

Record of operational decision

Decision title:	To award a contract for the provision of the Integrated Community Equipment Service (ICES) in Herefordshire.
Date of decision:	13 January 2025
Decision maker:	Hayley Doyle – Service Director All Age Commissioning (deputising for Hilary Hall – Corporate Director Community Wellbeing)
Authority for delegated decision:	<p>The Corporate Director Community Wellbeing has delegated authority to approve the award of contract for the Integrated Community Equipment Service, as per the Cabinet decision on 26 September 2024.</p> <p>The Service Director All Age Commissioning is authorised to deputise on behalf of the Corporate Director Community Wellbeing.</p>
Ward:	Countywide
Consultation:	<p>As part of the ICES re-commissioning, engagement was undertaken with a number of different groups, including:</p> <ul style="list-style-type: none"> • Service users via an online survey (completed with support from practitioners) and telephone survey calls using a random sample selection of individuals who have used the service within the last 12 months. • Health and social care practitioners (prescribers), who use the service to arrange equipment for their clients, via MS Teams feedback sessions, which had 38 attendees, and an online survey. • Internal and external service / area managers, with expertise in health and social care, via multiple MS Teams engagement and scoping sessions. <p>Informal consultation and research was also carried out with other local and regional councils, as a benchmarking exercise, including Birmingham City Council, Shropshire Council, Warwickshire Council and Worcestershire County Council.</p> <p>A soft market testing exercise was also completed to better understand the provider market and help inform the re-commissioning approach.</p> <p>A Political Group Consultation was also held on 16 September 2024, which was attended by seven councillors, representing four different political parties.</p>
Decision made:	To award a two year contract to NRS Healthcare from 1 April 2025, for the provision of the Integrated Community Equipment Service in Herefordshire, with an annual budget of £1.822 million. There is an option to extend the service for further periods up to a maximum contract term of five years.
Reasons for decision:	The Integrated Community Equipment Service is a joint contract between Herefordshire Council and NHS Herefordshire and Worcestershire

	<p>Integrated Care Board (ICB). The organisations have a statutory duty to provide community equipment, as set out in the Care Act 2014 and Children and Families Act 2014.</p> <p>The current contract ends on 31 March 2025, with no extensions available. Therefore, in order to ensure continued service delivery from 1 April 2025, a full and open procurement exercise was conducted in late 2024, from which NRS Healthcare was identified as the preferred bidder.</p>
Equality considerations:	<p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>This service will have no negative impact on any group with a protected characteristic. An equality impact assessment has been prepared, which highlights that the service is available to anyone with an assessed eligible health or social care need, in order to maintain users’ safety and independence. Therefore, it positively helps to advance equality of opportunity between different groups.</p>
Highlight any associated risks / finance / legal / equality considerations:	<p>There could be a risk of challenge from other community equipment providers. However, significant work has been undertaken with the council’s Procurement and Legal Teams to deliver an open and robust procurement process, in order to minimise the likelihood of challenge.</p>
Details of any alternative options considered and rejected:	<p>Extend the existing contract: This option is neither recommended nor available. The contract has reached the end of its term, with no permissible extensions. Therefore, any extension would not comply with procurement regulations and could place the council and ICB at risk of a legal challenge.</p> <p>Bring the service in-house: This option is not recommended. A decision was taken to commission an external provider to manage the ICES contract, as of 1 April 2014, with a view to reducing costs and increasing service delivery. There is evidence from other councils, both within the Midlands region and similar geographic areas, that an in-house service is not the most viable option, with many appointing an external provider. Even with TUPE arrangements in place, it would be challenging for the council or ICB to provide this service internally, particularly around purchasing equipment / buying power and technical expertise.</p> <p>Partner with neighbouring councils: This option is not recommended at this time. Initial research with neighbouring / regional councils suggests this cannot be achieved in the short term, particularly where there are operational service differences or if an external provider has recently been</p>

	<p>appointed. This option will continue to be fully investigated over the coming 12 / 24 months, to establish if a cross-council partnership will be viable.</p> <p>Do not commission a service: This is not recommended. The council and ICB have a statutory obligation to provide community equipment for those with an assessed eligible health or social care need. The service also forms a crucial part of the council's prevention agenda, as it helps keep residents safe and independent in their own homes and communities for longer, delaying the need for more formal health and / or social care interventions.</p>
Details of any declarations of interest made:	None.

Signed: Hayley Doyle

Date: 13 January 2025