the Council to take a consistent and equitable approach in shaping the market to focus on the personalisation and outcomes agendas and supporting the Council's strategic outcome that 'older and vulnerable residents are safe and supported with choices to live independently'.

**Financial Implications:** The estimated annual costs of the Care and Support in the Home - Supported Living Phase 2 were £6.036m prior to the original contract award in June 2020. The actual cost of the award in 2020 was £5.110m in a full year, leaving a £0.926m budget centrally held until the remaining costs of this latest tender process were known.

The estimated additional cost of £5.110m also covered the inflationary uplift anticipated for the year 2020-21. An inflationary uplift was also made available in 2021-22 and will be considered as part of the budget setting process for the remaining years of the contract.

The planned contract arrangements for the Care and Support in the Home Service Phase 2 are anticipated to run until March 2024, with an option to extend, for a further three years, with a total value estimated to be approximately £94m per annum; this will be determined through contract solution design, which is currently being progressed.

This decision is sought to add providers to the existing framework, agreed under the previous decision 20/00031 - Care in the Home Service in June 2020.

Adding providers to the contract is estimated to add an additional cost of £0.322m per annum in a full year to meet the minimum rates it is considered providers will accept. The £0.322m will be funded from the centrally held budget of £0.784m.

The below table shows current Supported Living costs:

<b>CSiH Phase 2 Additional Providers</b>	<b>CURRENT ANNUAL COST £m</b>	<b>REVISED ANNUAL COST £m</b>	<b>ANNUAL COST CHANGE £m</b>	<b>FUNDING HELD CENTRALLY £m</b>
<b>Adults</b>	<b>81.623</b>	<b>81.874</b>	<b>0.251</b>	
<b>Pathway Clients (18-25)</b>	<b>13.313</b>	<b>13.384</b>	<b>0.071</b>	
<b>Total Value Supported Living Provision</b>	<b>94.936</b>	<b>95.258</b>	<b>0.322</b>	<b>0.784</b>

Assuming a contract start date of 15 November 2021, the part year funding required for 2021-22 would be £121k.

The contract will run within the same time scale as the contract let in June 2020, through to March 2024 with an option to extend for a further three years.

When the original procurement exercise was agreed, it was highlighted that the investment required to bring supported living into the Care and Support in the Home contract would allow benefits to be achieved in future years such as maximising the use of shared and background support hours within properties which would allow cost savings to be made over the longer term. These savings would then be included in the Medium Term Financial Plan.

The Supported Living Service is one within which residents may remain for many years and in some cases most of their lives, and many individuals receiving the service have transitioned from young people's services, therefore the overall cost of the service is likely to continue to increase.

**Legal Implications:** The main legislative framework for the Care and Support in the Home Service is the Care Act 2014, and the principles of the Mental Capacity Act 2005. These are statutory duties, and the new service will be compliant with both legislations. There is also the need to ensure that the Council is compliant with Public Contract Legislation which is seen to have been compromised due to the volume of 'off contract' placements.

**Equality Implications:** An EQIA screening was completed, there are no significant changes to the delivery of care, the only changes are to mechanisms of managing the care. No protected group is seen to be adversely affected by any decisions relating to this contract.

**Data Protection Impact Assessment Implications:** A Data Protection Impact Assessment was completed and approved for phase 1 and phase 2 of the Care and Support in the Home programme.

**Cabinet Committee recommendations and other consultation:** Market and stakeholder engagement was undertaken to gather views around shaping the 2020 contracts and how services could best be managed in the future. Engagement for the recent procurement exercise included three virtual provider engagement events in March 2021 where the Council outlined its intentions for the new services, the project timeline, and the procurement process.

The proposed decision was discussed at the Adult Social Care Cabinet Committee on 29 September 2021 and the recommendations were endorsed.

**Any alternatives considered and rejected:**

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

Clair Bell

19 October 2021