

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:
Cabinet Member for Adult Social Care

DECISION NO:
18/00031

For publication

Key decision

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

Subject: RESIDENTIAL CARE FOR PEOPLE WITH A LEARNING DISABILITY, PEOPLE WITH A PHYSICAL DISABILITY AND PEOPLE WITH MENTAL HEALTH NEEDS

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

- a) enter into market engagement with the aim to **PROCURE** new contracts for care homes for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs; and
- b) **DELEGATE** authority to the Corporate Director of Adult Social Care and Health, or other nominated officer, to undertake the actions necessary to implement the decision.

Reason(s) for decision: Residential Care services for People with a Learning Disability, People with a Physical Disability and people with Mental Health Needs last went out to competitive tender in 2002 for the Disability contract and 2004 for the Mental Health contract. The purpose of this tender is to ensure a relevant specification and to update current terms and conditions as well as to show due regards to the fair cost of care. The intention is to establish new contracts for care homes for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs from April 2019.

A key decision will be required for contract award and any price related decisions.

Financial Implications: The significant risk to letting these contracts is the impact on price. With the change of how sleep-in shifts are measured, there will be impact on the overall price paid. Engagement with the market will provide the detailed information required to work with Finance colleagues to scope the potential financial impact balancing the pressure from providers, good outcomes for service users, legal requirements, transparency of a fair cost of care.

New contract minimum of four years with two, two-year extensions. 4 years approx. value £322m

Legal Implications: Strategic Commissioning will enlist the support of Legal Services through the development of the contract specification and terms and conditions making sure the most efficient process is undertaken in signing and sealing the contracts.

Equality Implications: The Equality Impact Assessment will be updated when the changes are proposed and can be fully considered. A Privacy Impact Assessment will also be completed.

Cabinet Committee recommendations and other consultation: The proposed decision was discussed at the Adult Social Care Cabinet Committee on 4 July 2018. Clare Maynard (Head of Commissioning Portfolio – Outcome 2 and 3) and Paula Watson (Project Manager) were in attendance for this item.

1. Clare Maynard introduced the report which set out the intention to establish new contracts for care homes for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs from April 2019.

- a) In response to a question, Paula Watson said that the residential care market was decreasing. There was an oversupply in the lower service provision and more specialist support needed to be developed. She said that the costing model had allowed transparency in relation to costs to the provider.
 - b) Penny Southern said that the market was for younger adults and although there had not been an appropriate contract in place, a person-centred approach had been taken to look at ways in which people that wanted to live in a registered care home through the cost model could be supported, which had changed the market going forward.
 - c) In response to a question, Mr Gibbens said that Mosaic was the new client information ICT system which had replaced SWIFT.
 - d) In response to a question, Paula Watson said that assessments would take place to ensure that people's needs were met.
2. Mr Gibbens invited the Committee to speak to him directly with regards to specific contract issues and he would ensure that Contract Monitoring items were brought to future meetings of the Committee.
 3. **RESOLVED** that the decision proposed to be taken by the Cabinet Member for Adult Social Care, to
 - a) enter into market engagement with the aim to procure new contracts for care homes for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs; and
 - b) delegate authority to the Corporate Director of Adult Social Care and Health, or other nominated officer to, undertake the necessary actions to implement the decision,

be endorsed.

Consultation with all stakeholders, including residential care home providers will take place throughout the procurement process. Questions and queries from providers will be addressed via the Kent Business Portal.

Any alternatives considered: N/A

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

.....
signed

12 July 2018
.....
date