

**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:** RESPIRE AT HOME AND SITTING SERVICE CONTRACT EXTENSIONS

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

**Ward:** (All Wards);

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1. Reason for report

This report details the arrangements for the provision of respite at home and sitting services in the London Borough of Bromley provided under contract by Bromley and Lewisham MIND and Carers Bromley.

The report also provides details of the history and annual contract values of the services, provides an update on the performance of the services, and seeks approval to extend the contracts for a period of one year from 1<sup>st</sup> April 2015.

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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 value of the contract with Bromley & Lewisham MIND, and agree the extension of the contract under Contract Procurement Rule 23.7.3 for a period of one year from 1<sup>st</sup> April 2015 at the cost of £140,000 for 2015/16:**
- (2) **Note the history and value of the Contract with Carers Bromley and agree the extension of the contract under Contract Procedure Rule 23.7.3 for a period of one year from 1<sup>st</sup> April 2015 at the cost of £100,204 for 2015/16.**

## 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: Bromley & Lewisham MIND - £140,000 in 2015/16;  
Carers Bromley - £100,204 in 2015/16
  2. Ongoing costs: Recurring Cost
  3. Budget head/performance centre: Bromley & Lewisham MIND: 824900 3388 / 8170013542  
S2127; Carers Bromley: 817001 3542 S2127
  4. Total current budget for this head: Bromley & Lewisham MIND - £140,000; Carers Bromley -  
£100,204.
  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 15 hours per annum  
Officer time to monitor the contracts.
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## Legal

1. Legal Requirement: Statutory Services
  2. Call-in: Applicable
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 500 individuals  
over the age of 65 access various forms of Council funded respite.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

#### **Contract History**

- 3.1 In March 2010, Care Services PDS and the Portfolio Holder for Care Services approved the proposal to enter into new contracts for one year ten months with Bromley MIND and Carers Bromley for the provision of a respite at home and sitting service via an exemption from tendering.
- 3.2 The contracts were reviewed by Care Service PDS on 12<sup>th</sup> June 2012 and an extension of the services until 31<sup>st</sup> March 2013 was approved by the Portfolio Holder. The Council has been making significant changes in the provision of day opportunities for older people which, as they gradually take effect, are having implications for respite services. Therefore, another exemption to tendering was agreed by the Portfolio Holder for Care Services in January 2013 followed by a further exemption agreed in January 2014.

#### **Bromley and Lewisham MIND**

- 3.3 Bromley MIND is a voluntary organisation formed from three local mental health organisations in 2000, changing its name to become Bromley & Lewisham MIND in 2013. MIND are contracted by the Council to provide a variety of services for people with mental health needs and dementia, living in the borough, to improve their quality of life. These include:
- Respite at Home and Sitting Service
  - Dementia Training and Support for Carers in Extra Care Housing Services;
  - Mental Health Strategic Partnership Core Funding
  - Support for Carers of People with Dementia
  - Mindcare Day Opportunities (legacy clients).
- 3.4 The Respite and Sitting service delivers 9,888 hours of respite per annum. The respite is delivered in the users own home and can be in the form of a sitting service or weekend and overnight respite. Bromley MIND also provides advice, information, support and practical help for carers of people with dementia, including those with young onset or early stage dementia,.

#### **Carers Bromley**

- 3.5 Carers Bromley is an independent voluntary organisation contracted by the Council to provide support to people living in the borough who provide unpaid care and assistance for members of their family or community who have a disability, long term illness or frailty. The contracts with the Council are for: :
- Respite at Home
  - Strategic Partnership Core Funding
  - Support and Advice to Young Carers
  - Hospital Discharge Worker
  - Mental Health Worker

3.6 The Respite at Home service provided by Carers Bromley is not specific to particular clients. The main provisions of the service are to:

- Provide a total of 10,400 hours of respite per annum
- Undertake needs assessments for both carers and the person receiving care
- Provide out of hours on call to support volunteers and staff
- Deliver respite sessions in the users own home; the sessions can be for up to 8 hours or if required, for 24 hours with a maximum of 28 days respite per carer in any one year.

**Justification for extension:**

3.7 The services provided by both organisations play a vital role in providing support for carers to maintain their own health and well-being. This prevents the breakdown of informal care and enable the people receiving care to remain living at home, thus reducing the need for admission to long-term care.

3.8 The Care Act 2014 gives the Council new responsibilities for carers and requires changes in the way provision of support for carers is provided. An extension of the current contracts for a period of one year is requested to enable officers to consider the implications of the Care Act and undertake a wider review of respite services.

3.9 Demand for dementia specialist respite has increased significantly in the last 18 months. In the first three quarters of the 2014/15 financial year the average number of booked hours with Bromley and Lewisham MIND of respite per week has exceeded the contracted target level by over 10%.

3.10 During the financial year 2013/14, Carers Bromley provided a total of 13,854 hours of sitting and respite, exceeding the target set out in their contract by 3,454 hours.

3.11 Officers have considered whether these contract deliver value for Bromley. Market testing of the hourly rates for both service has not been undertaken. However, a comparison of the costs against those of the framework domiciliary care providers has shown that the rates paid to both providers is favourable and offer value for money.

**Performance:**

3.12 Council officers meet with both Bromley & Lewisham MIND and Carers Bromley on a regular basis in order to monitor the level of service provided against the targets set out in the contract documentation. Quarterly monitoring reports are also submitted to the contract compliance officer giving a detailed breakdown of the total number of hours of respite delivered and how these were delivered, and the number of carers who have benefited from the services. The performance of both Providers has been very satisfactory and no complaints have ever been received about the services.

3.13 Carers accessing the service provided by Carers Bromley currently pay a contribution towards the cost of the service at the rate of £15 per day (8 hours) and £25 for 24 hour periods thus reducing the cost of providing the service to the Council. However, there are currently no contributions towards the Bromley and Lewisham MIND service from carers if they are eligible for the service which reflects the pressures on carers of people with dementia.

## Contract Extension

- 3.14 Both Bromley & Lewisham MIND and Carers Bromley have demonstrated that they can provide robust and comprehensive services for carers and the people receiving care. They have the level of staff skills, experience, infrastructure and local knowledge required to provide the services specified by the Council.
- 3.15 The current contracts expire on 31<sup>st</sup> March 2015 and it is proposed to extend both contracts for a period of one year from 1<sup>st</sup> April 2015 for the reasons set out in paragraphs 3.7 to 3.11 above. Some additional capacity has been built in to the Bromley and Lewisham MIND Service to accommodate the increased demand for support to carers of people with dementia but there is no proposed change to the annual price for the Carers Bromley service.
- 3.16 As with all contracts, the extension will include a break clause which will allow the Council to terminate should either of the providers be in breach or should the Council wish to reconsider the funding position. The funding for the additional capacity will be taken from the carers budget.
- 3.17 The Contract Compliance Team and Commissioners will maintain contract monitoring meetings with both Bromley & Lewisham MIND and Carers Bromley including receiving quarterly monitoring reports during the proposed extension periods.

## 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 and remain living in their own homes, and by providing breaks for carers that support them to continue in their caring role, the services provided by Bromley & Lewisham MIND and Carers Bromley reflect the Council's strategic objectives particularly for vulnerable people.

## 5. FINANCIAL IMPLICATIONS

- 5.1 The funding for both services has not increased since the contracts commenced in 2010. However, the proposed cost for Bromley and Lewisham MIND in 2015/16 will increase by £17,322 due to the demand for specialist dementia respite as set out in paragraph 3.9. The additional funding will be taken from the Carers Budget. There is no proposed increase to the cost of the Carers Bromley service.
- 5.2 Both organisations have a number of trained and experienced volunteers as well as paid staff who deliver the services. This enables the providers to reduce the cost and add value to the contracts for the Council.
- 5.3 Respite at home services have been delivered under contract by these organisations for many years. The costs of providing the services since the commencement of the contracts and the proposed cost for 2015/16 are set out below:

Bromley & Lewisham MIND	1 April 2010 – 27 Feb 2012	28 Feb 2012 – 31 August 2012 (6 Months)	1 Sept 2012 – 31 March 2013 (6 Months)	1 April 2013 – 31 March 2014	1 April 2014 – 31 March 2015	1 April 2015 – 31 March 2016	TOTAL EXPENDITURE
	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	
	£	£	£	£	£	£	£
	235,133	61,339	61,339	122,678	122,678	140,000	<b>743,167</b>

Carers Bromley	1 April 2010 – 27 Feb 2012	28 Feb 2012 – 31 August 2012 (6 months)	1 Sept 2012 – 31 March 2013 (6 months)	1 April 2013 – 31 March 2014	1 April 2014 – 31 March 2015	1 April 2015 – 31 March 2016	TOTAL EXPENDITURE
	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	
	£	£	£	£	£	£	£
	183,707	50,102	50,102	100,204	100,204	100,204	<b>584,523</b>

## 6. LEGAL IMPLICATIONS

- 6.1 The services provided by Bromley and Lewisham MIND and Carers Bromley 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 Corporate Services, 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.

<b>Non-Applicable Sections:</b>	<b>7. PERSONNEL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	