

## DELEGATED DECISION NOTICE

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| Directorate:  | Integrated Commissioning Unit jointly with Adults, Housing and Communities   |
| Decision Maker:   | Dawn Baxendale, Chief Executive  |
| Decision Date:  | 14 <sup>th</sup> September 2017  |
| Subject:  | Family Mosaic staff TUPE to Southampton City Council   |
| Register of Delegated Powers Reference Number or Cabinet Decision Number: | Southampton City Council's Officer Scheme of Delegation May 2017, Part 10 Page 13 Section 2.2 Urgent Matters   |
| Decision / Reason   | <p>Family Mosaic operates a small floating support service which focuses on the housing needs of older people living in sheltered housing schemes. This contract was due for an extension in March 2017, to align with a wider tender. SCC offered to extend the contract to March 2018, however, due to the recent changes within Family Mosaic, including their loss of business in the recent round of HRS tenders, Family Mosaic made a strategic decision to withdraw its business from Southampton and Hampshire. This resulted in the need for SCC to find alternative arrangements for the provision. The provider has agreed to carry on with the service until the end of September 2017 before handing back the contract.</p> <p>The current service is provided by 2.55 FTE staff members, with an annual salary of £18,750 pro rata. There are 4 staff members as follows:</p> <ul style="list-style-type: none"><li>• Staff member 1, working 0.53 FTE (20hrs)</li><li>• Staff member 2, working 0.47 FTE (17.5hrs)</li><li>• Staff member 3, working 0.8 FTE (30hrs)</li><li>• Staff member 4, working 0.75 FTE (28hrs)</li></ul> <p>After exploring alternatives it is proposed that the staff from Family Mosaic TUPE transfer to into Southampton City Council's Older Persons (OP) Housing Related Support (HRS) Service. The Family Mosaic service specification mirrors that of the 60+ Service run by SCC. The staff have relevant expertise and have received appropriate training to support vulnerable older people with housing needs. There is sufficient funding and the transfer will release savings. TUPE into SCC is our preferred option as it ensures continuity of support and it is in line with our future vision for OP services.</p> <p>Normally, TUPE decisions would need to seek cabinet approval, however, due to the circumstances and the urgency required, the decision was taken outside of the Cabinet, with a plan to inform the Cabinet of the decision retrospectively at the next Cabinet member meeting taking place on 17th October 2017. This process is in line with Southampton City Council's Officer Scheme of Delegation May 2017, 23 Part 10 Page 13 Section 2.2 Urgent Matters .</p> |

Alternative Options, if any, considered and rejected

ICU have considered other options before deciding that that TUPE into SCC would be our preferred option, however, they were deemed unsuitable:

- a. Appointing another provider to carry on with the contract until March 2018 – this would mirror the current arrangements and result in a small, isolated service, which does not offer good value for money. Rushed procurement increases chances of challenge from unsuccessful providers. Delays within procurement could have caused a gap in provision
- b. Continuing with the service until March 2018 – Family Mosaic have been shifting their position as to their ability and willingness to carry on with the service until March 2018 – and their final decision is not clear at this stage. If Family Mosaic agreed to carry on with the service, this option would mirror the arrangements already in place, resulting in an isolated service. Negotiations on the contracts costs are likely, resulting in further delay and staff insecurity. This option is also unlikely to release savings and may increase costs.
- c. The long term plan for this service was to align the funding to support with the development of the Older Person's Offer worksteam – which is due to go live in March 2018. Any changes currently taking place need to be mindful of the long term vision for Older person's services in the city. The option to TUPE staff into SCC supports our long term vision for OP services. Jean Brown, Service Manager for 60+ Service confirms that she is supportive of the TUPE process.

Declared Officer / Member Interests

n/a

Details of consultation undertaken (other reasons / organisations consulted)

|                        | Yes                                 | No                       | Date   |
|------------------------|-------------------------------------|--------------------------|--|
| Executive Member       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14.09.2017   |
| Ward Councillors       | <input type="checkbox"/> x          | <input type="checkbox"/> | 14.09.2017   |
| Chief Officer affected | <input type="checkbox"/>            | <input type="checkbox"/> |  |
| Others (specify)       | x                                   | <input type="checkbox"/> | Discussions with and agreement from:<br>Councillor Letts, Leader of Council<br>Councillor Payne<br>Portfolio holder<br>Jean Brown<br>Service Lead & Wellbeing & Prevention<br>Informed Chair of OSMC |

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Authorised Signatory



Dawn Baxendale

Date

15/09/2017

