

RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE

DELEGATED POWERS OUTLINED IN THE CONSTITUTION



DELEGATED OFFICER DECISION TAKEN BY:	Strategic Director of Adults and Health
DELEGATED BY:	Executive
IN CONSULTATION WITH:	Executive Member
PORTFOLIO AREA:	Adults Social Care & Health

SUBJECT: Contract Award for Crisis Response and Commissioned Nights following the completion of a mini competition exercise.

1. DECISION

The delegated officer Mark Warren, Strategic Director of Adults & Health, in accordance with the Blackburn with Darwen Constitution Section 16, under powers delegated to him, to take any action, including incurring expenditure, in connection with the Crisis Response & Commissioned Nights Service agrees:

- To approve the awarding and commencement of the new contract for Crisis Response to the successful bidder Sky Futures Ltd (trading as Choice Care) following completion of the procurement exercise which was undertaken through the council's e-procurement portal The Chest.
- To approve the awarding and commencement of the new contract for Commissioned Nights to the successful bidder Guardian Homecare UK Limited following completion of the procurement exercise which was undertaken through the council's e-procurement portal The Chest.

2. REASON FOR DECISION

The provision of the Domiciliary Care (Adults) Crisis Response and Commissioned Nights services have been retendered due to the current contracts coming to an end. These services form part of our core provision which serves residents in need within Blackburn with Darwen Borough.

A recommissioning/procurement exercise was undertaken. Providers who had been admitted to Tier 1 of the Domiciliary care framework at the contract start date were invited to apply. Of those invited to bid, 5 submissions for Crisis Response and 5 for Commissioned Nights were received.

The successful bidder for Lot 1 – Crisis Response scored 70%
The successful bidder for Lot 2 – Commissioned Nights scored 70%

3. BACKGROUND

Further to the Executive Member Decision Paper published on 8th December 2023, permission was sought to start a tender process for two lots that comprise the Crisis Response and Commissioned Nights services in readiness for the services to commence from 1st April 2024.

4. KEY ISSUES AND RISKS

Crisis Response and Commissioned Nights are both intrinsic parts of the General Domiciliary Care offer within Blackburn with Darwen Local Authority.

As both current contracts are to come to an end on the 31st March 2024, should the contract award following the mini competition not be agreed, the services of Crisis Response and Commissioned Nights will cease in the Borough.

Not only would that have a significant impact on service users within the Borough, but also have a detrimental impact on a number of staff whose ongoing employment post-1st April 2024 is subject to TUPE transfer.

5. FINANCIAL IMPLICATIONS

As domiciliary care crisis provision and domiciliary care commissioned nights provision are already commissioned services, the budget for this mini competition is already within planned spend.

Based on the current domiciliary care rate of £19.46 (which will be subject to uplift in 2024-25) the contracts are expected to be as follows:

- a. domiciliary care crisis provision - £340,000 per annum or £510,000 for the contract term (1st April 2024 – 30th September 2025)
- b. domiciliary care overnight provision – circa £100,000 per annum or £150,000 for the contract term (1st April 2024 – 30th September 2025)

The recommendations within this paper are anticipated to generate an efficiency saving of circa £113,000 per annum.

6. LEGAL IMPLICATIONS

Section 5 of the Care Act 2014 requires local authorities to promote the efficient and effective operation of a market in services for meeting care and support needs in their area. This proposal will assist the Council's efforts to ensure that there is a stable market to provide for the care needs of the local community. This includes the need to ensure that providers can remain viable and can attract and retain staff to provide the care to the required standard.

A mini competition process has been undertaken to allow providers from Tier 1 on the Domiciliary Care Framework to bid for this contract. The tendering process was compliant with the Public

Contracts Regulations 2015 and the Council's Contract and Procurement Procedure Rules. Contracts will be in a form approved by legal officers in the Contracts and Procurement team.

7. RESOURCE IMPLICATIONS

The management and implementation of the contract will be actioned within Blackburn with Darwen team resources including input from Legal, Finance, Strategic Commissioning and Adult Social Care.

8. OPTIONS CONSIDERED AND REJECTED

N/A

9. CONSULTATIONS

In preparation for the procurement exercise, the following has taken place:

Engagement & Consultation with:

- Social Work Team managers
- Adult Finance
- Reablement/Home First team

Service Specification (adults) has been updated, aligned to engagement and consultation above.

10. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION:	1
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CONTACT OFFICER:	Farheen Mahamroot
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DATE:	7 th February 2024
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BACKGROUND DOCUMENTS:	
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