

DECISION OF THE DIRECTOR, PEOPLE AND COMMUNITIES



DECISION NO: P&C72

SUBJECT:

The provision of Shortbreak Outreach Services for Disabled Children and Young People.

DECISION:

To agree a variation of the above framework contract, currently held by Carers Trust Phoenix (previously Crossroads) to allow for a 9 month extension of the Contract.

BACKGROUND:

Reasons

Carers Trust Phoenix are currently providing flexible respite breaks for parents and activities for children and young people with Special Educational Needs and/or Disabilities. This is predominantly via a framework contract commissioned by the council. This framework contract with Carers Trust Phoenix is due to expire on 31st March 2016 with potentially significant implications for those families using the service and for the organisation itself in terms of its economic sustainability and ability to retain current staffing levels.

Going forward, work with parents and Government direction under the Children and Families Act suggests the way forward is a more person-centred flexible approach, with services designed to meet the varied needs of children and families.

North Somerset Council wishes to encourage the use of direct payments as a means of taking a personal budget as this promotes choice and control as well as allowing maximum flexibility and creativity. North Somerset Council also has to balance increasing demand for services against reducing budgets across all public sector agencies, thus we are required to seek best value while meeting the duty under the Care Act to support a high quality and diverse social care market.

The new Pathway to Adulthood service will be managing support for young people over 14 from April 1st 2016 so this decision is to enable ongoing support for the 19 families with children under 14.

Option for Decision approval

An extension of the existing framework contract will allow for a 'holding position' of spot purchase of Carers Trust Phoenix services for the 19 families involved. It is agreed that this must be time limited and the suggestion is a maximum of 9 months.

Extending the contract for 9 months will enable officers to continue development work with parents/carers and the wider provider market in relation to meeting needs of children and young people; as well as other internal procedural developments.

Other options have been considered however this route offers the most practical short term solution.

Officers in the Strategy and Policy Development Team are currently working on alternative solutions to meeting the need for the children and young people mentioned in this report. This work is being coproduced with service users and their families, and is exploring options to enable to opt for a more personalised approach to accessing services.

Contract Standing Orders

Contract Standing Orders state:

- **26 Contract Extension**

- 26.1 Contracts may be extended subject to authorisation by the relevant decision-maker based on the thresholds in section 20.1.
- 20.1 Authorisation as to which supplier shall be awarded the contract shall be made based on the following thresholds:
 - 20.1.1 **Under £172,513 - the relevant Director.**
 - 20.1.2 Between £172,514 and £999,999 - an Executive Member.
 - 20.1.3 £1,000,000 to £4,999,999 - the Executive.
 - 20.1.4 Over £5,000,000 - the Full Council
 - 20.1.5 Gas / Electricity contracts - the relevant Director and the Section 151 officer.
- 26.2 If the extension period and value was incorporated into the original contract, then the relevant Director may authorise the extension.
- 26.3 If the extension period was not incorporated into the original contract, then the extension value determines who can authorise the extension based on the thresholds in paragraph 20.1. The maximum extension period allowed under this clause is 50% of the original contract period or 12 months, whichever is lesser, subject to the Public Contracts Regulations 2006.

Note: A 9 month extension is under 50% of the original contract period.

- **27 Contract Variation**

- 27.1 Any necessary instructions to vary a contract shall be made in writing by the relevant Director or person responsible for monitoring the contract and referred to Legal Services for advice.

- 27.2 For contracts with a whole-life value of £50,000 and over, and where a variation occurs during the life of the contract that exceeds 10% of the original budget, an immediate report shall be made to the Section 151 Officer who shall decide what further action is necessary.

Note: Lifetime value of the contract is £240,000 therefore the financial costs below for the extension do not exceed 10%.

- 27.3 Where a variation occurs during the life of the contract that cannot be met from within existing budgetary provision, an immediate report shall be made to the Section 151 officer who shall decide what further action is necessary.


Financial Implications

The proposed extension of the framework contract for 9 months at the current rate of £24.73 for 1175.25 hours has a cost associated of £20,722.

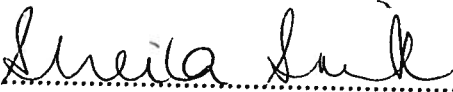
Carers Trust Phoenix have agreed in principle a reduction in the current hourly rate to £23.50 if the contract is extended. This would bring the cost associated to £19,691.50.

Implications for Future Years:

None

Reviewed: 
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Dated: 4/3/16

Signed: 
Sheila Smith
Director, People and Communities

Dated: 4/3/16

