

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

SERVICE DIRECTORATE: CUSTOMERS

1. DECISION TAKEN

- 1.1. To enter a supply contract under Rule 14.1 (c) [i] of the Contract Procurement Rules dated 19 January 2023 to appoint British Red Cross in respect of The Supply of a Response Service to Telecare Service Users.
- 1.2. To agree to contract terms of three years with the option to extend for a further two years at a total cost of £2,374,000

2. DECISION TAKER

- 2.1. Jo Dufficy, Service Director - Customers

3. DATE DECISION TAKEN:

- 3.1. 09 May 2023

4. REASON FOR DECISION

- 4.1. NHDC Careline provides a telecare service to residents of Hertfordshire in partnership with Hertfordshire County Council under a SE9EA delegation of duty. As part of the service Careline contracts with the service users to provide a fallback response service
- 4.2. The decision to enter this contract enables the provision of a fallback emergency response service to Careline customers where there is no statutory service or informal responder to perform the response at that time.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1. A procurement exercise was carried out in Q3 2022, however was unsuccessful due to unacceptable and irregular tender submissions.
- 5.2. The option of running a second procurement exercise was considered but discounted due to time constraints and the likelihood of a second procurement exercise resulting in a positive outcome was low given the limited interest in the original tender.
- 5.3. There are no relevant Frameworks to support this tender that would meet HCC's quality requirement.

5.4. A framework agreement was considered but the price available via the framework and limitations on the suppliers within the framework would have resulted in a more expensive outcome than the proposed arrangement and would therefore not offer best value for money.

5.5. Therefore, following advice from the procurement officer, negotiations were conducted in compliance with Rule 14.4 (j) of the Council's Contract Procurement Rules.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS, AND THE PUBLIC)

6.1. Hertfordshire County Council have been consulted throughout this process.

6.2. The Leader of the Council, Cllr Elizabeth Dennis and Chair of Overview and Scrutiny, Cllr David Levett have been consulted and support this approach.

7. RELEVANT CONSIDERATIONS

7.1. Currently the responder service is provided by three separate providers, British Red Cross (BRC), Arena Security and Stevenage Borough Council (SBC), offering different levels of response service. NHDC Careline use the services of Arena Security to a value of approximately £51,200 per annum. SBC to a value of approximately £13,500 per annum, HCC use the services of BRC to a value of approximately £250,000 per annum.

7.2. The SE9EA stipulates that Careline will commission the fallback response service on behalf of HCC and Careline with the aim of providing a consistent fallback service across all service users.

7.3. As the current arrangements ends on 31 March 2023 agreement has been reached to extend the incumbent arrangements until 31 May whilst our internal regulatory processes are carried out.

7.4. BRC are a well-established response provider who will offer an enhanced preventative package of care to older, disabled, and vulnerable service users who present with more complex needs that cannot be resolved through the first 24-hour welfare check.

7.5. BRC also have established partnerships with a broad range of organisations across Hertfordshire that support older, disabled, and vulnerable people service to build stronger community networks

7.6. the new contract with BRC will commence on 01 June 2023 and will be for a duration of three years with the option to extend by a further two years.

8. LEGAL IMPLICATIONS

8.1. The contract value is above the World Trade Organisation (WTO)'s Government Procurement Agreement (GPA) threshold, the Public Contracts Regulations 2015 (PCR) apply to this procurement

8.2. As indicated in 5.1 above, an unsuccessful procurement exercise was carried out in Q3 2022. Due to time constraints and the vulnerability of service users the only feasible option was to directly negotiate with those tenderers who satisfied the qualitative selection criteria in the open procedure conducted.

- 8.3. The entering into such contracts must comply with the Council's Contract Procurement Rules (CPRs) [Part B, Section 20 dated 19 January 2023] and Rule 14 of the CPRs sets out the circumstances in which a Single Tender can be considered.
- 8.4. Rule 14.5 states: "You must have prior written approval of the Service Director responsible, the Service Director: Legal and Community and the Service Director: Resources. Contact Legal for advice on preparing your Single Tender Option report"
- 8.5. In accordance with Rule 14.6 and 14.7, a VTN Notice will be published by the service manager and the standstill period of 10 days will be observed respectively.
- 8.6. Legal have assisted Officers with the Contract and will ensure that the Contract is properly executed and completed. Under paragraph
- 8.7. 14.6.4 (a) (ii) of the Council's Constitution, Service Directors have general authority to enter contracts to carry out works and/or for the supply of goods and services within approved budgets.
- 8.8. The Openness of Local Government Bodies Regulations 2014* (No. 2095) require officers undertaking non-executive decisions to record (amongst other things) an award of a contract that materially affects the Council's position in a written delegated decision. At North Herts this is any award of a contract or financial decision, that is or is likely to be above £50,000.

9. FINANCIAL IMPLICATIONS

- 9.1. The cost of the current NHC responder service is £51k p.a. which NHC currently funds. The new responder service contract which brings in the element previously funded from HCC will cost a total of £365k p.a, which consists of both a basic and an enhanced service. NHC will contribute £52,400 p.a. towards the cost and the remainder will be funded from HCC via the SE9EA agreement.
- 9.2. The costs of this contract will be monitored and reported to HCC each month as part of the SE9EA claim. The service is demand led so costs could vary from the contract costs stated in 9.1. Any variance to budget will be highlighted to HCC as part of the monthly monitoring and any overspends will be covered from HCC so there will be no financial risk to NHC.

10. RISK IMPLICATIONS

- 10.1 The service that is provided includes that of a fallback response service, if the recommendation at 2.1 is not agreed there will be a risk of no fallback response provision which will present a risk to service users.

11. EQUALITIES IMPLICATIONS

- 11.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 11.2 An equalities impact assessment found that the proposal had a positive impact in nine areas of review and that there were no negative impacts. The service proposed is inclusive of all community members, reduces isolation, promotes diversity, and protects vulnerable members of society from crime.

12. SOCIAL VALUE IMPLICATIONS

- 12.1 As the recommendations in the report relate to a contract above the WTO GPA threshold, Social Value has been included. The results of these steps are:

- 12.2 **Preventative Care** - BRC will offer an enhanced preventative package of care to older, disabled and vulnerable service users, who present with more complex needs that cannot be resolved through the first 24-hour welfare check, e.g., loneliness, isolation, digital exclusion. BRC will provide this cohort with an additional welfare check over the phone or in person 48 hours after their first welfare check. This offer will also be proactively utilised when data identifies a potential pattern that indicates unaddressed service users need, as demonstrated in the below case study.

- 12.3 **Building strong community networks** - Local BRC responders are embedded in the communities in which they work across Hertfordshire and have a strong knowledge of the local community infrastructure. To support *Hertfordshire's Public health strategy 2022– 2027 develop and deliver a healthy ageing programme which will support the development of a broad offer of community-based support and activities, which addresses social isolation and loneliness*, the BRC team will:

- ✓ Work in partnership with the service user's existing support network, including families, friends, and multidisciplinary teams. This ensures we fully understand individual needs and can maximise existing support networks.
- ✓ Continually research and gather new information on services, which they can introduce to the service users we support, ensuring choice.
- ✓ Encourage behaviour change to ensure service users are actively participating in and leading their own support, for example choosing activities and contacting groups.
- ✓ Accessing peer-led services, designed by people who have had similar lived experiences to service users.

- 12.4 **Hertfordshire partnerships** - BRC have established partnerships with a broad range of organisations across Hertfordshire that support older, disabled and vulnerable people service to build stronger community networks including.

- **Community groups and organisations;** Herts FullStop, Watford Covid Mutual Aid shop support, Food Bank, Dial-a-ride, Cuffley care day centre, Community Action Dacorum, Herts Community Meals, HertsHelp
- **Befriending services:** Harpenden Cares, St Albans Good Neighbour Scheme, Royal Voluntary Service, Reach Out
- **Volunteer centres;** CVS Stevenage, CVS North Herts, CVS Broxbourne and East Herts
- **Mental health charities;** MIND Mid Herts, Cruse Bereavement Care Herts, Herts Mind Network, Care4Freedom
- **Older people charities;** St Albans Old Peoples Trust, Care 4 Freedom, Age UK

BRC Responders will support service users access the above groups and organisations based upon identified needs. If a service user is lonely or isolated, we will help them access the Good Neighbour Scheme or if recently widowed – Cruse Bereavement.

13 Environmental Implications

13.1 An Environmental Impact Assessment has been undertaken

14. HUMAN RESOURCE IMPLICATIONS

14.1. None

15. BACKGROUND PAPERS

15.1. None

16. NOTIFICATION DATE

16.1. 19 May 2023

Signature of Executive Member Consulted

Date 18 May 2023



Signature of Decision Taker _____

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS