

## TORBAY COUNCIL

Report No: SS/7/04

Title: **To award the Community Equipment Services Contract and to enter into a Section 31 Partnership Agreement**

To: Executive on 30th March 2004

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### **1. Purpose**

- 1.1 To seek approval from the Executive to proceed with the proposal to award the Community Equipment Service contract to Torbay Industrial Services and to enter into a Section 31 Partnership Agreement.

### **2. Relationship to Corporate Priorities**

- 2.1 This paper relates to the Social Services theme and priority

### **3. Recommendation**

- 3.1 That the award of the Community Equipment Service to Torbay Industrial Services at the tendered rate set out in this report for the period 1<sup>st</sup> April 2004 until the 30<sup>th</sup> September 2005 be approved. (The total value of the contract is £
- 3.2 That the Section 31 Partnership Agreement be approved.

### **4. Reason for Recommendation**

- 4.1 All contracts /payments in excess of £25,000 per annum require Executive approval under the Financial Regulations.
- 4.2 Torbay Industrial Services participated in the closed tendering exercise between two organisations for the Community Equipment Services and submitted a tender for the service which is within the thresholds agreed by the Community Equipment Services Board and contained within the Section 31 Partnership Agreement. As the second organisation withdrew from the tendering process during the final stages, Torbay Industrial Services is the only organisation capable of integrating the service within the time-scale set by the Department of Health.
- 4.3 The risks associated with not awarding this contract and entering into a Section 31 Partnership Agreement are that Torbay Council will be unable to meet the targets set by the Department of Health such as the integration of the services, enhanced targets for tele care, targets for community alarms, hospital discharge targets, intensive home care targets, hospital discharge targets and enabling children with disabilities to live in their own homes.

### **5. Background**

- 5.1 The Department of Health has stipulated that Local Authorities and Primary Care Trusts should integrate Community Equipment Services by the 1<sup>st</sup> April 2004.

- 5.2 The equipment services were previously commissioned with Torbay Industrial Services (by the PCT) and the Red Cross (by Torbay Council). Permission was granted to contract, on a closed tender basis, for the integrated service on the grounds that the service would be put out to European Tender from the 1<sup>st</sup> April 2004 until the 30<sup>th</sup> September 2005 with a view to awarding the contract on the 1<sup>st</sup> October 2005. The proposed contract, from the 1<sup>st</sup> April 2004 until the 30<sup>th</sup> September 2005, would cover the transitional period and would enable the service to be developed and monitored prior to contracting on an open tender basis. The total value of the contract is £639,000 - £295,000 funded by the Council from existing budgetary streams and £344,000 by Torbay PCT as part of the partnership agreement.
- 5.3 The service would be funded using the flexibilities contained within Section 31 of the Health Act 1999. The flexibilities were amongst a raft of policy measures and financial incentives introduced since 1997 to improve collaboration between NHS and Local Authority services.
- 5.4 This will be the first Section 31 Partnership Agreement that Torbay Council has entered into with the PCT and is a result of negotiations that have taken place over a period of time.
- 5.5 The Section 31 Partnership Agreement will enable the Torbay Social Services and the Primary Care Trust's budgets for community equipment to be pooled and for the commissioning to be delegated to a single lead authority (which in this case is Torbay Council). In addition, there are substantial financial gains to be achieved from a partnership arrangement e.g. £45,000 additional funding for 2003-04 and, as lead authority, the Council could reclaim the VAT on all purchases of equipment.

**6. Alternative Options (if any)**

- 6.1 None identified

**Jain Wood**  
**Director of Social Services**

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## IMPLICATIONS, CONSULTATION AND OTHER INFORMATION

### Part 1

Does the proposal have implications for the following issues?

Insert name of  
responsible officer

Legal (including Human Rights)	Scrutiny of the Section 31 Partnership Agreement and the European Tendering Process	Lorna Lee
Financial – Revenue	The budget for the Integrated Community Equipment Service and the financial commitments contained within the Section 31 Partnership Agreement have been checked and financial information compiled by the accountants	Janet Wheeler
Financial – Capital Plan		
Human resources (including equal opportunities)	None	
Property	None	

### Part 2

Does the proposal have implications for the following issues?

Please give details as appropriate

Sustainability	No	
Crime and Disorder	No	
*OfSTED Post Inspection Action Plan	No	
*Social Services Action Plan	No	
*Change Management Plan	No	

\* not applicable to reports to Licensing, Development Control and Area Development Committees

### Part 3

Does the proposal have implications for the following Directorates? If so, please inform the relevant Director.

Please give details as appropriate

Managing Director/ Support, Finance or Human Resources	No	
Learning and Cultural Services	No	
Environment Services	No	
Social Services	Yes	The Social Services Directorate has a statutory duty to make appropriate arrangements to meet the needs of people who have been assessed by the Directorate.
Torbay Development Agency	No	

#### Part 4

Is the proposal contrary to or does it propose amendment to the Policy Framework or contrary to (or not wholly in accordance with) the Council's budget?	Yes	Fill in Box 1	No✓	Fill in Box 2
1. Details of the nature and extent of consultation with stakeholders and relevant select committees.				
2. Details and outcome of consultation, as appropriate.  Not applicable				

#### Part 5

Is the proposal a Key Decision in relation to an Executive function?	Yes✓	Reference Number X40/2003	No
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#### Part 6

##### **Wards**

None

##### **Appendices**

Appendix 1                      Supporting information

##### **Documents available in Members' Room**

##### **Background Papers:**

The following documents/files were used to compile this report: