

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Wednesday 4 March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: BROMLEY MENCAP CORE FUNDING CONTRACT EXTENSION

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Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This reports details the procurement strategy for the provision of core services by Bromley Mencap to support people with a learning disability and their carers resident in the borough.

The report also provides details of the history and annual contract value, and seeks approval to extend the contract for a period of one year from 1st April 2015.

2. **RECOMMENDATION(S)**

2.1 The Care Services Policy Development and Scrutiny Committee is asked to note and comment on the proposal.

2.2 The Portfolio Holder is asked to:

- (1) Note the history and annual contract value of the contract with Bromley Mencap and agree to the extension of the Contract under Contract Procurement Rule 23.7.3 for a period of one year from 1st April 2015:

Corporate Policy

1. Policy Status: Existing Policy: Building a Better Bromley
 2. BBB Priority: Supporting Independence :
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Financial

1. Cost of proposal: Estimated Cost: £51,327 per annum
 2. Ongoing costs: Recurring Cost:
 3. Budget head/performance centre: 758900 3418
 4. Total current budget for this head: £51,327
 5. Source of funding: Within existing Education, Care and Health Services Revenue Budget – no additional funding required
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Staff

1. Number of staff (current and additional): N/A – the Service is provided by an external provider
 2. If from existing staff resources, number of staff hours: Approximately 10 hours per annum officer time to monitor the services provided by Bromley Mencap.
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Bromley Mencap have a membership of over 1600 people but the number of people who access all the services exceed this.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Background

- 3.1 There has been a long standing partnership between Bromley Mencap and Bromley Council. Bromley Mencap has incorporated the activities of the local Scope organisation into their structure and are now a Pan-Disability organisation that works with and on behalf of people with a learning disability and those with a physical disability, who live in the borough, and their families or carers. This has increased the number of people receiving support from Bromley Mencap with no additional cost to the Council. The Council has recognised the vital role played by Bromley Mencap in providing services for this client group.
- 3.2 The Bromley Mencap Core Funding contract is one of a number of strategic partnership contracts that the Council holds with voluntary sector organisations in order to provide support to vulnerable people living in Bromley. The aim of these agreements is to provide a contribution to support the organisations to continue their wider role in the community.
- 3.3 Bromley Mencap core funding assists the organisation to develop services and to improve the lives of people with a learning and / or a physical disability. The funding provides a contribution towards the following areas:
- The provision of information, advice and guidance to people with learning and physical disabilities who live in Bromley, their families and carers;
 - Recruitment and management of volunteers, buddies and peer groups;
 - Rental costs of the premises to allow Bromley Mencap to deliver services which are accessible for all people in Bromley including those with poor mobility;
 - The employment of a Chief Executive;
 - Enables Bromley Mencap to bid for and run other services under contract to Bromley and funded by other grants;
 - Governance costs to support the development of the organisation's Trustees and contribution towards meetings;
 - Other corporate overhead costs including annual reports, annual audits, provision of external accountancy and any legal services;
 - Administration costs – both general and specific to projects which do not receive project worker funding.
- 3.4 Bromley Mencap has not received an inflationary increase on this Contract since 2010. The use of trained volunteers, peer groups and unpaid 'buddies' has enabled Bromley Mencap to win tenders for services and secure funding from sources other than the Council, thus adding value to this contract. Other current contracts between Bromley Mencap and the Council include the following services:
- Job Match and Job Carve Services
 - Mutual Carers Support Services
 - Complex Needs Respite
 - Welfare Benefits Advice & Guidance for people with disabilities.

- 3.5 Council Commissioners and Contract Compliance Officers meet with Bromley Mencap on a regular basis to review the various service contracts held by the organisation. Quarterly monitoring statistics for each service are received and monitored for compliance against the outcomes for each specific contract. There have been no reports of poor performance by Bromley Mencap and the Key Performance Indicators for each of the services have been met in full. Last year 2976 people used Bromley Mencap's services. This represents:
- o 1574 disabled and vulnerable children and adults and
 - o 1404 carers/parents.

The volume of users will continue to be monitored by Commissioners and Contract Compliance Officers during the extension period.

Contract Extension

- 3.6 The current contract expires on 31st March 2015 and this report requests authority to extend the contract for one year commencing on 1st April 2015 and expiring on 31st March 2016. As with other contracts, a break clause will be included which would allow the Council to terminate should the provider fail to deliver a satisfactory service or should the funding position change.
- 3.7 Bromley Mencap have specialist and local knowledge, and good links and reputation within the local community. They have built up a significant knowledge and understanding of this client group and are the first point of contact for people with a disability and their families or carers. Any reduction in the level of core funding may have any effect on the viability and sustainability of the other contracts detailed in paragraph 3.4.

4. POLICY IMPLICATIONS

- 4.1 In accordance with the Council's commitment to Building a Better Bromley to support people to live as independently as possible within the community, the service reflects the Council's strategic objectives particularly for vulnerable people.

5. FINANCIAL IMPLICATIONS

- 5.1 A three year contract was awarded to Bromley Mencap in 2004 for a range of projects including Jobmatch, Older Carers' Grant and a contribution towards the core costs. For the financial year 2007/08 an increased contribution to the core costs was agreed by the Director in consultation with the Portfolio Holder. From 1st April 2009, a new contract was agreed with Bromley Mencap for the core costs alone.
- 5.2 From 1st April 2004 an annual increase based on RPIX indices was awarded to the Bromley Mencap contracts. However, no annual uplift has been applied to the core contract since 2010/11.
- 5.3 The agreed cost of the Bromley Mencap Core Funding contract since 2004 is set out below

	Contract Price per annum £
2004/05	24,321
2005/06	24,857
2006/07	24,857
2007/08	46,793
2008/09	48,290
2009/10	50,173
2010/11	51,327
2011/12	51,327
2012/13	51,327
2013/14	51,327
2014/15	51,327
2015/16	51,327
Total	578,253

There is no proposal to increase the Council's contribution to the core funding this financial year; the a

6. LEGAL IMPLICATIONS

6.1 The services provided by Bromley Mencap are Part B Services for the purpose of Schedule 1 to the Public Contract Regulations 2006 (as amended). This means that it is not essential to follow the OJEU processes, although in the interest of good practice the Regulations will be shadowed. Award of contract is primarily governed by the Council's Contract Procedure Rules and Financial Regulations. All Councils are currently awaiting the issuing of Statutory Guidance from the government on the application of the "light touch" regime enforceable under the new EU Directives.

6.2 Rule 3.7 of the Council's Contract Procedure Rules state " Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Resources, can decide not to obtain competitive tenders or quotations provided that:

- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;
- The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
- The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

Approvals will be obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	N/A