

## Recommendations from Scrutiny



<b>Meeting Title</b>	Scrutiny Committee		
<b>Democratic Support</b>	Corporate Services	<b>Meeting Chair</b>	Cllr Williamson

Date of meeting	Minute Item No	Agenda Item	Recommendations
04.01.24	3.	<b>Minutes</b>	To be confirmed at the next meeting
04.01.24	4.	<b>Control Centre and Community Alarm Services Emergency Contract Decision</b>	<p><b>Cabinet are asked to consider the following recommendations and comments from the Scrutiny Committee :-</b></p> <ul style="list-style-type: none"> <li><b>(1)</b> The Committee recognise that there is a need for change and for the analogue system to be upgraded as soon as possible.</li> <li><b>(2)</b> Scrutiny commented on the need for the council to evidence best practice when communicating changes to its services, which could impact staff and job roles. Scrutiny requested that communication be given in person and not via email and this to be the case for all services across the Council in the future.</li> <li><b>(3)</b> That in future information regarding any significant changes to a Council service of a similar nature be reported to the Leader, Shadow Leader, responsible Cabinet Member and Chair of Scrutiny Committee.</li> <li><b>(4)</b> Scrutiny requested that Officers discuss further, the requirements for this service being delivered by East Suffolk Council and investigate if their own in-house service has been improved and is now TSA accredited.</li> </ul>

# CABINET



**URN:** URN 22-161

**Report Title :** Control Centre and Community Alarm Services Emergency  
Contract Decision

**Report to:** ELT – 22 November 2023  
Cabinet – 4 December 2023  
Scrutiny - 12 December 2023  
Cabinet - 14 December 2023

**Responsible Cabinet Member:** Cllr Flaxman-Taylor, Cabinet Portfolio Holder for Housing, Health & Wellbeing

**Responsible Director / Officer :** Kate Price, Head of Health Integration and Communities &  
Nicola Turner, Head of Housing Assets

**Is this a Key decision ?** No

**Date added to Forward Plan of Key Decisions if a Key Decision:** N/a

## EXECUTIVE SUMMARY

The Council currently operates an in-house Alarm Receiving Centre (ARC) which takes calls from sheltered housing resident alarms, dispersed community alarms and provides the Councils' Out of Hours call response service. After charges to residents and tenants for paid-for alarm services, the cost of the ARC is around £200,000 in subsidies from the Councils' budgets.

With the national switching of phonelines from analogue to digital, which is already underway and is due for completion by 2025, the current software and hardware used by the in-house service would require significant investment to maintain this service going forwards. In addition, there is a current service risk associated with the digitalisation of phone lines which requires prompt action to resolve, and additional issues related to this are emerging weekly along with difficulties caused by recent IT changes.

This, combined with significant risk to the service from a lack of resilience in the staffing capacity and limited ability to draw on shift cover from our existing partnership arrangement means we have a significant risk that this service could become undeliverable at short notice, which would put the lives of those relying on the alarm monitoring service at risk.

## RECOMMENDATIONS:

That Cabinet:

(a) Supports the direct award of a contract to the current standby service provider, CareLine365, which provides current shift cover in order to minimise risk to residents under existing officer delegations to the Executive Director – People and Section 151 Officer in association with the Monitoring Officer as an Operational Emergency under article (42.10.5) given the possible risk to life.

(b) Notes the procurement of a 24/7 out of hours telephone call answering service needed to deliver the emergency out of hours call handling (currently provided by the alarm monitoring service as an additional service) will need to be expedited as a result of the above.

## 1. INTRODUCTION

1.1 The Council currently operates a non-statutory Alarm Receiving Centre (ARC) which provides a monitoring service for sheltered housing tenants, community alarms and associated assistive technology, as well as providing this equipment for rental to residents for a fee from its Wherry Way office. This service is provided from a small in-house team providing one staff member who monitors incoming calls operating in 24/7 shifts. Gaps in shift cover and staff breaks are provided by an external contractor under agreement (CareLine365 – part of the Appello Group based in Norwich).

1.2 Alarm connections currently provided are listed below:

- Sheltered housing alarms – 945 individual properties and 105 communal/fire connections;

- Community alarms – 915 connections/users (Supporting 973 individuals, 55 out of borough);
- Be-at-Home alarms – 70 temporary units for people being discharged from hospital.

1.3 In-house staffing resource is made-up of 13 posts:

- 1 x Community Alarms Officer – Grade 5 – 37hrs
- 1 x Business Support Officer – Grade 4 – 15hrs
- 7 x Control Centre Operators – Grade 3 plus enhancements – various shift patterns covering 24/7 operations
- 4 x Relief Control Centre Operators – Grade 3 – various shifts, two posts vacant

1.4 The service, while receiving an income from its alarm monitoring and rental services to residents, currently runs at a significant financial loss to the council.

The summarised expenditure cost and income based on previous and current yearly budgets is shown below:

Staffing costs (inc. on costs)	£366,431
Non-staffing costs (inc equipment)	£174,948
<b>Total direct costs</b>	<b>£541,379</b>
Income (alarm connections, rental, OOH charge inc. VAT)	-£335,834
<b>Deficit</b>	<b>£205,545</b>

1.5 Almost all Community Alarms need upgrading to digital as the national rollout (from analogue to digital telephony) continues. The cost of upgrading to digital is approximately £200 per unit, with a lifespan of approximately 5 years. The weekly charge to rent a Community Alarm unit without monitoring is £1.90 (exc. VAT). The new digital alarms additionally incur a cost of £48 per unit for an annual SIM data connection. Therefore, it takes approximately 4 years of the 5-year lifespan to pay for the initial investment before there is a small surplus if fee increases were not made to pass the costs on to customers.

1.6 To maintain the service as-is and make ready for the new digital specification would require the Council to spend c£130,000 investment to replace current analogue alarms to digital alarms and also absorb the £48 per unit per year i.e. circa. £44,000 per annum for SIM data card costs to support connectivity, as well as increased costs for a digital monitoring platform of around £12,000 per annum.

1.7 The TSA (TEC Services Association) is the industry and advisory body for Technology Enabled Care (TEC) in the UK. The TSA provide an independent, not-for-profit organisation which provide consultancy and advice services to organisations providing TEC services. Alarm Receiving Centres (ARCs) can get TSA accreditation for meeting their industry standards. GYBC does not hold TSA accreditation and, within existing structures and staffing levels, it would not be able to reach the standards required to gain accreditation.

1.8 In order for the Council to be able to reach the required TSA accreditation standards as a minimum, the cost to the Council would increase the deficit to around £461,000 including

recharges - an increase of £95,000 on current staffing costs as this requires more than one call handler to be on-shift at any time with supervision, as well as increased costs of digital equipment and software.

- 1.9 There is no scope to increase the fees in order to recoup an additional income of this magnitude as the service is currently one of the more expensive on the market, despite not being TSA accredited or fully digital, and the market is very competitive with commercial providers with larger operations able to offer much lower rates to residents. An increase in costs would likely result in a decline in clients, increasing the service deficit.

Example comparison costs are shown below:

Operator	Set Up Cost	Monthly cost for basic alarm and monitoring
GYBC	£54 - £65	£17.58
CareLine 365	£0	£11.99 - £15.99 (free £15 voucher)
Telecare24	£45	£9.00 - 13.99 (free key safe)
n-able (Norse)	£0	£15.99

- 1.10 The digital upgrade also has an impact on the sheltered housing provision. The current hardware for the alarm system was designed for operation on analogue phonelines. The move to digital telephone exchanges (happening now) and change to all phonelines being digital by December 2025 is a serious operational risk as the system is less reliable when operating over digital lines as calls can drop out and not reach the ARC. An upgrade is required to ensure security of connection as the digital change increases pace and completed in December 2025.
- 1.11 The above has resulted in the need to look at the options in the market for an alternative to ensure provision for residents, sheltered tenants and vulnerable community alarm customers, which meets their current and future needs in an affordable way for which officers have engaged the services of the TSA to assist us with market analysis and advice.

## 1. PROPOSAL

- 2.1 Were the Council to retain the in-house ARC, there would be a significant increased cost which cannot be met by the available budget. Therefore, retaining the service as-is, is considered not feasible on detailed options appraisals.
- 2.2 For the purposes of value for money, it is proposed that the ARC is not separated by its service delivery for sheltered housing tenants and community alarm customers (it is not possible to divide the service use as the staffing levels remain the same) which may result in a more favourable financial cost to the HRA for long term as the more lucrative customer base is included in the package.
- 2.3 There are a number of key requirements identified by officers in the development of these proposals which are key to include as minimum requirements for the benefit of residents and the futureproofing of the service in terms of growing health needs and emerging technology:

- Any new service should be able to TUPE existing staff.
  - Provider should be TSA accredited and maintain that accreditation.
  - Any new monitoring service should have open protocols which allow equipment from any supplier to be monitored rather than restricted to only equipment supplied by the monitoring company.
  - Provider will take on the responsibility to upgrade dispersed equipment to digital.
  - Provider to have technology in place (digital bridge) to minimize the risk of call dropouts during the national analogue to digital switch-over and post switch over.
  - Provider to work in partnership on key current projects enabling hospital discharge (Be at Home).
- 2.4 Ideally a provider would also have an option for the Council to be a referral partner with a payment made for identifying new customers however this needs testing with the new external provider.
- 2.5 A full tender process would be expected to result in a new service being mobilised and operational in January 2025. This would present 14 months of running with the current service risks.
- 2.6 Given the increase in immediate risks identified which officers believe are likely to impact on loss of life (should the Council's service fail to respond to an alarm call owing to either lack of staff cover or analogue to digital drop-out) this report proposes a direct award to the existing partner organisation which provides staff cover to the in-house staff given the timescale for a full procurement. Were this process to go to a full tender process, there is a significant risk that during this timescale the Council could be in a position where at short notice it becomes unable to deliver this service in its current form.
- 2.7 In order to achieve this, officers recommend that article (42.10.5) of the Councils' Constitution be invoked to deem this an Operational Emergency as there is a possible risk to life from a service failure given the circumstances listed below with regards to unforeseen service resilience in both staffing and external availability of cover. These factors, along with the digital rollout increasing risk, are not within the Councils' control.
- 2.8 With staff aware that this is being explored for some time and that it is likely that an external provider will result, many have expressed an interest in leaving given the level of uncertainty. With recruitment so challenging at the moment, it is likely with their skills and experience that control centre staff will be able to source suitable employment in a very short space of time.
- 2.9 Equally, with a shortened procurement via a direct award, existing staff will be able to transfer to the new local service provider thereby reducing the risk of staff leaving.
- 2.10 Currently the service has such low staffing levels that it is not possible to cover all current shifts, and the in-house service has an agreement in place with CareLine365 (also known as LifeLine who are part of the national Appello group). CareLine365 has an agreement to cover shifts as needed and as able, as well as breaks for the call handlers as they work solo, from their office in Norwich.
- 2.11 CareLine365 maintains staff trained in the Councils' current analogue monitoring platform, Jontek, in order to be able to provide the cover the Council needs as it is not part of their standard service delivery. They have noted that they would be unlikely to be able to cover the whole 24/7 service delivery should there be a service failure due to lack of Council staff. They

will also have a reduced ability to cover shifts should there be any illnesses or covid outbreaks over the winter period in their own staff which means we do not have a guaranteed fallback should the service be unable to cover shifts.

- 2.12 As this service is potentially lifesaving, it has been established that this risk and the potential outcome for tenants and community alarm service users if their alarms were unanswered, are such that under the constitution we can enact a waiver as an operational emergency and move to a direct award instead of completing a full procurement process.
- 2.13 Should the Council be found to have known about these risks and not acted in a timely manner and a service failure result in a preventable death then the council would likely face a significant investigation and adverse ramifications – legal, reputational, and potentially financial.
- 2.14 With the ARC being externalised from the Council, this also requires the current Out of Hours offer to be reviewed (which is already in progress) and an alternative provider for this 24/7 call handling sought. As the removal of the ability to take 24/7 telephone calls, some of which are statutory, may also result in a service failure (given lack of staff cover), it is additionally recommended that a new 24/7 out of hours services for the Council is sought by way of a Request to Quote as a waiver of full procurement based on the timescales and level of risk. As this risk is under £250,000 that this can be approved by the Executive Directors under guidance from the Monitoring Officer, this element is for note as required due to unforeseen circumstances.
- 2.15 It is proposed that Cabinet approve this recommendation to a direct award under a waiver under the identified provision in the Councils' Constitution based on the significant level of risk to clients and the financial risk to the Council for alarm monitoring and in due course.

### **3. NEXT STEPS**

- 3.1 To continue with the consultancy already in train with the TSA to undertake due diligence of the Councils' existing provider, CareLine365 to determine that this external provider can meet the minimum requirements outlined in the above section.
- 3.2 Utilising this external and industry leading support, officers will negotiate an initial offer from CareLine365 that demonstrates it is able to deliver good market value and best consideration for the client base including the ongoing Sheltered Housing alarm monitoring scheme contract. Officers will ensure the proposal is in the best interest of the Council with robust monitoring and ability to enforce high performance standards which safeguards residents' lives.
- 3.3 Using the proposal, the Council will consult with staff and the trade union on the TUPE proposal and ensure this represents a fair offer to staff and ensure there is time to work with CareLine365 on areas of improvement where required.
- 3.4 The Council will agree a communications plan with Sheltered and Community Alarm users to ensure they are aware of the coming changes. For sheltered tenants, there is no requirement to consult on a change as it is operationally minimal, however there is a risk that should they wish to test or enquire about the move they use their alarm to call the Council (this is a regular occurrence for repairs and general enquiries) and if this happens it may prevent

legitimate alarm calls from coming into the ARC due to busy lines so it is in the councils' best interests to communicate the changes clearly to tenants as early as possible.

- 3.5 Community alarm customers will need to opt-in to the move to an external provider as it is not covered under their existing contract. Therefore, all customers will need to be written to regarding the changes and actively opt-in to being transferred.
- 3.6 Officers will work with CareLine365 to prepare the Jontek data for a transfer to their digital Evo platform.
- 3.7 Out of Hours service provision will need to be in place by the move over so contracts for this will be given priority as well to ensure no risk to the service with the necessary legal advice sought.
- 3.8 Expected timescales to minimise the risks set out in this report are:
  - December 2023 – January 2024: Engage with TSA for consultancy support; work with CareLine365 to establish a formal proposal; get the data ready to migrate; communicate with customers to inform of changes including GDPR opt-in.
  - February 2024: Consult with staff on TUPE proposals.
  - March 2024: Agree and sign contracts; mobilize data transfers.
  - April 2024 – new service begins with no gap in service provision for residents.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The implication of not undertaking an out-sourcing model, even outside the current risks, is that the HRA and GF will carry the increased, and as yet not fully known total capital costs of the digital switch-over. This is a minimum of £235,000 in the short term on interim technology and dispersed alarm upgrades.
- 4.2 Potential annual savings of £200,000 per year to the council cannot be realised against the existing costs of running an internal alarm receiving centre as per 1.4 costs summary.
- 4.3 To meet TSA accreditation and the change to digital software and hardware (not including the initial capital costs) would increase budgets for the service by approximately £300,000 on top of the current £200,000 deficit, increasing the budget of the service which would need to be met by the General Fund.
- 4.4 There will be costs to a procurement exercise with TSA consultancy of c.£20,000.
- 4.5 To not act and be found negligent if an alarm call is not responded to would pose an unknown but significant potential financial risk to the Council.

#### **5. RISK IMPLICATIONS**

- 5.1 The risk of allowing the service to continue as it stands for a longer period of time is potentially risking the lives of residents should the service fail for lack of staff to answer calls or ensure the operation running of the service at short notice.
- 5.2 Missing alarm calls could lead to the council being held responsible for negligence in the case of a tenant or resident's death should the alarm not connect due to the digital upgrade of telephone exchanges and phone lines which is a known risk.



- 5.3 Delaying decisions in this report longer term, outside the immediate risk, will mean the council still has to upgrade the sheltered housing alarm equipment in the interim to adapt the system to full digital functionality (circa £104,000). This may or may not be compatible with the successful contractor and therefore presents a financial waste.
- 5.4 As this digital switch-over is happening UK-wide, there is a risk that the limited market of quality providers may be engaged with bidding for other contracts and may not be as receptive to a smaller quantity of connections when there are more lucrative contracts on offer.
- 5.5 Ongoing issues with our own IT services are already posing issues with our VPN regularly causing periods of non-coverage when external call monitoring is used which would not be required with a direct service, reducing risk significantly.
- 5.6 To not act based on the known risk to life risks in the immediate term would put the Council at risk of being found negligent should there be no service available when an alarm is activated.

## **6. LEGAL IMPLICATIONS**

- 6.1 This process to procure with a waiver will require legal and HR advice and procurement support in relation to staffing and availability of choice in a limited digital alarm market.
- 6.2 There would be a legal implication if we were unable to provide at short notice a service for which we are contracted by the almost 2,000 customers to provide to them as a paid service.
- 6.3 The legal basis within the constitution for requesting this approval to act as an operational emergency is:

### **42.10.5 Operational emergency**

(a) Subject to any legal limitations, the Head of Paid Service, the s151 Officer or an Executive Director, having consulted the Monitoring Officer (or their nominated deputy), may approve an exemption to any part of these Contract Standing Orders that is necessary because of an Operational Emergency creating immediate risk to life, persons or property within the Borough or causing serious disruption to Council services (including any emergency or disruption under the Civil Contingencies Act 2004). An Operational Emergency is a situation that is the result of an unforeseen event over which the Council has no control. This procedure must not be used when a requirement has become late due to lack of planning on the part of the Council.

(b) Full documentation must be completed regardless of the urgency of the requirement and a full and transparent audit trail must be made throughout the procurement process. Where the value of the Contract is over £250,000 a report supporting the use of this power must be taken to Cabinet at the first available opportunity.

- 6.4 While full costs of the contract are not yet known until the TSA supported negotiations begins, it is prudent to consider the life of the contract could be, but may not be, over £250,000 and therefore Cabinet is requested to approve this action.

- 6.5 The Call Monitoring associated contract will be under this threshold therefore appropriate senior officers will be able to fulfil this approval, but it is asked that Cabinet note the required additional action.

## 7. CONCLUSION

- 7.1 It is vital for the Council that it takes these decisions imminently based on the risk to alarm users, the potential financial impact and associated legal risks. With these risks in place it is our obligation to ensure we do all we can to mitigate these to avoid risking lives.

## BACKGROUND PAPERS

- Previous ELT Reports dated March 2023 and updated appraisal of market options for services in-scope.

Consultations	Comment
Monitoring Officer Consultation:	As part of ELT
Section 151 Officer Consultation:	As part of ELT
Existing Council Policies:	N/A
Equality Issues/EQIA assessment:	Yes – on file



# Scrutiny Committee

## Minutes

Thursday, 04 January 2024 at 18:30

### PRESENT:-

Councillor Williamson (in the Chair); Councillors Freeman, Grant, Galer, Hammond, Jeal, Mogford, Murray-Smith, Robinson-Payne, Thompson, Wainwright, & Waters-Bunn.

Councillor Capewell attended as a substitute for Councillor Cordiner-Achenbach.

Councillors Bensly, Candon, Plant, Smith, Flaxman-Taylor & Wells attended as observers.

Ms S Oxtoby (Chief Executive Officer), Mrs P Boyce (Strategic Director - People), Ms K Sly (Strategic Director - Resources), Ms N Turner (Head of Housing Assets), Mrs K Price (Head of Health, Integration & Communities), Ms C Whatling (Monitoring Officer), Mrs S Wintle (Corporate Services Manager), Mr T Williams (Communications Manager), Mr D Zimmerling (IT Support) & Mrs C Webb (Democratic Services Officer).

Mr J Dunning (Unison).

### 01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cordiner-Achenbach.

Councillor Capewell attended as a substitute for Councillor Cordiner-Achenbach.

### 02 DECLARATIONS OF INTEREST

There were no declarations of interest given at the meeting.

### **03 MINUTES**

The minutes of the meeting held on 12 December 2023 were noted.

Councillor Capewell reported that he did not feel that the minutes reflected the meeting as, in his view, many of the questions asked at the meeting were unanswered. The Monitoring Officer reported that the Democratic Services Officer had been off sick between Christmas and the New Year and hence the minutes had been circulated late to the Committee.

### **04 22-161 - CONTROL CENTRE AND COMMUNITY ALARM SERVICES EMERGENCY CONTRACT DECISION V3**

The Committee received and considered the updated report from the Head of Health Integration & Communities.

Scrutiny Committee invoked a Call-in on the 18 December 2023 in line with Article 18 of the Council's Constitution, to consider the decision taken by Cabinet on 14 December 2023.

The decision related to the direct award of the Alarm Receiving Centre (ARC) and 24/7 Out of Hours Call Response Service, due to a combination of significant elevated risks by way of operational emergency powers under the Constitution; Article 42.10.5. The report sets out the process and procedure leading up to the Call-in. The report provided Members with further information pertaining to the need for an urgent decision and use of Article 42.10.5.

The report also provided additional information, as recommended by Scrutiny Committee, to retain a fully complaint service in-house and a full business case to facilitate a direct award should the decision to outsource stand following the meeting this evening.

Members were asked to review the content of the documentation supplied as part of the Scrutiny Committee report:-

- Full Business Case – Appendix 1.
- Rationale for the use of emergency powers – Appendix A.
- Draft specification for an outsourced monitoring service - Appendix B.
- Confidential Annex – Due diligence and CareLine365 financials.

The Monitoring Officer reminded the Committee that they had three options:-

(i) To do nothing

(ii) To refer the matter back to Cabinet with suggested amendments; or

(iii) Refer the matter to Full Council.

Councillor Grant asked for clarification as to whether Scrutiny could overturn a Cabinet decision. The Chair confirmed that Scrutiny could not overturn a Council decision.

The Chair informed Scrutiny that the Council did not have a dedicated Scrutiny Officer and that this role was shared between the Corporate Services Manager & Democratic Services Officer. The Monitoring Officer reported that a Scrutiny Officer was not a mandatory role for the Council to provide.

The Chair reported that he did not intend for an officer to present the presentation slide by slide but that he intended to ask Members if they had any questions relating to each slide. Any additions to the original report would be highlighted, the Business Case followed by the Procurement Documentation would then be gone through on a page by page basis.

Councillor Wainwright was concerned that if Careline365 took over the service provision that they would cease the Be at Home Service which was essential to prevent bed blocking at the JPUH. The Head of Service confirmed that the requirement for the retention of the Be at Home Service was a requirement stipulated by the JPUH. Councillor Waters-Bunn asked if the NHS contributes to the Be at Home Service.

Councillor Thompson asked if there was a marketing plan in place to increase the take up of community alarm customers to increase revenue which in turn would make it more profitable for the Council to keep in-house.

Councillor Capewell asked for an update in regard to staffing levels. The Corporate Services Manager to forward him the relevant email following the meeting.

Councillor Capewell reiterated the perceived failure of the Council to not to start to prepare for the digital switch-over in 2025 which they had known about since 2015 and asked for a response. The Head of Service reported the timeline of works to upgrade the analogue Jontec system to digital to date and reiterated that the Council could not afford to undertake all the required works at once. The Head of Service reported that approximately 450 of the commercial customers had been upgraded but this excluded any sheltered housing residents.

Councillor Jeal asked how the new digital service would function during a power cut in the borough. The Head of Service reported that the Sheltered Housing system would have battery back-up provision.

Councillor Jeal asked if there were any statistics available for failed receipts. The Head of Service explained that a failed receipt meant that a call did not connect and not that it was not picked up and that we were aware of no cases of this nature.

Councillor Wainwright asked why the figures relating to the risk relating to failed receipts in September & November 2023 was so high. The Head of Service reported that these figures related to calls whose source was unknown but these were not missed calls and the reason behind them was unknown.

The Strategic Director - People reported that a NCC upgrade did not agree with Jontec and there was a considerable failure in August & September 2023 which the Council dealt with. The risk to the service then moved to staffing shifts, staff sickness and Careline365 were brought in to cover shifts.

Councillor Wainwright reported that NCC should have foreseen any consequences resulting from this major upgrade and an "elderly system fail" was not acceptable. Councillor Capewell reported that upgrades should form part of change management which should be fit for purpose with back up plans and this critical service should be well within the remit of NCC.

Councillor Robinson-Payne asked why the December statistics were missing from the report. She informed the Committee that she had a friend who worked for the Ambulance Service who had informed her that they had been called out everyday by residents who had fallen to pick them up off the floor as Careline365 had failed them which she found quite disturbing.

Councillor Capewell reported that the lack of resilience in the service was all in the Council's making as they had not actively advertised any posts since March 2023. The Strategic Director - People clarified that adverts had also been posted in May and July 2023 without success. The Chair reported that the jobs advertised did not offer any job security as they were 1 year fixed term contracts. The Head of Service clarified that the last two posts which were advertised were full-time, substantive posts.

Councillor Capewell asked if the Council had researched the reasons behind the high levels of staff absence and whether they were treated in accordance with the Council's Sickness Absence Policy. The Head of Service confirmed that staff were dealt with in line with the Council's Sickness Absence Policy.

Councillor Capewell asked whether the responsible officers had utilised the resources of relief staff correctly before employing the services of Careline365. The Head of Service reported that 1 relief staff member had been on leave over the Christmas period between 19 December 2023 and 1 January 2024 and the other officer had phoned in sick on 27 & 28 December 2023, so as the Council was unable to use them and as was no resilience in the relief operators, Careline365 stepped in to cover the shifts.

Councillor Wainwright asked why the Council was not looking at Mediquip as a potential service provider and whether it had considered partnering with East Suffolk Council (ESC). The Head of Service reported that ESC was not TSA accredited and their system was 2/3 years behind Jontec. ESC was also funded by Suffolk public health funding. The Council was asking for a direct award, via an urgent decision by Cabinet, and did not intend to talk to anyone else.

The Head of Service reiterated the necessity for the Council to appoint a TSA accredited provider and the ESPO framework had been used to identify the emerging provider in July 2022 which was Careline365 which was a Norwich based company.

The Monitoring Officer assured the Committee that although emergency powers were being enacted, the Council had safeguards built into the process regardless of the urgency.

The Strategic Director - People reminded the Committee that it was a cumulative

effect of staff sickness, unfilled posts and a system failure in the Summer 2023, which had resulted in the decision being taken by Senior Officers that this posed a risk to life and the resulting report this evening asking for Cabinet to act under emergency powers and agree a direct award to Careline365.

Councillor Murray-Smith informed the Committee that he had looked at the Trustpilot reviews for Careline365 as part of his decision-making process. Councillor Capewell reported that the use of emergency powers to save money as opposed to going through a proper procurement process was not justification enough in his view. The Monitoring Officer reported that this was incorrect, emergency powers had been invoked as this situation posed a risk to life as set out in the appendix report.

Councillor Capewell reported that he did not think that the use of emergency powers rather than going through a normal procurement process to save money was justification enough for going down this route. The Monitoring Officer reported that this was not the case, emergency powers had only been invoked as the service posed a risk to life and required a swift resolution.

The Chair informed the Committee that this situation had rumbled on for more than a year and that all Members were unaware until the Cabinet agenda had been publicised on CMIS. Councillor Wainwright reported that Councillor Flaxman-Taylor, Cabinet Portfolio Holder, for Housing, Health & Communities was aware but had told no-one. The Leader of the Cabinet confirmed that this was correct. The Chair requested that this did not happen in the future.

The Head of Service reported that she would not give a verbal report pertaining to the non-confidential Business Case and that any new information which had arisen since the last report was contained in the confidential appendix.

The Chief Executive Officer informed the committee that the ARC service was subsidised by our tenants to the amount of £366k and was it reasonable that all of our tenants subsidised the service to that level. The Chair stated that this was a question for Cabinet and not Scrutiny. The CEO suggested that Scrutiny should scrutinise VFM.

Councillor Waters-Bunn asked if our Jontec system had ever been TSA accredited, and if so, what were the associated costs. The Head of Service responded that we had never achieved TSA accreditation.

The Head of Service reported that any contract would be fully compliant and be GDPR compliant. All the information which we currently held on each service user in Jontec would be replicated and updated on the new system and would be made available to Careline365 in a secure portal. We wanted the level of understanding of our SH tenants needs to be made available to Careline365 and for them to share information with Tenancy Services Officers especially when SH tenants are returning home from hospital.

Councillor Grant asked for clarification in regard to our tenants protected characteristics. The Head of Service reported that individual personal support plans would be reviewed frequently and the Control Centre would be informed

of specific vulnerabilities in regard to the ARC service.

Councillor Hammond asked for an update on the staffing position. The Head of Service reported that TUPE would not kick in for the staff until there was an offer on the table from a service provider. Then when staff were TUPE'd across, the Council would ensure that all terms and conditions were met. There would be no offer of redundancy as all staff would be offered a role with the new service provider.

The Head of Service informed the Committee that the Careline365 management team had met with 5 out of the 8 staff at Wherry Way yesterday, and the remaining staff would meet with them this week. It was imperative that both sides kept talking to each other and the Head of Service and Line Manager would be available to answer questions at any time.

Councillor Mogford asked how many staff were employed by Careline365. The Head of Service reported that there were 15 staff covering day-time shifts and 6 staff covering night-time shifts and they handled 72,000 connections per annum compared to our 2,000. The new staff would be offered office based working, hybrid working or remote working where all equipment would be provided.

Councillor Murray-Smith pointed out that as the staff would be joining a larger company there would be the opportunity for development training and promotion. The Head of Service reported that Careline365 were keen to promote from within and were passionate in regard to staff development. Careline365 had their own training team on the ARC system and would look at all reasonable adjustments for the redeployment of the staff including their choice of day or night shift.

Councillor Capewell asked how many calls each of the 15 call handlers would be expected to answer in a shift compared to our existing staff and whether they would be micro-managed to achieve the expected KPI's which was not good for staff wellness or morale.

Councillor Grant asked whether any officers had concerns or were aware of any complaints in regard to Careline365 that he, as a Member, should be made aware of. The Head of Service reported that she had no concerns and was not aware of any complaints.

Councillor Freeman reminded the Committee that it was imperative that they concentrated on the safety of the service for the residents which depended on it.

Councillor Waters-Bunn asked for clarification in regard to the the out-of-hours service provision. The Head of Service reported that this was a different service and would be tendered independently using a framework and soft market testing. Councillor Capewell asked for an assurance that this process would include a fair representation of the costs. The Head of Service confirmed that this was correct.



Councillor Waters-Bunn asked what would happen to staff who had a Council pension and who did not want to be TUPE'd over. The Head of Service reported that the staff would have to resign and their pension would be frozen and as they would have been offered alternative employment they will have legally made themselves jobless.

Councillor Waters-Bunn highlighted that the change would be very scary for the elderly and vulnerable service users and that she hoped that they would be fully supported through the transition period. The Head of Service reported that nothing would change in the operation of the service for the service users and any change of kit would be introduced gradually. The Tenancy Support Officers would fully support the SH tenants. Councillor Jeal reported that he shared the concerns of Councillor Waters-Bunn.

Councillor Jeal proposed that the duration of the meeting be extended by thirty minutes. This was seconded by Councillor Capewell.

At 20:23, the Chair paused the meeting for a 5 minute comfort break.

The meeting resumed at 20:30.

Councillor Jeal reported that it was imperative that all staff receive information face-to-face and not via email if it related to their conditions of employment.

Councillor Wainwright reiterated his request that officers contact Mediquip and East Suffolk Council. The Head of Service reported that Mediquip did not meet our requirements as they did not have any local call centres, the nearest office was in Ipswich and was not 24/7. ESC was not TSA accredited and therefore did not meet our requirements.

Councillor Wainwright withdrew his request in relation to Mediquip but proposed that Officers find out why ESC were not TSA accredited. This proposal was seconded by Councillor Jeal and following a vote was approved.

Councillor Capewell proposed that an Open Framework Tender was carried out to ensure the process was open and transparent. The CEO reported that the Council intended to use a framework and that this voided the proposal. The proposal was seconded by Councillor Jeal but lost at the vote.

The Chair summarised the feelings of the Committee as follows:-

- (i) The Committee recognise that there is a need for change and for the analogue

system to be upgraded as soon as possible,

(ii) The Committee commented on the need for the Council to evidence best practice when communicating changes to its services, which could impact staff and job roles. The Committee requested that communication be given in person and not via email and this to be the case for all services across the Council in the future,

(iii) That in future, information regarding any significant changes to a Council service of a similar nature be reported to the Leader, Shadow Leader, responsible Cabinet Member and Chair of Scrutiny Committee; and

(iv) The Committee requested that Officers discuss further, the requirements for this service being delivered by East Suffolk Council and investigate if their own in-house service has been improved and is now TSA accredited.

#### RESOLVED:-

That Cabinet are asked to consider the following recommendations and comments from the Scrutiny Committee :-

(i) The Committee recognise that there is a need for change and for the analogue system to be upgraded as soon as possible,

(ii) The Committee commented on the need for the Council to evidence best practice when communicating changes to its services, which could impact staff and job roles. The Committee requested that communication be given in person and not via email and this to be the case for all services across the Council in the future,

(iii) That in future, information regarding any significant changes to a Council service of a similar nature be reported to the Leader, Shadow Leader, responsible Cabinet Member and Chair of Scrutiny Committee; and

(iv) The Committee requested that Officers discuss further, the requirements for this service being delivered by East Suffolk Council and investigate if their own in-house service has been improved and is now TSA accredited.

The meeting ended at: TBC