

1 April 2019**Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR, SOUTH NOTTINGHAMSHIRE****PROCUREMENT OF A NEW FRAMEWORK AGREEMENT FOR THE
MAINTENANCE AND REPAIR OF FIXED LIFTING EQUIPMENT IN DOMESTIC
SETTINGS****Purpose of the Report**

1. To seek approval for the procurement of a new Framework Agreement for the maintenance and repair of fixed lifting equipment (hoists and lifts) in domestic settings.

Information

2. Nottinghamshire County Council provides eligible service users with a managed Home Based Care and Support Service. If these service users have hoists installed as an aid to assist movement and Care Workers are required to use this equipment, the Council has a statutory duty to maintain and repair the equipment to ensure the equipment is fit for purpose, safe to operate and is regularly inspected.
3. One of the Council's key strategic intentions is to support people to live independently in their own home for as long as possible. The overarching model for Home Based Care and Support Services has been developed to support this intention bringing together services that will help to deliver the principles laid out in the Care Act 2014. The use of lifting equipment supports this strategic intention and links directly with Home Based Care and Support Services.
4. The use of ceiling track hoists has a direct relationship to the Adult Social Care Strategy. They can improve independence, choice and control outcomes for service users and their carers, as often one carer is able to use the equipment safely. This can reduce the size of care packages. They are cost effective for the Local Authority, saving money and freeing up Home Care capacity. Therefore, there will be a growing need for fixed ceiling track hoist installations.
5. The existing maintenance contract for the service and repairs of lifting equipment ends on 31st March 2019. It was established on 2nd January 2014 for two years, with the option to extend each year, for a further two years.

6. The maintenance list includes lifting equipment provided via the Disabled Facilities Grant and as a special minor adaptation through the Integrated Community Equipment Loan Scheme (ICELS) contract. Specifically, fixed ceiling track hoists, vertical lifts, and stair lifts provided before 2010.
7. The current maintenance contract is divided between the service and repairs element, provided by PRISM, and the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) checks, provided by British Red Cross (BRC); this is a separate arrangement to the ICELS contract. The existing contract values for 2018/19 are:
 - service and repair of lifting equipment (PRISM): £38,353 per year
 - six-monthly LOLER check (British Red Cross): £21,504 per year
 - total annual budget forecast: £59,858
8. Adult Social Care, Health and Safety and Legal departments have been consulted. The advice given is that the legislation indicates that the six monthly LOLER check must not be undertaken by the same engineer or technician as the installation, maintenance or repair. However, the legislation does not state that this has to be delivered by separate contracts or providers.
9. The aim is to develop a cost effective Framework Agreement for a single provider to cover the service, maintenance and repair of lifts and hoists in domestic settings. The provider will also be required to inspect the lifting equipment in order that the equipment meets the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).
10. The objective of the Framework Agreement is to ensure that the fixed lifting equipment is maintained on a regular basis to ensure health and safety requirements are met and that the people using the equipment or being moved with it are safe.
11. The new contract must ensure that the qualified engineer who installs or maintains the equipment is a different person to the technician doing the LOLER inspections. The provider will be required to provide details confirming that this is met for all equipment in scope of the contract for quality assurance.
12. The proposed contract will be more cost effective for the Council than the existing two contract model, because the six-monthly LOLER checks will be embedded within the contract costing.
13. The proposed contract duration will be three years, with the option to extend monthly up to a maximum of 48 months. This will be a single provider Framework Agreement with identified equipment and location of equipment disclosed to the provider by the Council and information securely updated, on a monthly basis.
14. This will be a Nottinghamshire wide service for people of all ages who use this type of equipment, including children.

Other Options Considered

15. There is no option to extend the existing contract beyond the agreed timescale required to establish a new Framework Agreement.

16. If the Local Authority decided not to procure a contract for maintenance, service and repair of lifting equipment, they would be neglecting their statutory responsibilities and could be at risk of litigation under the Health and Safety at Work Act if an accident involving the equipment occurred.

Reason/s for Recommendation/s

17. The Council has a statutory duty to ensure Health and Safety requirements relating to maintenance and repair of lifting equipment in a domestic setting are met for employees and associated commissioned services.
18. The proposed Framework Agreement will establish a specification that ensures a cost effective and quality assured service, for less money, saving the Council financially in the long term.
19. A new Framework Agreement will enable a review of the administration processes that Business Support, Purchasing and Finance provide in association with the maintenance contract. This will lead to development of practice guidance that will give clarity and accountability for the process, with the intention of quality improvement.
20. The new Framework Agreement will deliver a more coordinated service for people in their own home, with better communication between Adult Social Care and the Provider, reducing the number of complaints about the service provided.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

22. The existing Provider has a summary GPDR Data Protection Impact Assessment in place and this will carry over to the new Provider.

Financial Implications

23. A more cost-effective Framework Agreement is procured that will be within the current budget envelope and any savings will be advised once the framework has been put in place.

Implications for Service Users

24. Children and adults of all ages using fixed lifting equipment and their carers will continue to be protected by the service and repair of fixed lifting equipment.

Implications for Sustainability and the Environment

25. The maintenance, service and repair contract ensures that equipment is fully functioning and does not need replacing for new equipment when viable to repair, ensuring lower impact on the environment.

RECOMMENDATION/S

- 1) That Committee approves the procurement of a new Framework Agreement for the maintenance and repair of fixed lifting equipment in domestic settings.

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Constitutional Comments (EP 12/03/19)

26. The recommendation falls within the remit of the Adult Social Care and Public Health Committee by virtue of its terms of reference. Any framework agreement entered into should be in a form approved by the Group Manager, Legal, Democratic and Complaints

Financial Comments (DG 15/03/19)

27. The financial implications are contained within paragraph 23 of this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

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