



Havering
LONDON BOROUGH

Notice of Non-Key Executive Decision

Subject Heading:	Approval to waive the Council's Contract Procedure Rule (CPR) 9.8 to allow a Direct Award of a 10 month Havering Safe at Home contract
Decision Maker:	Cllr Gillian Ford, Cabinet Member for Adults and Health
Cabinet Member:	Cllr Gillian Ford, Cabinet Member for Adults and Health
ELT Lead:	Barbara Nicholls, Strategic Director of People
Report Author and contact details:	Laura Wheatley, Portfolio Manager Live Well & Age Well E: laura.wheatley@havering.gov.uk
Policy context:	The Adult Social Care and Support Planning Policy states that Havering's vision is: 'Supporting excellent outcomes for the people of Havering by helping communities to help themselves and targeting resources and interventions to encourage independence'
Financial summary:	The direct award for 10-month contract will cost £40,675.00
Relevant Overview & Scrutiny Sub Committee:	People's Overview and Scrutiny Sub Committee
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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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 Contract Procedure Rule (CPR) 9.8 to allow a direct award the Havering Safe at Home contract to Age UK East London for a period of 10 months from 1st April 2025 to 31st January 2026 at a total value of £40,675.00.

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.

14 WAIVERS

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

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 Havering Safe at Home contract is currently provided by Age UK and ends on the 31st March 2025. The service originally started as a one-year pilot between 2013 and 2014. Historically, the service agreement has been renewed each year for a further year.

This paper is seeking approval to waive the Council's Contract Procedure Rule (CPR) 9.8 requiring a formal tender exercise and to allow a direct award a 10-month contract to Age UK

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East London in compliance with the Council's statutory duties already set out in the body of this report.

A waiver to the Council's Contracts Procedure Rules (CPR) 9.8 is therefore be required. CPR 14.1 requires waiver approval by an individual Cabinet member.

The provision of services during the 10-month term of the contract will allow sufficient time to review the impact of the Adult Social care restructure into portfolio areas and recommission the service fully in conjunction with the other ASC preventative services, to ensure the best value for money and outcomes for residents.

Background

Age UK East London help to improve security in Havering, increase safety and independence at home and prepare the home for hospital discharge.

Referrals for this service are through professional routes which include health and social care, voluntary sector, lunch clubs, Police and London Ambulance Service (LAS).

Under this agreement Age UK East London provide the following services:

Minor Adaptions Without Delay

Minor Adaptations Without Delay identifies a range of minor adaptations, for example the fitting of stair or grab rails, for which there is a clear consensus that initial assessment by occupational therapists is not required unless during the information gathering process, it appears that the potential user may have more complex or additional needs that require assessment. Such adaptations are often needed by older people to safeguard their safety or to facilitate discharge from hospital. Works are completed within 2 working days of receiving the referral.

Works include:

Category	Works	Hrs
1. Rails	External Grab rail to front Door (12" / 18")	½
	Internal Grab rail for access to room with step (12" / 18")	½
	Grab rail to enable transfer (12" / 18") - Chair/ Bed/ Toilet	½
	Bath Rails (referral/approval required from OT prior to install) ¹	½
	Stair Hand Rails	1
2. Access	Internal door threshold Ramps - for wheelchair users only	1½
3. Bathroom	Grab Rails	½
	Raised Toilet Seats	¼
	Toilet Frames	¼
4. General Needs	Extender plugs - 2 per property	¼
	White paint on edge of access steps	½
	Chair raisers	¼

Referrals are mainly from the Havering Adult Social Care Team.

It is expected that approximately 250 people will receive this service in the 10-month period, with approximately 300 pieces of equipment installed.

This element of the service prevents referral to Occupational Therapists via the ASC front door.

The 10 month contract will be awarded with a reduced contract value to the previous contract. This is due to the basic target hardening for victims of domestic violence provision being removed from the contract. This element of the service now sits under community safety and forms part of the service provided for victims of domestic violence. In addition the handy

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person service part of the service has also been removed as this is now a chargeable service so is no longer funded by the Local Authority. The removal of both these elements of the service results in contract value reduction of £34,208 for the 10-month period.

Recommendation

The Council are seeking a direct award for this service with the current provider to allow sufficient time to review the impact of the Adult Social care (ASC) restructure into portfolio areas and recommission the service fully in conjunction with the other ASC preventative services, to ensure the best value for money and outcomes for residents.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1 - Do nothing

There is the option to do nothing and stop providing Havering Safe at Home when the contract ends on the 31st March 2025. This option is not advised as if this service was not in place the referrals would be picked up by the Council's own Occupational Therapy service which due to demand may result in a delay to the service being delivered and therefore increasing the risks to service users.

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: Laura Wheatley

Designation: Portfolio Manager Live Well & Age Well

Signature:



Date: 20/01/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council's Contract Procedure Rule (CPR) 9.8 requires officers to obtain 3 quotes for a contract valued from £25 000 to £100 000. However, a request for quotation exercise for the Havering Safe at Home contract has not been carried out. CPR 14 permits exceptions to the competitive requirements to be made if all relevant law is complied with and one of the circumstances set out in CPR 14.3 applies. If it is determined that the one of the circumstances applies, CPR 9.8 can be waived in relation to this contract.

FINANCIAL IMPLICATIONS AND RISKS

This decision paper is seeking approval to waive the Council's Contract Procedure Rule (CPR) 9.8 to allow a direct award a 10-month extension to the Havering Safe at Home contract.

The current contract is due to end on 31st March 2025 and costs £89,860 per annum and is currently funded from the Better Care Fund.

The total cost of the 10-month extension is estimated to be £40,675 and will be funded by the Better Care Fund.

The annual costs are at this lower level due to a reduction in the contract scope as well as only being for 10 months. At the current contract value, the 10-month extension would cost £74,833, the proposed cost of £40,675 generates a saving of £34,208 for the 10-month period. As this contract is fully funded from the Better Care Fund, this saving is not a general fund saving. A review of the Better Care Fund and a reallocation of expenditure will be undertaken following approval at Health and Wellbeing Board level which may result in the £34,208 saving attributed to the general fund.

There has not been any inflationary uplift to the contract since it commenced and it would be unlikely that an alternative provider would be able to offer similar rate due to market conditions, therefore this direct award is likely to be the most advantageous option.

The current provider has had the contract since 2013 and the extension is required due to limited time available to undertake a full procurement process and having a gap in the service provision would leave vulnerable residents at risk or accessing council services that are a more expensive option.

A full service redesign and re-procurement will be undertaken during the 10-month period and in conjunction with the other ASC preventative services, to ensure the best value for money and outcomes for residents.

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.

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EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

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

The Council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing of 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.

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

None

APPENDICES

None

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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
13/03/25

Details of decision maker

Signed 

Name: Cllr Gillian Ford,

Cabinet Portfolio held: Cabinet Member for Adults and Health

Date: 11/03/2025

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 _____