

Notice of Non-Key Executive Decision

Subject Heading:	Approval to action the contract extension that was agreed when the contract was awarded for the Complex Placements Dynamic Purchasing System for a period of 8 months.
Decision Maker:	Barbara Nicholls, Strategic Director of People
Cabinet Member:	Cllr Gillian Ford, Cabinet Member for Adults and Health
SLT Lead:	Barbara Nicholls, Strategic Director of People
Report Author and contact details:	Sophie Barron Senior Commissioner sophie.barron@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:	There are no costs associated with extending the Complex DPS for 8 months.
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

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 decision paper is seeking approval to action the contract extension that was agreed when the contract was awarded for the Complex Placements Dynamic Purchasing System for a period of 8 months from the 1st May 2025 to 31st December 2025. This will allow sufficient time to procure the new ASC Placement Framework which will commence from the 1st January 2026.

AUTHORITY UNDER WHICH DECISION IS MADE

The Havering Constitution:

Part 3: Responsibility for Functions, Article 2 – Executive Functions

3.3 Powers of Members of the Senior Leadership Team

Members of the Senior Leadership Team (SLT) have delegated authority to act as follows within the assigned service service/portfolio of responsibilities, subject to the general provisions and limitations set out in section 3.1 of the Constitution.

To make arrangements to secure continuous improvement in the way the Council's functions are exercised having regard to a combination of economy, efficiency and effectiveness etc. as required by external regulatory agencies.

STATEMENT OF THE REASONS FOR THE DECISION

The Complex Placements Dynamic Purchasing System ends on the 30th April 2025.

This paper is seeking permission to enact the contract extension that was agreed when the contract was awarded for the Complex Placements Dynamic Purchasing System for a period of 8 months from the 1st May 2025 to 31st December 2025. This will allow sufficient time to procure the new ASC Placement Framework which will commence from the 1st January 2026.

Background

The Complex Dynamic Purchasing System (DPS) has been in place since 1st June 2020 and is set to continue until 30th April 2025 (option to extend until 30th April 2026). The framework ensures that a structured, fair and transparent purchasing system is in place to commission individual packages of care and support to adults with complex needs. The core theme underpinning the Council's establishment of the framework is the development of a diverse, cost effective and sustainable market of quality providers that are able to offer choice and meet the needs of service users.

The scope of the framework provides services for customers with;

- learning disabilities
- mental health needs
- physical disabilities
- sensory disabilities
- complex vulnerable needs (including autism spectrum disorders)

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The table below presents the services that are delivered within the scope of the framework.

Service Type	Client Group				
	LD	MH	PSD ¹	Complex Vulnerable Needs	Children
Supported Living	x	x	x	x	x
Residential Care	x	x	x	x	
Nursing Care	x	x	x	x	
Domiciliary Care	x	x	x	x	
Live in Care	x	x	x	x	

Types of Services

The services in the framework are defined as:

Supported Living services

These services are commissioned for both children and adults. Supported living services are community based personal care and/or support for clients where care (e.g. moving and washing) and/or support (e.g. housing related, recreational activities) is delivered flexibly according to each individual care package, in the child's or adult's home and local community. Supported living focuses on fostering skills and promoting independence with packages ranging from either a few hours a week to 24-hour support. For adults, care and support will be provided in either shared or self-contained accommodation.

Residential Care

This service is commissioned for adults. Residential care services provide personal care for clients where care/support is delivered in a registered care home setting with 24-hour support.

Nursing Care

This service is commissioned for adults. Nursing care provides personal care for clients where care/support is delivered in a registered care home setting with 24-hour support including registered nurses.

Domiciliary Care

This service is commissioned for adults. Domiciliary care provides household and personal care for clients where care is delivered at a service user's home.

Live in Care

This service is commissioned for adults. Live in care provides care and support where the carer has their own living space in the client's home.

Recommendation

The Complex Dynamic Purchasing System (DPS) has facilitated the procurement of complex care services for residents with specialised needs. Under this system, placements are managed more effectively, ensuring that care providers meet the required standards with all placements commissioned through the Atlas system. The DPS provides a more structured and competitive approach, ensuring a broad range of qualified providers can offer their services over time.

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However, placement availability is reduced the more providers are on the DPS and placement volume is not guaranteed.

Permission to procure a framework for Adult Social Care Residential & Nursing Care Home, Homecare and Supported Living Placements to replace the current Complex Dynamic Purchasing System (DPS) and Active Homecare Framework has been granted.

The procurement of a comprehensive framework for Adult Social Care encompassing Residential & Nursing Care Homes, Homecare, and Supported Living Placements is a vital step towards enhancing the quality of care and support for adults in need as it will ensure consistent and high-quality care for everyone, eliminate disparities in care and provide choice and control for residents. Within the current arrangements, this framework will work in conjunction with the Atlas system however a new brokerage system (system c marketplace) has been approved which would replace Atlas streamlining the brokerage processes.

With this in mind it is recommended that we action the contract extension that was agreed when the contract was awarded for the Complex Placements Dynamic Purchasing System and extend for a period of 8 months from the 1st May 2025 to 31st December 2025. This will allow sufficient time to procure the new ASC Placement Framework which will commence from the 1st January 2026 and to implement the new brokerage system.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1 - *Do nothing*

There is the option to do nothing and close the Complex Placements Dynamic Purchasing System when it ends on the 30th April 2025. This option is not advised as there will be no framework to make placements from until January 2026 when the new ASC Placement Framework will start. Additionally, relying on SPOT purchases for a large volume of placements is not appropriate due to the lack of long-term stability and potential increase in costs. SPOT purchasing often leads to inconsistency in service quality and can strain financial resources without the benefit of negotiated rates and terms that a structured framework provides.

PRE-DECISION CONSULTATION

None

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

Name: Sophie Barron

Designation: Senior Commissioner Age Well

Signature:



Date: 31/03/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Adult care provisions fall under Care Act 2014 and s79 provides that a local authority may authorise any person to exercise its functions under the act thereby permitting the Council to procure and deliver its functions through a third party. T

he current DPS has provisions to extend the contract by up to 12 months and the extension is permitted and within the remit of the procurement regulations. Legal has no further comments and Legal will need to be instructed to review the draft extension letters to the service providers, pursuant to this approval.

FINANCIAL IMPLICATIONS AND RISKS

This report is recommending extending the current DPS framework for a period of 8 months from 1st May 2025 to 31st December.

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

The extension period will allow sufficient time to procure the new DPS.

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

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.

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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.

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

Details of decision maker

Signed



Name: Barbara Nicholls

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Strategic Director of People

Other manager title:

Date: 6 May 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 _____