



CABINET – 10th APRIL 2018

**EXCEPTION TO CONTRACT PROCEDURE RULES - PROPOSED
APPOINTMENT OF A PROVIDER TO DELIVER A
SUPPORTED LIVING SERVICE**

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

PART A

Purpose of the Report

1. The purpose of this report is to request an exception to Contract Procedure Rules in respect of six service users.

Recommendation

2. It is recommended that the Cabinet approves an exception to the Council's Contract Procedure Rules to enable the Council to enter into a contract with Knighton Manor Limited to provide supported living services to six service users for a maximum period up to 31 March 2021, in line with the special circumstances outlined in this report.

Reasons for Recommendation

3. The County Council's Contract Procedure Rules (Part 4G of the Constitution) require that, where the estimated value of a contract exceeds £181,302, formal tenders must be invited.
4. Where an exception to the Contract Procedure Rules is required for contracts over £181,302, Rule 6 (b) (ii) requires that Cabinet approval be obtained to the exception where this is justified on its merits.
5. It is considered necessary to retain the named provider to meet the needs of six service users for the reasons outlined in this report.

Timetable for Decisions (including Scrutiny)

6. Subject to the Cabinet's approval, contracts will be put in place as soon as is practicable.

Policy Framework and Previous Decisions

7. The relevant policy framework includes:
 - The Care Act 2014;

- Leicestershire County Council Medium Term Financial Strategy 2016/17-2019/20;
- Leicestershire County Council Adult Social Care Strategy 2016-20 and Commissioning Intentions;
- The Supported Living Framework 2017, whereby the County Council contracts and develops strategic partnerships with five key providers in geographical areas.

Resource Implications

8. The annual cost for the services provided to six service users by Knighton Manor Limited (Knighton) is £369,400. Therefore, the costs of the proposed contract with Knighton for a maximum period of almost three years (i.e. up to 31 March 2021) will be £1,108,200. It is hoped that some, or all of these service users, will be accommodated with providers on the Supported Living Framework 2017–2021 (the Framework) within two years of commencement of this contract in which case the contract value will be less.
9. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

10. None.

Officers to Contact

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PART B

Background

11. The Framework Agreement has been in place since 1 April 2017 for commissioning supported living services for service users with learning disabilities, mental health difficulties and/or autistic behaviour. It comprises a list of assessed and approved supported living service providers within five defined geographical areas within the County and was established through a competitive tender process. Most service users have been transferred to one of these approved providers, but a small number could not be transferred, including those which are the subject of this report.
12. The six service users who currently receive services from Knighton have for a long time lived at Knighton Manor and a change of service provider would mean a change of their accommodation. Any move will have to be carefully managed for these vulnerable individuals to minimise detriment to their wellbeing. The proposed contract to continue these services until March 2021 will enable this to happen.

Background Papers

13. None.

Relevant Impact Assessments

Equal Opportunities Implications

14. A full Equality and Human Rights Impact Assessment was completed for the Supported Living Framework 2017-2021. The exceptions process ensures that individual needs are reviewed by social care assessment staff and through this, equalities issues are identified and addressed.
15. The proposed contracts for supported living services include provisions that require providers to comply with equal opportunities legislation such as the Equalities Act 2010 and the Human Rights Act 1998.

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