

Executive Procurement Committee On 31st January 2006

Report Title: Carers Centre: Request for waiver of requirement to tender

Report of: The Director of Social Services

Wards(s) affected: [All] - this service is available to residents of all wards

Report for: Non-Key Decision

1. Purpose

1.1 To seek Members agreement to waive the requirement to tender under Contract Standing Orders (CSO 7.02).

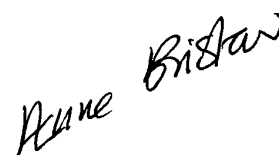
2. Introduction by Executive Member

2.1 None.

3. Recommendations

3.1 That Members agree the waiver of Contract Standing Order (CSO) 6.04 (requirement to tender), as allowed under CSO 7.02, in accordance with waiver requirements noted under CSO 7.03(d)

Report Authorised by: Anne Bristow, Director of Social Services



Contact Officer: Jan Bryant, Carers Development Manager
Tel: 020 8489 3420

4. Executive Summary

4.1 In 2002 an agreement was made between the PCT and the Council to fund the Haringey Carers Centre for a period of 3 years, provided that the Centre was set up and able to provide services to Carers.

4.2 The agreement was for the sum of £100,000 pa, the Primary Care Trust (PCT)

contributing £40,000 and the Council £60,000 pa. Joint start up funding of £105,000 was provided, overseen by the TPCT.

- 4.3 Of this initial funding, £18,670 was spent in 2002/2003, £47,129 in 2003/2004 and £40,880 in 2004/2005. It is now used up. There has been no release of funding in 2005/2006.
- 4.4 Over the last three years, the Haringey's Carers Centre has developed into a constituted Carers Association with a formal constitution and Management Board.
- 4.5 The Centre is now in the position to provide services and to further develop services to meet the needs of Carers in Haringey.
- 4.6 It would not be a good use of the Council's time and resources to tender this service as the Council, together with the TPCT, have invested time over the last three years in capacity building the Centre to provide this service.
- 4.7 Core funding will now be for one year, renewable annually for a further two years.

5. Reasons for any change in policy or for new policy development (if applicable)

- 5.1 N/A

6. Local Government (Access to Information) Act 1985

- 6.1 Background papers

- Carers Strategy 2004-2007
- Developing a Carers Centre in Haringey : A Feasibility Study
- Section 93 of the Local Government Act 2000

7. Background

- 7.1 There has been a long standing campaign by Carers in Haringey to establish a Carers Centre. In 1996 the Joint Consultative Committee of the Haringey and Enfield Health Authority and Haringey Council allocated a sum of money from the joint finance fund for this purpose.
- 7.2 In February 2000 The Haringey Carers Action Group who were leading on the work folded, leaving a sum of approximately £105 000 being held by the PCT for the development of Carers Services.
- 7.3 A Consultant was employed to prepare a report which covered the feasibility of developing a carers centre which identified that without core funding from the statutory sector the Carer's Centre would not be viable.
- 7.4 After serious consideration by the Council and the PCT it was decided that core funding of £100 000 per annum (£60 000 from the Local Authority and £40 000 from the PCT) would be provided to develop the Centre.

- 7.5 This decision was then agreed by the Health & Social Care Executive on the 20th May 2002.
- 7.6 It was proposed that this agreement would come into effect from the 1st October 2003. The transfer of funds would be dependent on:
- The creation of a properly constituted Carers Association with a formal constitution, Management Board and article of association.
 - An agreed contract which specifies the purpose of the funding and the monitoring and reporting arrangements required.
 - The development of a business plan to establish the Centre.
- 7.7 The Centre's development has run behind schedule and it is only now that they are in the position for the funds to be transferred as set out in the terms of the agreement.
- 7.8 A funding agreement between ourselves and the PCT will be formalised and we propose that the funding will come into effect from the 1st April 2006.

8. Description

- 8.1 The Secretary of State may, with the consent of the Treasury, pay grants to local authorities in England toward expenditure incurred by them in providing, or contributing to the provision of welfare services. Under section 93 of the Local Government Act 2000, Haringey Council has been allocated a sum of money for 2006. The funding for the Carers Centre comes from this Grant and all future funding will be dependant on Haringey receiving this grant.
- 8.2 A funding agreement will be set up for the transfer of funds from Haringey's Primary Care Trust (PCT) to the Council, who will in turn be responsible for payments to the Centre.
- 8.3 The Haringey Carers Centre will be a voluntary organisation and a registered charity, with a management board made up by a majority of representatives from the voluntary sector.
- 8.4 The Centre will host and provide services which support carers in a variety of ways which they identify as a need.
- 8.5 The contract specifies the provision of information, advice, advocacy, activities, support and representation to carers living in Haringey. Methods of supporting carers include training, group work and outreach.
- 8.6 The contract sets minimum service volumes which the Carers Centre expects to exceed.
- 8.7 The outputs required are: information to 300 carers per year, advice to 80 carers per year, quarterly carers' forum/ user groups, 4 newsletters per year circulated through carers' networks, 50 'hidden' carers identified, and 80 carers attending activities that provide them with a break from caring.

- 8.8 The outcomes required include evidence of changes in the policies of statutory organisations as a result of the Carers Centre work, evidence of carers contacting the Centre as a result of outreach/publicity, and 80% of carers using the service reporting benefit from doing so in an independent survey.
- 8.7 The Carers Centre will contribute carer's assessments of 'hidden' carers with the outcome of a carer's break service to improve performance against C62.

Contract Management

- 8.8 The Carers Centre will be subject to robust monitoring processes to ensure contract compliance.
- 8.9 To ensure performance targets are met in accordance with the contract and the service specification, the Centre will be subject to monitoring visits and on-going spot-checks

9. Consultation

- 9.1 The services offered at the Carers Centre will be developed in consultation with the Users, the PCT and Haringey Council. The Centre will promote joint initiatives across the statutory and voluntary sectors and support carer's participation in networks for communication and consultation.
- 9.2 The contract and funding agreement have been developed in consultation with the Primary Care Trust, as this is a joint undertaking.

Summary and Conclusions

- 9.2 The purpose of this report is to give justification to waive the requirement to tender.
- 9.3 As the Centre is now developed it would be in the best interest of the Council to use the services provided by the Centre, rather than tendering this service out.

10. Recommendations

- 10.1 That the Members approve the waiver of CSO 6.04 as allowed under CSO 7.03 (d).

11. Comments of the Director of Finance

- 11.1 The Council's contribution to this project is funded by the Carer's Grant and this scheme will continue to be a commitment to the grant. The PCT have made a commitment to funding the scheme, on an annual basis, for the next three financial years. The funding arrangements will need to be reviewed if this commitment were to cease and the implications dealt with in the budget setting process for that particular year.

12. Comments of the Head of Legal Services

- 12.1 The services to be provided are categorised as "residual activities" under the Public Services Contracts Regulations 1993 and therefore do not need to be tendered in Europe.
- 12.2 Social Services Directorate is seeking a waiver of Contract Standing Order 6.4 (requirement to tender) in accordance with the provisions of CSO 7.3 (d) i.e. that it is in the Council's overall interest.
- 12.3 Because of the value of the contract, the waiver must be approved by the Procurement Committee in accordance with CSO 7.2 (a).
- 12.4 Should the Procurement Committee agree the recommendations contained in this report, Social Services Directorate will present a further report to the next Procurement Committee meeting recommending award of the contract to the Carers' Centre.
- 12.5 The Head of Legal Services confirms that there is no legal reason preventing Members from approving the waiver recommendations set out in this report.

13. Comments of the Head of Corporate Procurement

- 13.1 This contract award is in line with the Procurement Code of Practice.
- 13.2 The Council and the PCT have invested money and resources in developing this organisation to meet the needs of Haringey residents and the award of contract to this organisation represents Best Value to the Council.
- 13.3 Ongoing contract monitoring is in place to ensure the ongoing development of the service and contractual compliance.

14. Equalities Implications

- 14.1 The Carers Centre will operate a robust Equality Policy that complies with all relevant legislation and is reviewed on an annual basis.
- 14.2 The Council will monitor all equality consideration throughout the life of the contract.

15. Use of Appendices / Tables / Photographs

- 15.1 N/A