

North Yorkshire County Council

Health and Adult Services

Executive Members Meeting

20th October 2023

REPORT TO Corporate Director of Health and Adult Services (HAS) in consultation with the Executive Member for Health and Adult Services

Extension to the contract for Assistive Technology Services

1.0 Purpose Of Report

To seek extension to the contract for Assistive Technology to September 2024.

2.0 Executive Summary

In 2018 HAS commissioned NRS to deliver Assistive Technology (AT) provision to people with assessed eligible needs across North Yorkshire. This contract was let on a 3years +1+1 basis with an end date of 30th March 2023.

Due to work undertaken to explore potential alignment with existing District and Borough services, along with the need to avoid changes in service delivery occurring on or around North Yorkshire Council vesting day on 1st April 2023, the Executive meeting of January 2023 approved an extension to April 2024. Whilst significant further work has progressed on developing a new service, further complexities and dependencies have become apparent in the intervening 9 months and as such this paper seeks an additional extension of 6 months to the contract to allow this work to be completed effectively and for successor arrangements to be in place from September 2024.

3.0 Background

Assistive Technology (AT) services form a crucial and growing part of the HAS offer to people with eligible needs. Prior to 2018 it was apparent that despite best efforts, the pace of change in technology was outstripping the ability of the existing in-house provision to effectively keep up and deploy new and emerging technologies.

To address this, the decision was taken to commission a service which would provide an end-to-end service that would assess and determine the most appropriate use of technology to support an individual based on their needs rather than on the pre-buying of large numbers of generic units that quickly become obsolete.

The contract was awarded to NRS in 2018 and has been successful in meeting the aspiration of rolling out a wide range of equipment based on assessed need. In addition to providing an assessment, installation and response service, the relationship with NRS has focussed on innovation and new ways of working. This has allowed pilots of products such as Canary, Brain in Hand and ARMED to be progressed under the umbrella of the contract. Each of these products has show huge potential in improving independence and quality of life, whilst reducing the need for other care and support services.

The service is also used by Children and Young People's Services who often access some of the most complex equipment used to support disabled children. Costs from this are recharged based on activity to HAS.

4.0 Issues

At the start of 2022, work began to explore potential links between the commissioned NYCC service delivered by NRS and the AT offers of District and Borough Councils, with a view to establishing the viability of moving to a single service – either in house or commissioned, on or after vesting day, or of retaining separate but interacting services.

Whilst on the surface these services are quite similar, there are significant differences in the complexity of the equipment deployed by each service and in the specialism required to assess for and install these. Whilst there may be scope to fully align these services in future years, it is the HAS view that at present such a move would not allow what is a very effective service to continue offering the levels of support required. There is considerable work needed to first align existing District and Borough services into a single offer that is consistent across the County, at this point further exploration of a wider transformation can begin.

Work has continued on these issues with a view to coming to a definitive position, however this has taken longer than expected due to the complexities of the operational and technical service requirements as well as the need to have key decision makers appointed following the move from two-tier to unitary authority status. As such it is requested that the current contract be extended for an additional 6 months to allow this work to be completed in a safe and effective way.

5.0 Financial Implications

The extension period will retain the same budget as the existing contract and as such will not create any additional pressure on HAS budgets. Funding remains in place for the core service as well as trials and pilots of new and emerging technology which are delivered via the main contract, and which are key to the future development of the operational service offer.

6.0 Legal Implications

This extension of a further 6 months beyond the initial term of the contract falls under Non-Substantial changes Regulation 72(1)(e).

Variations/extensions are permitted without the need to undertake a new procurement procedure where the variation is not substantial. A variation is substantial where one or more of the following conditions is met:

- (a) the variation renders the contract or the framework agreement materially different in character from the one initially concluded.
- (b) the variation introduces conditions which, had they been part of the initial procurement procedure, would have—
 - (i) allowed for the admission of other candidates than those initially selected,
 - (ii) allowed for the acceptance of a tender other than that originally accepted, or
 - (iii) attracted additional participants in the procurement procedure.
- (c) the variation changes the economic balance of the contract or the framework agreement in favour of the contractor in a manner which was not provided for in the initial contract or framework agreement; and
- (d) the variation extends the scope of the contract or framework agreement considerably.

As this is an extension for a short period, with no change in the scope, it is likely to be considered non-substantial. However, it should be noted that there is still risk as this is a further extension beyond the terms of the Original Contract.

This level of procurement risk is balanced against the fact that due to the significant number of children and adults that this current contract serves, risk of harm if the contract was to end in March 2024 without an appropriate replacement would be significantly high.

7.0 Conclusion and reason for recommendation/s

The extension of the contract will allow the process of aligning the existing HAS and Community Development AT offers, as well as allowing time for an integrated successor offer to be developed, whilst retaining and safe service for those currently using AT through NYC in both Adult and Children's services.

8.0 Recommendation/s (required)

That the Corporate Director in consultation with the Executive Member approve the extension of the Assistive Technology contract

Report author

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