

RECORD OF OFFICER EXECUTIVE DECISION

State if decision exempt from publication or exempt in part. This form assumes it will be fully published.

Certain information may be exempt from publication if it falls under Schedule 12A of the Local Government Act 1972. However, these exemptions only apply so long as, in the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing it.

No.	Date of Decision:	
1.	Name of Decision Maker and Job Title:	Bernie Flaherty Job Title: Executive Director of Adult Social Care
2.	Status of the decision (e.g. by Executive Director in consultation with Portfolio Holder under the Constitution):	By Executive Director under the Constitution.
3.	Specific Delegation from Executive (Leader, Cabinet or Cabinet Member) / Committee:	none
4.	Other Consultees involved. (i.e. Director of Law & Finance):	none
5.	Material considered as part of the decision making process. Include how best value achieved and equality objectives met (as appropriate):	<p>The overall aim Westminster's Older People's Preventative day services are to enable older residents aged 50+ who may be isolated and vulnerable to access support that can help them to improve their health and wellbeing and continue living in the community.</p> <p>The delivery of these services helps WCC meet the broad statutory requirements as set out within the Part 1 c.23 of Care Act (2014) under duties and powers to meet need and as such are part of ASC portfolio of preventive provision that keeps people living well in the Community for as long as possible.</p> <p>The continuation of these Day Opportunity contracts will enable WCC to continue to work towards fulfilling the overall requirements of the Care Act, including:</p> <ul style="list-style-type: none"> • Ensuring residents receive services that prevent their care needs from becoming more serious or delay the impact of their needs. • Have a range of good quality, appropriate services to choose from.

		<ul style="list-style-type: none"> • Provide market oversight, supporting a diverse market for provision of care services. • Rights to carers for support. <p>Ensuring that services remain contracted to deliver these services will also assist the Council with meeting the objectives and priorities as set out within the following:</p> <ul style="list-style-type: none"> • Older People’s Day Opportunities Commissioning strategy 2023. • The Fairer Westminster plan (2022-2026) sets out a vision to support and celebrate communities; and be a council which combines social justice and efficient services. Key commitments include reduce health inequalities; and have effective health and social care services. • Joint Health and wellbeing strategy (2023-2033) is targeted at reducing health inequalities across the Bi-Borough. Key outcomes include residents live longer and fulfilling lives from childhood to old age; and have good quality services that meet resident’s needs. <p>These services contribute to the following outcomes: Improve wellbeing; Increase physical activity; Strengthen community connection; Increase social contact and reduce feelings of loneliness; Maintain Independence; Increase Involvement and engagement among older adults.</p> <p>Suppliers also continue to ensure that Adult Social Care and Public Health outcomes continue to be met:</p> <ul style="list-style-type: none"> • They directly impact the quality of life of residents, by providing tailored support and services that enhance their general health and wellbeing. • Through activities such as physical exercise, cognitive stimulation, and socialisation opportunities, residents’ quality of life is improved. • Actively encourage residents to maintain their independence by offering support in day-to-day activities, promoting skill development, and providing access to digital technology that help people to maintain their autonomy. • Promote empowerment through information and advice, providing
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		<p>individuals, their families, and carers with information about a range of services and public health information to make informed choices about the care and support they receive and take up of screening and immunisation opportunities.</p> <ul style="list-style-type: none"> • Safety is prioritised in day opportunities through service risk assessments, and as relevant, individualised care plans and risk assessments (day centres). • Social connections are strengthened as older people engage in day opportunities. Many participants report building meaningful relationships through group activities, trips, and organised events, helping to combat social isolation and loneliness among the older population. • Contribute to the continuity and quality of care by offering high-quality services that undergo regular monitoring, ensuring a sustainable care market, and employing qualified and trained staff to meet the needs of older residents. <p>Overall, the services represent good quality and value for money. Data shows they are well utilised and deliver good outcomes. Voluntary sector providers deliver many of these services. These organisations offer added value through fundraising and other charitable sources, augmenting the offer for residents.</p> <p>Insourcing has been considered and analysis shows that external services are more cost efficient than a similar inhouse service offer. This has been discussed at the Insourcing Programme Board.</p> <p>The award of new short-term contracts will now include WCC's ethical procurement policy and commitments from the suppliers could be explored in relation to the supplier charter.</p>
6.	Decision taken:	<p>The direct award of the following Day Opportunity Contracts for terms ranging from 5 to 12 months to be co-terminus at 30/09/25:</p> <ul style="list-style-type: none"> i. For the delivery of Befriending & Outreach services to Octavia Foundation (03436993). For a 12-month period from 01/10/2024 to 30/09/2025 at a total value of £129,137 (£154,964 including VAT*)

		<ul style="list-style-type: none"> ii. For the delivery of Community Transport services to Westway Community Transport (IP27317R). For a 12-month period from 01/10/2024 to 30/09/2025 at a total value of £169,648 (£203,577 including VAT*) iii. For the delivery of the Penfold Hub (Outreach & Choir services) to Housing 21 Property Services LTD (02512415). For a 6-month period from 01/03/2025 to 30/09/2025 at a total value of £66,411 (£79,693 including VAT*) iv. For the delivery of Be Active services to Open Age (Charity number: 1160125). For a 5-month period from 01/04/2025 to 30/09/2025 at a total value of £20,318 (£24,381 including VAT*)
7.	Reasons for the Decision:	<p>Current contracts are due to end from 30/09/2024. To mitigate the risk of operating out of contract, approvals are being sought to issue new short-term contracts.</p> <p>The direct award of new contracts for these services will ensure the continued delivery of preventative day services, whilst a tender is initiated & completed.</p>
8.	Risk Analysis:	<p>Risk of procurement challenge due to direct award: These services fall under the Light Touch Regime (LTR) of the Public Contract Regulations (PCR). The value of each individual contract is below the threshold of LTR, therefore, the full scope of PCR will not apply.</p> <p>A tender exercise is due to commence in October 24, which will further reduce the impact on awarding short term direct awards to incumbent suppliers whilst this process is completed.</p> <p>Value for money: Unable to test the market and ensure best value. This is a short-term proposal with a compliant open competitive tender planned. The outcome of that future process will ensure best value for money.</p> <p>Service quality issues: risk of complacency due to a contract award without competition.</p> <p>This is a short-term position with a future tender for services planned. All current suppliers are aware</p>

		<p>of the future intention and they currently continue to perform under the current arrangements.</p> <p>Financial Performance Should any suppliers experience financial difficulties during the proposed term then this may impact service delivery.</p> <p>This will be addressed and monitored as required during contract management meetings. Any issues will be addressed and escalated as appropriate, including finance and legal services when required.</p>
<p>9.</p>	<p>Details of alternative options considered and rejected:</p>	<p>The options that have been considered for all contracts are:</p> <ol style="list-style-type: none"> 1. Direct award short term contracts to the incumbent suppliers (recommended as per this report) 2. Direct award long term contracts to the incumbent suppliers (not recommended) 3. Direct award contracts to new suppliers (not recommended) 4. Undertake a procurement exercise (recommended long term*) 5. Insource services (not recommended) 6. Do nothing (not recommended) <p><i>*A re-procurement exercise is underway which will secure the long-term future of these contracts. Details of the procurement exercise will be fully covered within the subsequent strategy.</i></p> <p>There is no option to formalise an alternative arrangement that can commence with immediate effect without significantly disrupting the vulnerable residents accessing the service. The only option to immediately mitigate the risk is to directly award short-term contracts to the incumbent suppliers.</p> <p>The recommended maximum term of 12-months (for those contracts due to expire 30/09/24) has been considered as the shortest possible term to enable the completion of a compliant tender process.</p>
<p>10.</p>	<p>Conflicts of interest declared by any Executive Member/ other Member</p>	<p>none</p>

	or officer consulted by the decision maker which relates to the decision:	
11.	Dispensations Granted: (If any)	none

I certify that this is a true record of the executive decision in relation to the above report

Signed by the Decision Maker

Dated: 11/11/2024

A handwritten signature in black ink, appearing to be 'Bernie Flaherty', written in a cursive style.

Name: Bernie Flaherty