

From: **Graham Gibbens, Cabinet Member for Adult Social Care & Public Health**

Andrew Ireland, Corporate Director, Social Care, Health & Wellbeing

Andrew Scott-Clark, Acting Director of Public Health

To: **Adult Social Care & Health Cabinet Committee
2 May 2014**

Subject: **Decisions taken outside the Cabinet Committee meeting cycle**

Classification: **Unrestricted**

FOR INFORMATION ONLY

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

Recommendation: To NOTE that the following decisions were taken in accordance with the process in Appendix 4 Part 6 of the Constitution:

14/00009 – *Home Care Contract Re-tender*

14/00025 – *Contract Extension Maidstone & Tunbridge Wells NHS Trust*

14/00026 – *Contract Extension Kent Community Health NHS Trust*

14/00030 – *Adults Rates & Charges Increases 14/15*

14/00031 – *Thomas Place Nomination Agreement*

14/00032 – *Wylie Court Nomination Agreement*

14/00033 – *Swanley Learning Disability Day Service*

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 them being taken by the Cabinet Member or Cabinet. Therefore, in accordance with process set out in Appendix 4 Part 6 paragraph 6.18 of the Constitution, the following decisions were taken and published to all Members of this Cabinet Committee and the Scrutiny Committee.

Decisions

2.1 14/00009 – *Home Care Contract Re-tender*

The majority of KCC's Home Care Services contracts were let in 2004 and had been extended on an annual basis. This new contract award ensures that all providers are operating under up to date terms and conditions and are proactively contract managed against key

performance indicators. Due to the need to follow the timelines set out in the Procurement Regulations the recommendation was not available for the 16 Jan 2014 Cabinet Committee, and given the need to make this decision in a timely manner to deliver efficiencies, it was not feasible to wait until the 2 May Cabinet Committee.

2.2 14/00025 – *Contract extension for Maidstone & Tunbridge Wells NHS Trust*

14/00026 – *Contract extension for Kent Community Health NHS Trust*

As set out in the earlier decision 13/00075 – *Tender and procurement of sexual health services* a tender exercise is currently being undertaken. Both of the recent decisions were required to ensure continuity of service whilst the competitive tendering exercise is undertaken and completed. Due to the long gap between Cabinet Committees it was not feasible to delay taking these decisions until the 2 May Cabinet Committee.

2.3 14/00030 – *Adults Rates & Charges Increases 14/15.*

This decision relates to the routine annual uplift of certain rates paid by the council and charges collected by the council. In previous years some of these increases had been kept at the same level as the percentage salary increase for KCC staff. However, for reasons unconnected with this decision itself, there was an ongoing delay in confirming the KCC salary increase. Consequent to this delay, this decision then had to be taken using the urgency procedure set out in the council's Constitution, Appendix 4 Part 6 paragraph 6.13, to ensure that it could be implemented for the new financial year.

2.4 14/00031 – *Thomas Place Nomination Agreement*

14/00032 – *Wylie Court Nomination Agreement*

These decisions allow senior KCC officers to enter into nomination agreements with the relevant district councils and housing providers so as to ensure the care services provided at these extra care housing schemes are targeted at individuals with appropriate levels of needs. The timing of the nominations decisions were dependant on the wider timetable for establishing these extra care schemes and could not reasonably be delayed to after the 2 May Cabinet Committee.

2.5 14/00033 – *Swanley Learning Disability Day Service*

This decision is part of the Good Day Programme which is modernising day services for people with learning disabilities. Formal consultation, including with local members and opposition spokespeople, ended on 31 Jan 14. Given the positive support for the proposal and the gap between the Cabinet Committees, the decision was taken prior to the 2 May meeting so as to allow earlier implementation.

3. **Recommendation:** Cabinet Committee is asked to NOTE that the following decisions have been taken in accordance with process set out in Appendix 4 Part 6 of the Council's Constitution:

14/00009 – *Home Care Contract Re-tender*

14/00025 – *Contract Extension Maidstone & Tunbridge Wells NHS Trust*

14/00026 – *Contract Extension Kent Community Health NHS Trust*

14/00030 – *Adults Rates & Charges Increases 14/15*

14/00031 – <i>Thomas Place Nomination Agreement</i> 14/00032 – <i>Wylie Court Nomination Agreement</i> 14/00033 – <i>Swanley Learning Disability Day</i>
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Appendices: Records of Decisions for

14/00009 – *Home Care Contract Re-tender*

14/00025 – *Contract Extension Maidstone & Tunbridge Wells NHS Trust*

14/00026 – *Contract Extension Kent Community Health NHS Trust*

14/00030 – *Adults Rates & Charges Increases 14/15*

14/00031 – *Thomas Place Nomination Agreement*

14/00032 – *Wylie Court Nomination Agreement*

14/00033 – *Swanley Learning Disability Day Service*

Background documents: The following decision reports are available:

Home Care Service Contract Award – 14/00009

<https://democracy.kent.gov.uk/documents/s45636/Report%20-%20Public.pdf>

Extension of contracts for Kent Community Health Trust and Maidstone & Tunbridge Wells NHS Trust – 14/00025 and 14/00026

<https://democracy.kent.gov.uk/documents/s45648/Key%20decision%20covering%20report%2011th%20March.pdf>

Proposed revision of Rates Payable and Charges Levied for Adults Services in 2014/15 – 14/00030

<https://democracy.kent.gov.uk/documents/s45744/14-00031%20Adults%20Rates%20and%20Charges%2014-15.pdf>

Appendix for Adults Rates & Charges 14/15

<https://democracy.kent.gov.uk/documents/s45745/14-00031%20Appendix%20Adults%20Rates%20and%20Charges%2014-15.pdf>

Extra Care Housing Nominations - 14/00031 Thomas Place & 14/00032 Wylie Court

<https://democracy.kent.gov.uk/documents/s45860/Report%20to%20accompany%20Decision%20for%20noms%2031.3.14.pdf>

Outcome of formal consultation on the closure/variation of service of Swanley Learning Disability Day Service – 14/00033

<https://democracy.kent.gov.uk/documents/s45775/14-00033%20Swanley%20Learning%20Disability%20Day%20Service.pdf>

Good Day Programme – Swanley Day Services (Easy Read report)

<https://democracy.kent.gov.uk/documents/s45776/14-00033%20Swanley%20LD%20Day%20Service%20easy%20read%20report.pdf>

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