

## Notice of Non-Key Executive Decision

|   |   |                            |            |  |            |                             |            |                           |             |                              |                    |
|---|---|----------------------------|------------|--|------------|-----------------------------|------------|---------------------------|-------------|------------------------------|--------------------|
| <b>Subject Heading:</b>                   | Approval to waive the Council's Contracts Procedure Rule (CPR) 19 to allow a modification for a 10-month extension to the Home, Settle and Support contract.  |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Decision Maker:</b>                    | Cllr Gillian Ford, Cabinet Member for Adults and Health   |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Cabinet Member:</b>                    | Cllr Gillian Ford, Cabinet Member for Adults and Health   |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>ELT Lead:</b>                          | Barbara Nicholls, Strategic Director of People  |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Report Author and contact details:</b> | Suzanne West, Commissioner Age Well<br>E: <a href="mailto:suzanne.west@havering.gov.uk">suzanne.west@havering.gov.uk</a>  |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Policy context:</b>                    | Delivering integrated services and working in partnerships to achieve improved outcomes and value for money services for residents.   |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Financial summary:</b>                 | <p>The 10-month extension will cost Havering £64,711.17</p> <p>This is a joint contract with the London Borough of Barking and Dagenham, the London Borough of Redbridge and the NHS North East London ICB. The cost of the 10-month extension for each partner will be as follows:</p> <table border="1"> <tr> <td>London Borough of Havering</td><td>£64,711.17</td></tr> <tr> <td>London Borough of Barking and Dagenham</td><td>£52,914.33</td></tr> <tr> <td>London Borough of Redbridge</td><td>£17,700.83</td></tr> <tr> <td>NHS north East London ICB</td><td>£148,526.67</td></tr> <tr> <td><b>Total Extension Value</b></td><td><b>£283,853.00</b></td></tr> </table> | London Borough of Havering | £64,711.17 | London Borough of Barking and Dagenham | £52,914.33 | London Borough of Redbridge | £17,700.83 | NHS north East London ICB | £148,526.67 | <b>Total Extension Value</b> | <b>£283,853.00</b> |
| London Borough of Havering                | £64,711.17  |                            |            |  |            |                             |            |                           |             |                              |                    |
| London Borough of Barking and Dagenham    | £52,914.33  |                            |            |  |            |                             |            |                           |             |                              |                    |
| London Borough of Redbridge               | £17,700.83  |                            |            |  |            |                             |            |                           |             |                              |                    |
| NHS north East London ICB                 | £148,526.67   |                            |            |  |            |                             |            |                           |             |                              |                    |
| <b>Total Extension Value</b>              | <b>£283,853.00</b>  |                            |            |  |            |                             |            |                           |             |                              |                    |

**Non-key Executive Decision**

|  |  |
|--|--|
| <b>Relevant Overview &amp; Scrutiny Sub Committee:</b> | People's Overview and Scrutiny Sub Committee                         |
| <b>Is this decision exempt from being called-in?</b>   | The decision will be exempt from call in as it is a Non key Decision |

**Non-key Executive Decision**

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

People - Supporting our residents to stay safe and well X

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report is seeking approval from the Cabinet Member for Adults and Health to waive the Council's Contracts Procedure Rule (CPR) 19 to allow an extension to the existing Home, Settle and Support contract with the British Red Cross for a period of 10 months from 1st April 2025 to 31<sup>st</sup> January 2026 at a total cost to Havering of £64,711.17 and total contract value of £283,853

### AUTHORITY UNDER WHICH DECISION IS MADE

Part 3.2.5 of the Constitution

Individual Cabinet members' responsibilities for functions

(g) To approve an exception to the Contracts Procedure Rules set out in Part 4 of this constitution, in accordance with Rule 14(1) of those Rules.

Part 4.4 [Contracts Procedure Rules] of the Constitution

14.1 No exception to these Rules shall be permitted except upon approval by an individual Cabinet member using an Executive Decision or by some other provision in this Rule. The report shall set out the background, the rule being waived, the reasons the waiver is required, how value for money will be demonstrated, any legal or financial risks or implications and shall be approved by the Director of Legal and Governance and the Chief Executive.

Exceptions to competitive requirements

14.3 Exceptions to the competition requirements may be made only if all relevant law is complied with and one of the following circumstances applies:

i. the contract falls within one of the exceptions listed in this Rule; AND

a. the Competition Financial Thresholds Exceptions, is fully and properly completed and signed by the relevant Member of SLT; AND

b. the person awarding the contract can demonstrate that the contract represents the best value that can be obtained in the circumstances.

ii. an individual Cabinet member has approved the waiving of the application of these rules, as permitted by Rule (a) above.

### STATEMENT OF THE REASONS FOR THE DECISION

The Home, Settle and Support contract is currently provided by The British Red Cross and ends on the 31<sup>st</sup> March 2025. The service started on 1<sup>st</sup> April 2020 as a three-year contract with the option to extend for a further two years, which has already been utilised. There are no further extensions permitted within the current contract therefore permission is being sought to modify the current contract to allow for a further extension of 10 months.

This paper is seeking approval to waive the Council's Contract Procedure Rule (CPR) 9.9 requiring a formal tender exercise and to allow an extension for a 10-month period to the Home, Settle and Support contract in compliance with the Council's statutory duties.

## **Non-key Executive Decision**

A waiver to the Council's Contracts Procedure Rules (CPR) 19 is therefore required. CPR 14.1 requires waiver approval by an individual Cabinet member.

The modification for a 10-month extension to the Home, Settle and Support contract to the current provider will allow sufficient time to review the other ASC preventative services, with the intention of tendering for just one Age Well Preventative Service going forward without a loss of the essential elements of the current service until the new service is in place. This will ensure the best value for money and outcomes for residents.

The 10-month extension will be awarded with a reduced contract value. This is due to the changes in the Home First Pathway. From February 2025 referrals to the British Red Cross for Havering will either come directly from the hospital ward staff (pathway 0) only when no other support is being provided or come from a reablement assessor once they have already been assessed at home. With over 60% of the current Havering referrals coming from the Home First Pathway this change will result in a reduction of inappropriate referrals being received by the British Red Cross and will significantly reduce the number of calls that are made. Thus resulting in a reduction in the contract value.

### **Background**

The Home Settle and Support service has been provided by the British Red Cross since 1<sup>st</sup> April 2020. It is jointly funded by Havering with LB Barking and Dagenham (LBBD) and LB Redbridge (LBR) and NHS North East London, with all Boroughs being party to the contract. Havering is the Lead Authority under the contract.

The service supports vulnerable residents from Barking and Dagenham, Havering and Redbridge to remain living independently in their own home. This could either be following an admission to hospital, an emergency department attendance or those from the community who have been identified as being at risk of being admitted into hospital. The service provides a smooth transition from hospital to the residents home supporting individuals to feel safe. Their person centred approach focuses on achieving a range of goals agreed with the service user. Depending on the urgency or type of support required the first visit could be on the same day or within 48 hours of the referral.

The key service functions include:

- Accompaniment to appointments
- Assistance with form filling/bills
- Collection/Delivery of possessions/equipment
- Companionship
- Liaising with family/friends of Service users
- Liaising with professionals
- Light meal/drink preparation
- Light household work/bed making
- Pension/Prescription collection
- Provide advice on benefits reassure/support on ward/A&E
- Shopping
- Welfare Checks

### **Contract Value**

The full 5-year contract value (3 years + 1 year + 1 year) is £2,091,385.

This is broken down as follows:

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|  |                   |
|--|-------------------|
| London Borough of Havering             | £776,534          |
| London Borough of Barking and Dagenham | £317,486          |
| London Borough of Redbridge            | £106,205          |
| NHS north East London ICB              | £891,160          |
| <b>Total Contract Value</b>            | <b>£2,091,385</b> |

The annual contract value is as follows:

|  |                 |
|--|-----------------|
| London Borough of Havering             | £155,306.80     |
| London Borough of Barking and Dagenham | £63,497.20      |
| London Borough of Redbridge            | £21,241         |
| NHS north East London ICB              | £178,232        |
| <b>Total Annual Contract Value</b>     | <b>£418,277</b> |

The cost of the 10-month contract for each partner will be as follows:

|  |                    |
|--|--------------------|
| London Borough of Havering             | £64,711.17         |
| London Borough of Barking and Dagenham | £52,914.33         |
| London Borough of Redbridge            | £17,700.83         |
| NHS north East London ICB              | £148,526.67        |
| <b>Total Contract Value</b>            | <b>£283,853.00</b> |

This is a reduction to Havering of £77,653.40 PA which equates to a saving of £64,711.17 for the 10-month contract term.

#### **Recommendation**

The Council are seeking a modification for a 10-month extension to the Home, Settle and Support contract to the current provider, which will allow sufficient time to review the other ASC preventative services, with the intention of tendering for just one Age Well Preventative Service going forward without a loss of the essential elements of the current service but with a reduced contract value. This will ensure the best value for money and outcomes for residents until the new service is in place.

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

#### **Option 1 - Do nothing**

There is the option to do nothing and stop providing Home, Settle & Support when the contract ends on the 31<sup>st</sup> March 2025. This option is not advised due to some of the services being

### **Non-key Executive Decision**

provided by this contract not being provided anywhere else at present and it could leave service users at risk.

#### ***Option 2 – Recommission***

The contract ends at 31st March 2025, so there will not be sufficient time to complete a full recommissioning. This option has been rejected as there is not sufficient time to complete the recommissioning exercise to a good standard and this service needs to be recommissioned in conjunction with the other ASC preventative services, to ensure the best value for money and outcomes for residents.

### **PRE-DECISION CONSULTATION**

None

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

Name: Suzanne West

Designation: Commissioner Age Well

Signature:



Date: 20/01/2025

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

### **LEGAL IMPLICATIONS AND RISKS**

1. This report seeks to waive the Contracts Procedure Rules permitting a further extension of the existing Home, Settle and Support contract to the British Red Cross for a period of 10 months.
2. The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any limitations. The contract may be extended in accordance with these powers.
3. A tender exercise was not carried out as required by the Contracts Procedure Rules (CPR) to award a new contract and there are no further options to extend within the terms of the contract, therefore officers are seeking a waiver to extend the contract for a period of 10 months whilst a review of the service is undertaken. In accordance with CPR 14.1 a waiver is being sought to authorise the extension as the modification does not fall within any of the provisions contained in CPR 19.
4. The total value of the contract is £2.1M which is above the threshold for light touch services as stipulated in the Public Contracts Regulations (as amended) 2015 (PCR). However, the proposed extension is in compliance with Regulation 72(1)(e) as the modification is unlikely to be considered substantial.

### **FINANCIAL IMPLICATIONS AND RISKS**

This request is to waive the Contracts Procedure Rules for Home, Settle, and Support contract run by the British Red Cross, for a further 10 months and with a cost of £64,711.

The extension contract value is for 10 months with a 50% value reduction, for the London Borough of Havering, from the current annual contract costs of £155,306. This reduction is due to a change in the client pathway reducing the expected demand.

The costs are paid by the London Borough of Havering and then the London Boroughs of Redbridge and Barking and Dagenham are invoiced. The ICB is funded through the BCF grant that the Council receives yearly.

The current contract for Havering carried out 747 face to face visits and an additional 1081 welfare calls. The extension has removed the welfare calls leading to the reduction in the contract cost. However, If numbers didn't decrease as much as expect, or were to increase, the contract cost would not vary. The provider would be expected to manage the referrals to prioritise the most urgent and create a waiting list.

The extension is to give time to carry out a review of the ASC Preventative service and to go forward with one contract potentially at a reduced value. Due to the contract expiring at the end of March 2025 there is not enough time to carry out a full recommissioning and the extension is needed to bring it in line to be able to potentially combine with the other preventative ASC preventative contracts.



## **Non-key Executive Decision**

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

The recommendations made in this report do not give rise to any identifiable Human Resources implications or risks.

### **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, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

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.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this isn't required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are not equalities and social inclusion implications and risks associated with this decision. The decision will enhance equality aspects of our provision.

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

The recommendations made in this report do not give rise to any identifiable environmental implications or risks.

### **BACKGROUND PAPERS**

### **APPENDICES**

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



Barbara Nicholls  
Strategic Director of People  
11/02/25

**Details of decision maker**

Signed 

Name: Cllr Gillian Ford,

Cabinet Portfolio held: Cabinet Member for Adults and Health

Date: 10/03/2025

**Lodging this notice**

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

**For use by Committee Administration**

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

Signed \_\_\_\_\_