

REPORT TO: Executive Board Sub-Committee
DATE: 20th March 2008
REPORTING OFFICER: Strategic Director Health and Community
SUBJECT: Extension of Supported Living Contract.

1.0 PURPOSE OF THE REPORT

- 1.1 To request suspension of the relevant procurement standing orders 3.1-3.7 under the exceptional circumstances set out in this report, to extend a contract for the supported living services listed in section 3.4 of this report, for a period of 2 years from 1st April 2008.
- 1.2 To request that the Strategic Director Health and Community, in conjunction with the portfolio holder for Community, be authorised to take such action as may be necessary to implement the recommendations set out below.

2.0 RECOMMENDED THAT:

- (1) In the exceptional circumstances set out below, for the purpose of standing order 1.6, procurement orders 3.1 –3.7 be waived on this occasion on the basis that the market was tested two years ago and the current contract offers value for money and is performing well in meeting the needs of service users with profound and complex needs. Compliance is also not practicable, in that, it would result in unnecessary disruption to extremely vulnerable clients.**
- (2) Delegated powers be approved to enable the Strategic Director, Health and Community, in conjunction with the portfolio holder for Community, to extend contracts for the provision of supported living services listed in section 3.4 of this report for a period of 2 years with effect from April 2008.**

3.0 SUPPORTING INFORMATION

- 3.1 In 2005/6, permission was granted to tender for the provision of services listed in section 3.4 of this report on the grounds that the current provider was failing due to poor performance.
- 3.2 Following an open tender exercise Creative Support were offered a contract for a period of two years for the provision of supported living services. The services provide care and support for Adults with Learning Disabilities, the majority of whom are assessed under Fair Access to Care as having critical or substantial needs.

4.0 Business Case for the contract extension

4.1 Value for money and competition

The tender exercise undertaken in 2005/6 resulted in a saving to the authority as Creative Support is delivering the services at a cost below the former contract price. In addition, following a comprehensive review in 2006/7, which considered the cost, quality and strategic relevance of each service, a further reduction in cost has been agreed following the reconfiguration of the services.

This contract is also provides value for money when benchmarked against other contracted services within Halton.

The above has tested the market and commissioners believe that value for money is being achieved.

4.2 Transparency

The contract and award process are subject to Freedom of Information requests and annual external and internal auditing processes. This ensures that external agencies do have the opportunity in some measure to examine the process and its contractual outcome.

4.3 Propriety and Security

The extension of this contract complies with Halton Borough Council's standing orders and procurement. Compliance with anti corruption practices will be adhered to and the contract will be terminated if any instances of corruption by this organisation or its staff members occur. The above extension is in line with the timescales set out in the approved SP procurement plan, in that, all 24hr Supported Living services in Halton are due for tender in 2010.

4.4 Accountability

The contract will be performance managed by the SP and Adult Social Care contracts team and performance will be scrutinised by the SP Core Strategy Board and SP Commissioning Body.

4.5 Position of the contract under the Public Contracts Regulations 2006

This is a part B exempt service under the Contracts Regulations 2006, and it means that there is no need to advertise in the OJEU although when the contract is awarded we have to give notice to OJEU of the award of contract within a specific period of time. (48 days)

5.0 POLICY IMPLICATIONS

None

6.0 FINANCIAL IMPLICATIONS

6.1 The gross cost for the two year extension to the contract is as follows:

Budget	2yr contract value
Supporting People	£ 350,358
Social Care	£ 431,303
Gross 2yr contract value	£ 781,661

6.2 The cost of the above can be met within existing budgets.

7.0 RISK ANALYSIS

7.1 All contracts are monitored in accordance to the level of risk identified, and in the event of non-compliance the contract will be reviewed immediately and the necessary remedial action will be instigated.

7.2 All services will be subject to full review in 2009-2010. Findings will be used to inform the tender process in 2010.

8.0 EQUALITY AND DIVERSITY ISSUES

Agencies awarded a contract would be expected to comply with the Council policies relating to Ethnicity and Cultural Diversity as well as promoting inclusion.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act