

Report of Deputy Director Adult Social Care

Report to Director of Adult Social Services

Date: 11th June 2015

Subject: Extension of the current interim contracts with Anchor and MHA under Contract Procedure Rule 21.1 for 6 months to run from 1st October 2015 to 31st March 2016

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Extra care housing is a form of supported housing predominantly designed for older people. People who live in extra care housing have their own self-contained homes with a legal right to occupy the property. The approach provides people with the choice and opportunity to maintain independent living within the community and can delay the need for more intensive residential care.
2. Leeds Adult Social Care (Leeds ASC) provides care and support services at a range of extra care sites across the city, either through direct in-house provision or via contracts. These contracted services include Assisi Place and Yew Tree/Rosewood, both delivered by MHA, and The Laureates, delivered by Anchor Trust.
3. Existing extra care services in the city have been commissioned as each individual site has been developed. This has led to varying contract approaches. It is now recognised as extra care continues to develop across the city that there needs to be a definitive model through which all extra care services are

managed. It is also recognised that an alternative model to the block contract approach needs to be set in place to further ensure value for money is achieved.

4. Interim contracts were set in place with the existing providers following waiver of Contract Procedure Rules 9.1 and 9.2. This waiver was to ensure continued delivery of services at the extra care schemes Assisi Place, The Laureates and Yew Tree/Rosewood for the period 1st July 2014 to 30th September 2015 and included the option to extend for a further 6 months up to the 31st March 2016.
5. Due to negotiation and development of the interim specification the actual contract awards were not achieved until April 2015. This has introduced delays in commencing negotiation and consultation in relation to a new model of extra care for these services. The new model for extra care also needs to be presented to and approved by the Directorate Leadership Team (DLT) before work can commence with existing stakeholders.

Recommendations

6. The Director of Adult Social Services is recommended to approve the extension of the current interim extra care contracts under CPR 21.1 for 6 months to run from 1st October 2015 to 31st March 2016. The values for the contracts are:
 - Extra Care Housing – Assisi Place and Yew Tree/Rosewood (YOR9J6D-LT9Q9A) £348,168 for six months;
 - Extra Care Housing – The Laureates (YOR9J6D-52G5FV) £59,589 for six months.
7. The Commissioning Officer (Leeds ASC) will liaise with the Programmes, Projects and Procurement Unit to oversee the implementation of the extension of the existing arrangements before they expire on 30th September 2015. Both providers affected by this decision will be contacted to notify them of the extension.

1. Purpose of this report

- 1.1 To seek approval from the Director of Adult Social Services to action an extension in line with Contract Procedure Rule 21.1. This provision is within the existing interim Extra Care contracts (YOR9J6D-LT9Q9A and YOR9J6D-52G5FV) and the request is to action the full 6-months extension to run from 1st October 2015 to 31st March 2016.

2. Background information

- 2.1 Extra care housing is a form of supported housing. It is usually designed to provide older people who have varying levels of care needs with a self-contained home and access to on-site care and support. The building provision is normally managed by a Registered Social Landlord (RSL), a not-for-profit

housing provider approved and regulated by Government through the Housing Corporation, or the Local Authority. The on-site care can be provided by the same group acting as RSL or through another provider contracted to operate at that site.

- 2.2 Leeds ASC currently commissions care and support services at extra care sites across the city, including Assisi Place (MHA) in Hunslet, The Laureates (Anchor Trust) in Guiseley and Yew Tree and Rosewood (MHA) in Moor Allerton. Care and support services are also commissioned at Hampton Crescent (Creative Support) in Richmond Hill, which has a contract in place until 31st October 2016 in the first instance
- 2.3 The Laureates is a 62 apartment site consisting of a mix of single and two bedroom properties. Leeds ASC holds nomination rights to 16 of the tenancies. The RSL is Anchor Trust and the on-site care team is also provided by Anchor Trust. The Leeds ASC commissioned care and support is for the 16 tenancies provided for Leeds ASC and is delivered by the on-site care team that covers the whole site. From April 2015 this has been covered by the interim extra care contract.
- 2.4 Assisi Place has 45 properties made up of one and two bedroom apartments. The scheme opened January 2011 with Leeds ASC having 100% allocation rights for the first tranche of tenants. This then adjusted to 75% (34 properties) in line with the agreement with MHA. Yew Tree/Rosewood consists of 65 properties, for which Leeds ASC holds 100% allocation rights to 60 of these with five allocated for intermediate care. The RSL for both these sites is MHA. CPRs were waived at both sites to enter into agreements with MHA for the delivery of care and support, but these agreements were never signed due to negotiations around points of clarification.
- 2.5 In 2014 both Anchor Trust and MHA demonstrated a new commitment to reaching signed agreements and signed up to interim extra care contracts in April 2015.
- 2.6 While the care and support covered by the interim extra care contracts is purchased on a block basis, the service specifications recognise and highlight circumstances where individuals may wish to directly manage their support through either Direct Payments or Individual Service Funds. The specifications highlight how these circumstances will be managed as and when they occur.

3. Main issues

- 3.1 The original request to waive CPRs was made 29th May 2014. Following this a period of negotiation resulted in contracts being agreed and signed as of 1st April 2015, however this was 9-months behind the original proposed start date.
- 3.2 The original request to waive CPRs was to provide commissioning officers with the necessary time to work collaboratively with all stakeholders to discuss a new model of extra care for across the city. However, since this initial request further work has taken place on the model and a new draft proposal for rollout

developed. Under this draft proposal the model for extra care would be piloted first at the new extra care scheme currently in development in Yeadon before rolling out wider across the city.

- 3.3 A report for DLT on the remodeling of extra care in Leeds is currently in development. In the meantime, discussions are taking place with the Category Lead for Adult Social Care in Programmes, Projects and Procurement Unit (PPPU) on how best to proceed with the existing sites should this phased approach be approved.
- 3.4 The contract agreements with Anchor Trust and MHA have the facility to allow a 6-month extension period up to and including 31st March 2016.
- 3.5 The services covered by this extension report support the Best Council Plan by supporting more people to live safely and independently in their own homes.

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Service users and carers are regularly consulted with by the current providers on the quality of the services and this is then reported to commissioners as part of the contract performance management at all extra care sites. This work will continue for the duration of the extension period. Care and support at all three services is of a high quality, with all three found to be fully compliant when inspected by the Care Quality Commission.
- 4.1.2 The Executive Board Member for Adult Social Care has been briefed on the proposals contained in this report. The proposal was first published on the list of forthcoming key decisions 12th May 2015.
- 4.1.3 The expenditure detailed in this report falls within the approved Council Budget for 2015/16. The consultation involved in achieving this budget is covered in the Revenue Budget and Council Tax 2015/16 report presented by the Deputy Chief Executive for approval at full Council 25th February 2015.
- 4.1.4 Any procurement activity will involve service user, carers, providers and other stakeholder consultations.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality and Diversity Impact Assessment Screening Tool has been completed on the collective extra care services and is included at Appendix 1. This assessment demonstrates that the service meets the desired equality requirements.
- 4.2.2 Appropriate policies and procedures are in place with the providers.

4.3 Council Policies and Best Council Plan

- 4.3.1 The work of extra care services helps contribute to all of the outcomes stated in the Leeds Joint Health and Wellbeing Strategy 2013-15. The nature and ethos of the services contribute to: people living longer and healthier lives; helping people to live full, active and independent lives; ensuring that people's quality of life is improved by access to quality services; involving people in decisions made about them, and; helping people to live in healthy and sustainable communities.
- 4.3.2 The Best Council Plan vision of Leeds being the best city for health and wellbeing is supported through the delivery of extra care services. This includes supporting more people to live safely and independently in their own homes and giving people choice and control over their health and social care services.
- 4.3.3 The investment in and development of extra care facilities is covered under the housing, care and support strand of the Better Lives programme. The aim here is to provide a variety of housing options that are adaptable to people's changing needs.
- 4.3.4 The provision of these extra care services means Leeds City Council is delivering and developing services in line with the ethos of the Care Act 2014, being "what can you do for yourself, within your local community, to help meet your own care needs". The overall environment of extra care services provides effective preventative services and information to help people maintain healthy and independent lives wherever possible.

4.4 Resources and Value for Money

- 4.4.1 The contract value for a further 6 months from 1st October 2015 to 31st March 2016 is collectively £407,757. Individually these are:
- Extra Care Housing – Assisi Place and Yew Tree/Rosewood (YOR9J6D-LT9Q9A) £348,168 for six months;
 - Extra Care Housing – The Laureates (YOR9J6D-52G5FV) £59,589 for six months.
- 4.4.2 The budget has been identified within existing resources.
- 4.4.3 The values of all three services have remained fixed at 2011 prices. Further efficiencies have been negotiated with MHA for the Assisi Place scheme in relation to apartments where there is no longer a care need. Negotiations also took place with Anchor Trust to maintain existing contract values for the duration of the interim contract agreement, including any subsequent extension. Even though there have been no inflationary uplifts, the quality of the services provided continues to be high, as confirmed by monitoring collected by Leeds ASC.
- 4.4.4 A report is currently being prepared for DLT which discusses the financial efficiencies that can potentially be achieved by moving away from a block

contract arrangement to one where care and support is purchased directly. Under this model payment would be made based on actual care and support hours delivered. As this alternative purchasing method has not yet been approved, the block arrangements that are currently in place remain the best way to manage and pay for extra care.

- 4.4.5 There will be some resource implications in terms of monitoring and reviewing the contract in order to ensure the services meet the necessary outcomes. These resources will be provided from within existing hours in the Adult Social Care commissioning and contracts teams.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The decisions highlighted in this report will be taken by the Director of Adult Social Services in line with the officer delegation scheme as detailed in Part 3 of the Council's Constitution.
- 4.5.2 Contract Procedure Rule 21.1, allows a contract to be extended before its expiry date where it is in accordance with its terms and proves to deliver value for money.
- 4.5.3 As the overall value of this decision exceeds £250,000 this decision is subject to call in.

4.6 Risk Management

- 4.6.1 The current contract agreements were set in place in line with the Council's Contract Procedure Rules in order to ensure a fair, open and transparent process.
- 4.6.2 If the extension is not approved there is a risk that the existing services will either cease or continue on an implied basis.
- 4.6.3 The requested extension is necessary to ensure suitable engagement can take place with all stakeholders. It will also allow the further planning required for these extra care services from 1st April 2016 onwards.

5 Conclusions

- 5.1 By granting this extension period continuity in service provision will be maintained and delivered within signed contract agreements.
- 5.2 The 6-months extension periods were built into the contracts in accordance with CPR 21.1.
- 5.3 A Commissioning Officer will oversee implementation of the contract in conjunction with Public Partnerships and Procurement Unit and all services covered by the contract will be subject to robust contract monitoring and on-going review.

6 Recommendations

- 6.1 The Director of Adult Social Services is recommended to approve the extension of the current interim extra care contracts under CPR 21.1 for 6 months to run from 1st October 2015 to 31st March 2016. The values for the contracts are:
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- 6.2 The Commissioning Officer (Leeds ASC) will liaise with the Programmes, Projects and Procurement Unit to oversee the implementation of the extension of the existing arrangements before they expire on 30th September 2015. Both providers affected by this decision will be contacted to notify them of the extension.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.