

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

Graham Gibbens  
Cabinet Member for Adult Social Care

**DECISION NO:**

17/00030b

**For publication****Key decision**

Affects more than 2 Electoral Divisions and expenditure of more than £1m

**Subject:** Community Support Services – Homecare contract continuation or variation through mutual negotiation

**Decision:** As Cabinet Member for Adult Social Care, I:

- a) **AGREE** to continue, for some contracted providers, service provision on the existing terms and conditions through to 31 May 2019 and for other contracted providers where mutual negotiation can be agreed, to award varied interim contracts through to 31 May 2019;
- b) **DELEGATE** authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision; and
- c) **AUTHORISE** officers to commence market engagement in readiness for the full procurement process, where required.

**Reason(s) for decision:**

Given the freedoms set out in the Care Act 2014 since these contracts started and the council's Strategy for Adult Social Care, Your life, your well-being, there is now an opportunity to move to greater integration with health services. To achieve this it is desirable to continue these services' contracts to a single end date of 31 May 2019.

This will help achieve the corporate objectives of:

**Strategic Outcome**

Older and vulnerable residents are safe and supported with choices to live independently

**Supporting Outcomes**

- Those with long term conditions are supported to manage their conditions through access to good quality care and support
- People with mental health issues and dementia are assessed and treated earlier and are supported to live well
- Families and carers of vulnerable and older people have access to the advice, information and support they need
- Older and vulnerable residents feel socially included
- More people receive quality care at home avoiding unnecessary admissions to hospital and care homes
- The health and social care system works together to deliver high quality community services
- Residents have greater choice and control over the health and social care services they receive

**Financial Implications**

The total annual value of the current contracted service is £ 33,632,993.52. The proposed contract continuations for Homecare include an additional £7,095,568.31 plus circa £145,000 for TDM development costs. This represents the pressure for the remainder of 2017/18 and is subject to further refinement.

Additional pressures relate to four areas of Kent where a separate approach shall be taken, risks highlighted include increased rates should non-contracted (and non-cluster contracted) provider clients require transitioning to a contracted provider resulting in higher costs, new clients entering the service at new rates, the waiting list and any other factors still to be determined.

The activity of some of these services is similar in approach to other community support services commissioned by the County Council in that it is delivered in people's own homes to support, maintain or improve their independence or wellbeing by maintaining a tenancy or in supported and shared accommodation.

### **Equality Implications**

An Equalities Impact Assessment will be completed for the new service design as part of the Transformation Programme. For this arrangement, service users would receive continuity in service provision, pending any planned activity for review.

### **Legal Implications**

There are significant inherent legal implications from this approach. Legal advice has been sought which is legally privileged and therefore attached as an exempt appendix to the recommendation report.

### **Cabinet Committee recommendations and other consultation:**

The proposed decision was discussed at the Adult Social Care Cabinet Committee on 9 June 2017.

Mr Lobban introduced the report and explained that, although the two services covered in this and the next agenda item were parts of a larger programme of community service delivery, the proposed treatment of the two services would require separate key decisions. He set out the main issues affecting the delivery of home care services nationally, including workforce issues (staff terms and conditions, travel to clients and competition from other local employers), and the need to integrate and align social care and NHS services. These issues had prompted a review of the way in which the services were to be delivered. The current proposals were part of phase three of the County Council's transformation programme, and would be helped by the additional funding made available nationally to support social care services. It was proposed that the County Council continue to contract with its current providers until May 2019, at which time the re-modelled services would be ready to re-tender. This delay would allow time to tackle the workforce issues.

Mr Lobban, Mr Ireland and Mrs Tidmarsh then responded to comments and questions from Members, as follows:-

- a) a view was expressed that, as part of a sustainable employment market, zero-hour contracts were a welcome choice for some workers, and so should be offered as an option, alongside full-time and permanent contracts. Mr Lobban reiterated that the current plans allowed for workforce issues to be examined as a whole. This would present a challenge but would bring long-term benefits;
- b) in response to a question about how the home care market could tackle the issue of many older people being lonely rather than being in need of any specific care services, Mr Lobban explained that this could be addressed when reviewing the provision of Domiciliary Care as part of the service re-model. There were known to be some 30,000 older people in Kent who were isolated from neighbours and family, and establishing initiatives to help them keep in touch was an important area of work but would be very costly. Mr Ireland added that the Care Act of 2014 had broadened the definition of 'eligible needs' to include emotional as well as practical needs;
- c) the need to achieve consistency of carer was emphasised, so an older person would know whom to expect to arrive at their home and would be able to build a rapport with that

person;

- d) the extent of work invested in innovating and finding the best model of care provision was acknowledged, but concern expressed that the delay in finalising NHS Sustainability Transformation Plans (STPs) would mean they would not be as helpful as they could be in supporting this agenda;
- e) in response to a question about the danger of contractors being unable to fulfil their contractual obligations, and what would happen in this instance, Mr Ireland explained that the ultimate responsibility to provide services for those who needed them rested with the County Council, and if a contractor were to default on a contract or go out of business, it would fall to the County Council to provide suitable services. Mr Lobban added that current providers had worked with the County Council for many years, had a good understanding of needs and a good working relationship with the Council. However, the capacity of providers to meet increasing demand could sometimes be a problem, and it might be necessary from time to time to supplement contracts by spot-purchasing. Mrs Tidmarsh added that the County Council was working with the Kent Integrated Care Alliance and Skills For Care, and liaising with local colleges, to address the workforce issues;
- f) in response to a question about a pilot scheme currently running in Canterbury, Mr Lobban explained that this would be of multi-disciplinary teams and would involve 100 service users, and would look at how best to integrate health and social care services; and
- g) it was suggested that a way to raise the profile of caring as a profession would be to instigate an 'employee of the month' scheme. Mr Lobban confirmed that such a scheme had been discussed at a recent Kent Integrated Care Alliance conference, and that the Cabinet Member for Adult Social Care had agreed that the County Council could sponsor these awards.

RESOLVED that the decision proposed to be taken by the Cabinet Member for Adult Social Care, to:-

- a) agree to continue, for some contracted providers, service provision on the existing terms and conditions through to 31 May 2019, and, for other contracted providers, where mutual negotiation can be agreed, to award varied interim contracts through to 31 May 2019;
- b) delegate authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision; and
- c) authorise officers to commence market engagement in readiness for the full procurement process, where required,

be endorsed.

**Any alternatives considered:**

None

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:** NONE

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signed

15 JUNE 2017  
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date



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