

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:

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

DECISION NO:

22/00081

For publication Yes

Key decision: Yes

Title of Decision **INTEGRATED COMMUNITY EQUIPMENT SERVICE**

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

- EXTEND** the current Integrated Community Equipment Service Contract for 16 months from 1 December 2022 to 31 March 2024;
- PROCURE** a new long term sustainable service model; and
- DELEGATE** authority to the Corporate Director Adult Social Care and Health to take relevant actions, to finalise the terms of the required contract extension and to facilitate procurement activity, as necessary to implement the decision.

Reason(s) for decision: The current Integrated Community Equipment Service (ICES) Contract is due to expire on 30 November 2022 and new arrangements need to be in place by 1 December 2022.

There is opportunity to design a service that meets the needs of local populations, promotes choice and retains equity of service provision.

The new service will be integrated with health and social care and based on the Making a Difference Everyday (MADE) approach. It will align to the new Strategic Direction principles including Self-Directed Support.

A contract extension of the current service for 16 months will provide the time needed to undertake the service re-design.

Financial Implications: The annual budget for this service has steadily increased since the contract inception with annual growth from c£9m to £15m net to the indicated levels in the below table:

2021/ 2022				
Annual Budget	KCC Adults	KCC Other	Joint	Health only
15,451,934	2,511,379	519,213	3,036,510	9,384,831

KCC receive funding from the NHS Kent and Medway Integrated Care Board (formerly the Kent and Medway Clinical Commissioning Group) for 2 posts linked to the management of this contract. They have also agreed to contribute £50,000 to the re-procurement costs.

The combined health and social care cost of extending the current service for 16 months until 31 March 2024 would be circa £20,602,578 million based on current spend 2021/22. KCC's proportion of this is likely to be in the region of £6,062,462 based on current spend 2021/22.

Commissioners are working with the current provider on early cost efficiency schemes to address the risk of rising costs during the contract extension period.

Legal implications: The provision of services to support people with health and/or social care needs following discharge from hospital is detailed within the Care Act 2014.

Paragraph 8.14 of the Statutory Care and Support Guidance states that “local authorities may not charge for assessments, community equipment and minor adaptations, intermediate care or reablement for up to six weeks”.

Regulation 72(1)(c) of the Public Contracts Regulations 2015 allows for modification of up to 50% of the original contract value where the need is brought about by circumstances that a reasonable authority could not have foreseen.

Independent legal advice is to extend the current contract under Regulation 72 1 (e) of the Public Contracts Regulations 2015, to commence market engagement as early as possible.

Equalities implications: An EQIA has been developed to support the service re-design and long-term jointly commissioned service. This will be updated as work on the service redesign progresses.

Data Protection Implications: There are no anticipated data implications associated with the contract extension as there will be no change to current service, or the data collected or shared, and therefore this will be covered under existing contract clauses.

A Data Impact Assessment will be undertaken to support the long-term jointly commissioned option.

Cabinet Committee recommendations and other consultation: The decision was discussed at the Adult Social Care Cabinet Committee on 28 September 2022 and the recommendations were endorsed by the majority.

Mrs Meade abstained from endorsing the recommendations.

Full public consultation will be undertaken and this will inform redesign of the new service.

Any alternatives considered and rejected: Consideration was given to service re-procurement with small efficiency changes, and this would have enabled re-procurement within the time limit of the current contract, however rising demand and costs of logistics and raw materials that are driving up service costs meant this option is a financially high risk one and would threaten future sustainability of the service. It is therefore recommended that a full service re-design is needed to address these risks

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

Clair Bell

5 October 2022

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signed

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date