

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Cabinet Member for Adult Social Care and Public Health

DECISION NO:

20/00098

For publication**Key decision**

Expenditure of more than £1m and affects more than two electoral divisions.

Subject: COMMUNITY BASED WELLBEING SERVICE PROCUREMENT RESTART

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

- a) **EXTEND** all required grant arrangements, as detailed in the recommendation report, to cover Phase 2 procurement until 30 September 2021;
- b) **EXTEND** the existing grant agreements to Edenbridge Voluntary Transport Service, Sevenoaks Volunteer Transport Group, Hospice in the Weald and Heart of Kent Hospice, for the full duration of the procurement programme (to end March 2022);
- c) **EXTEND** the Carers Short Breaks contract to Crossroads Care Kent, until 31 March 2022; and
- d) **DELEGATE** authority to the Corporate Director of Adult Social Care and Health to take other relevant actions, including but not limited to entering into and finalising the terms of relevant contracts or other legal agreements, as necessary to implement the decision.

Reason(s) for decision: Adult social care has historic grant arrangements in place with voluntary and community sector providers across the county. These grants provide a contribution towards the costs of services that support older people, people living with dementia, people with a physical disability and people with sensory impairments. Services meet the outcomes of the council and enable people to remain well and living independently.

There are issues related to use of historic grant arrangements including an inconsistency in the type of support and services funded across the county, lack of correlation between spend and demographic factors, limitations in the ability to monitor the performance of services and therefore to understand the impact that services have on people.

Through the development process for the new contract model, it became clear there is no single solution that can address the needs of all client groups. Therefore, both universal and specialist services contracts are required. There is also a need to move to an asset-based approach and outcome-based specifications.

The Community Based Wellbeing Service Procurement Programme was paused in March 2020 due to the COVID-19 pandemic. The procurement is restarting in September 2020 and a revised timetable takes the programme to the end of March 2022.

Financial Implications: The value of extending all the grant arrangements will be £1,566,700.16. The value of extending the contract agreement to 31 March 2022 will be £3,087,241.01. This does not require additional funding as the existing budgets can meet the cost of extending the duration of the arrangements during the procurement period.

Legal Implications: Senior officers in both strategic commissioning and finance have been consulted on this issue and no market or competition issues have been identified.

Advice from Legal has also been sought and the following advice given:

- Rewinding to any previous point in a procurement process should be a straightforward process so long as it has been documented in the ITT or tender documents that:
 - The contracting authority (KCC) reserves the right to do so for any or [x] reasons
 - Any process outlined in the ITT for this is followed.
- It is important KCC applies the procurement principles in Reg 18 PCR 2015. Reg 18(1) states *“Contracting authorities shall treat economic operators equally and without discrimination and shall act in a transparent and proportionate manner”*.
- Transparency is key so KCC should communicate to the candidates and either stick to or amend previous instructions in the ITT.

Equalities implications: The proposed grant agreements will support vulnerable and elderly people in the community.

Data Protection implications: There are no anticipated data implications associated with this decision.

Cabinet Committee recommendations and other consultation: Public consultation was carried out in the early stages of this procurement.

The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 29 September 2020 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

Any alternatives considered:

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

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signed

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date