

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Implementation of new 'Client Finance Portal' ContrOCC module including 'identity provider'
<b>Decision Maker:</b>	Caroline May, Head of Business Management
<b>Cabinet Member:</b>	Cllr Gillian Ford
<b>SLT Lead:</b>	Barbara Nicholls, Director Adult Services
<b>Report Author and contact details:</b>	Caroline May 01708 433671 Caroline.may@havering.gov.uk
<b>Policy context:</b>	<p>The implementation of the Client Finance Portal module (which requires the accompanying 'identity provider') will ensure the local authority complies with its legal obligations as set out under the Health and Care Act 2022.</p> <p>It will allow clients to directly access details of their 'Care Account' and create efficiencies in resources and process, thus creating better outcomes for our residents.</p>
<b>Financial summary:</b>	<p>The initial cost of £31,442 will be met from ASC capital budget with government funding expected to fund future year costs.</p> <p>The ongoing Annual Warranty and Maintenance costs (from 12 months after implementation) will need to be met by the council if government funding is not sufficient to cover these off.</p>
<b>Relevant OSC:</b>	People
<b>Is this decision exempt from being called-in?</b>	Yes, it is a non-key decision by a senior officer.

**Non-key Executive Decision**

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

This report seeks the authority to vary the existing contract with Liquidlogic Limited to implement from around the beginning of 2023 the additional 'Client Finance Portal' module for the ContrOCC ICT system, which is the financial management element of the Adult Social Care system. The original value of the contract is £1 800 000. The variation of the contract will increase the value of the contract by £55 624, if the term of the contract is extended to the 31<sup>st</sup> of December 2024.

In addition, to implement the Client Finance Portal, an 'Identity Provider' is required to ensure secure login by clients.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Paragraph 19.1 of Part 4 of the Contract Procedure Rules:

Subject to the authority given under the Council's Scheme of Delegation and CPRs 3 and 4, an officer who has responsibility for the day to day management and performance of an awarded contract may (subject to having the authority to do so) approve a variation or modification by way of additional works, services or supplies by the original contractor that have become necessary and were not included in the original procurement provided that one of the following applies:

iii. Where the need for modification has been brought about by circumstances which the Council could not have foreseen, the modification does not alter the overall nature of the contract, any increase does not exceed 50% of the value of the original contract or framework agreement

### **STATEMENT OF THE REASONS FOR THE DECISION**

On 7 September 2021, the government set out its new plan for adult social care reform in England. This included a lifetime cap on the amount anyone in England will need to spend on their personal care, alongside a more generous means-test for local authority financial support. The introduction of the care cap requires the authority to set up and maintain a 'Care Account' for each and every resident who pays contributions towards their care costs, if they request one.

From October 2023 the Health and Care Act 2022 will also put a requirement on the authority to provide details of when a client's Care Account is estimated to reach the 'Care Cap' as well as statements of account, requests for new financial assessment as well as reassessment of their contributions.

The portability requirement will also mean that local authorities must be able to share Care Account data as necessary should people move from one local authority area to another.

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There is the option and suggestion that local authorities are able provide early assessments from April 2023, in order to help manage demand. Therefore, the Council should be ready for this by April 2023, to accommodate people who approach us at this point, in advance of October 2023.

Currently we have approximately 2850 clients receiving Homecare and/or Residential type services (excluding Day Care and other services).

From our recent 2022 Care Home Survey, it is estimated that there are 348 Self Funders receiving care in care homes. From Office of National Statistics data, it is estimated that there are 346 clients who are self-funding homecare. This gives a total of 694. It is estimated that 80% of these clients will come forward for an assessment (555). In addition, the ONS data indicates that there are a further 991 people who are receiving unpaid homecare support. This gives a total new additional client base of 1546 clients (555 + 991).

It is estimated that 50% (778) of this total number of clients will come forward for assessment initially, with a further 30% (448) over the year, so 1,226 estimated additional assessments will be needed.

Combined with Projecting Older People Population data on estimated population growth over the next 3 years, and an estimated 10% of clients coming forward for assessment each of the 2 years following the full introduction of the Funding Reform, this brings the total estimated increase in clients coming forward for assessment across three years to 1558.

The implementation of the Client Finance portal and the ContrOCC identity provider will allow clients to directly access their 'Care Account' information as and when they wish.

This approach will alleviate some of the new pressure on existing services, ensure the authority meets its legislative requirements, and improve service delivery and better outcomes to our residents.

The alternative is to administer records manually, which will not realistically be feasible. This is the only viable option available to ensure the authority meets its legislative requirements, and delivery the required service to residents.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Three other options have been considered:-

1) Do nothing

This option would mean that current services would be overwhelmed with work related to the Care Account information requests, which would lead to an significant increase in complaints, as well as the likelihood that the authority fails to meet its legislative obligations. There would also be much more room for error in the administration of Care Accounts.

2) Appoint additional staff

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This option is by far the most costly and is outweighed by the benefits of other options. It also is not considered feasible in the current economic climate due to the ongoing cost implications, as well as the scope for error if a more manual process is adopted.

- 3) Procure & Implement the Client Finance Portal but use the authorities 'My Havering' single sign on as the identity provider.

This option has higher implementation costs, but more significantly, requires external expertise to implement. This would require sourcing, appointing and training the external expert before implementation could begin.

The current 'My Havering' single sign on system is due to be replaced, and a 'freeze' on development work is on the cusp of being implemented, but the upgraded version is not due to be live for a year or so.

As such, and considering our tight deadlines (April 2023) there is every likelihood that we would not source an external expert in time and/or the freeze would be implemented before we could start and finish implementing the Client Finance Portal. The costs of an external expert are also likely to be significant.

The Council has carried out a detailed Options Appraisal.

#### **PRE-DECISION CONSULTATION**

There is no requirement for formal consultation.

#### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Caroline May

Designation: Head of Business Management



Signature:

Date: 28/10/2022

**Part B - Assessment of implications and risks**

**LEGAL IMPLICATIONS AND RISKS**

The legal implications for the original decision to make the contract are in agenda item 8 of the Cabinet decision of 15 November 2017, which is the background document.

Service contracts can be modified in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 in cases in which the services provided by the original provider that have become necessary and were not included in the initial procurement, where a change of provider can not be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and would cause significant inconvenience or substantial duplication of costs for the Council, provided that any increase in price does not exceed 50% of the value of the original contract.

A change of provider for the additional services can not be made because of the requirement for interchangeability and interoperability with the existing service. It would not be feasible to source a new social care system, which is a major procurement exercise, due to the requirement to purchase a portal, and it would cause significant inconvenience and substantial duplication of costs for the Council to change the provider. The value of the proposed variation of the contract is below 50% of the original value of the contract.

For the reasons set out above, the Council can vary the contract.

**FINANCIAL IMPLICATIONS AND RISKS**

The implementation costs in year one will be met from ASC Capital budgets, and after then will be met from government grant funding (adult social care charging reform: implementation support funding grant). Should the grant prove insufficient to cover ongoing costs, the annual warranty and maintenance costs (from 12 months after implementation) will need to be met from existing budgets.

<b>Option Description</b>	<b>1st Year Costs</b>	<b>2nd Year onwards costs</b>
Procure & Implement Client Finance Portal (CFP) using OCC Identity Provider solution	£31,442.00	£24,182.00

**HUMAN RESOURCES IMPLICATIONS AND RISKS  
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

There are no known negative environmental or climate change implications arising as a result of this decision.

The Client Finance Module is an online tool, thus having a reduced carbon footprint when compared to alternative paper based solutions.

### **BACKGROUND PAPERS**

September 2017 Cabinet report pack, which includes, the Social Care System Replacement report from page 153

<https://democracy.havering.gov.uk/documents/g3631/Public%20reports%20pack%2015th-Nov-2017%2019.30%20Cabinet.pdf?T=10>

### **APPENDICIES**

None

**Non-key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed:



Name: Barbara Nicholls

Cabinet Portfolio held:

CMT Member title: Director Adult Services

Head of Service title

Other manager title:

Date: 10/11/2022

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_