



## London Borough of Enfield

<b>Report Title</b>	Community Telecare Equipment (Analogue to Digital Switch Over – Safe & Connected Service)
<b>Report to</b>	Director of Health & Adult Social Care
<b>Date of Report</b>	25 <sup>th</sup> August
<b>Cabinet Member</b>	Cabinet Member for Health & Adult Social Care Councillor Alev Cazimoglu
<b>Executive Director</b>	Tony Theodoulou
<b>Report Author</b>	Des O'Donoghue, Head of Brokerage, Contracts, & Community Services Email: Des.O'Donoghue@enfield.gov.uk
<b>Ward(s) affected</b>	All Wards
<b>Key Decision Number</b>	KD 5636
<b>Classification</b>	Part 1 Public and Part 2 (Private)
<b>Reason for exemption</b>	By virtue of paragraph(s) marked below with * of Part 1 of Schedule 12A of the Local Government Act 1972: 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

### Purpose of Report

1. In preparation for the Analogue to Digital handover which is due to be carried out between now and 2025, the Council's Safe & Connected service needs to upgrade its community telecare equipment. This will involve removing 90% of existing service user's equipment and it being replaced with a digital enabled device. This report seeks to advise the relevant Council personnel of the required changes, the reasons why and to approve

the initial spend (see Part 2) associated cost and ongoing supplies for additional equipment within proposed contract terms cited in the Report.

## Recommendations

That approval be granted for:

- i. the procurement of an equipment upgrade (to obtain the digital equivalent) of the Council's Community Telecare Equipment, as detailed in this Report and Part 2
- ii. the award of a call-off contract to Chiptech International Limited for the supply of Community Telecare Equipment, via the Consortium Procurement Framework Agreement Tecs Suppliers Catalogue Lot 1 Jan 2023, as detailed in this Report and Part 2
- iii. the award and signing of a below threshold contract to Appello Smart Living Solutions Ltd for the supply of Community Telecare Equipment as detailed in this Report and Part 2
- iv. the Council entering into the proposed call-off contract with Chiptech International Limited for the initial supply of Community Telecare Equipment, including additional or replacement supplies via Consortium Procurement Framework Agreement, TECS Suppliers Catalogue Lot 1 Jan 2023, detailed in Part 2 of this Report for a term of up to two (2) years, with an optional extension up to one (1) further year

## Background and Options

2. The way we communicate is changing. In 2016, it was announced that the telecommunications industry would replace all analogue lines and upgrade to digital internet-based infrastructure by 2025. This means analogue telephone services accessed by the Public Switched Telephone Network (PSTN) will be switched off, as the UK's telecoms infrastructure is upgraded to digital connectivity. The new network will provide a future proof, more reliable and dependable broadband service that will support the UK for decades to come.

### Why is it happening?

3. The PSTN is a privately-owned copper wired based telecoms network and the decision to upgrade it has been taken by the telecommunications industry. Fixed-line operators - such as Openreach, BT and Virgin MediaO2 - will replace analogue telephone services with digital phone lines. The upgrade will be delivered by the telecoms industry in a phased approach over the next couple of years, with the UK network expected to be fully upgraded by 2025. The switchover will happen on a telephone exchange by exchange basis and not on a regional basis.
4. While the PSTN upgrade is an industry-led process, the Government, through the Department of Digital, Culture, Media and Sport (DCMS) and

the Office of Communications (Ofcom) are working together to ensure consumers and sectors are protected and prepared for the upgrade process, including from a power resilience perspective.

5. The switchover has implications for the telecare and TEC sector, and the 1.8 million people who rely on those services in the UK. Within Enfield there is presently 2,735 Safe & Connected customers and the impact of these disruptions significantly increase the risks to adult social care services users.
6. We are concerned that Safe & Connected service users will be left vulnerable once their analogue line has been switched over to digital without the Local Authority being notified in advance. There is inconsistency with telecom engineers testing a person's alarm unit and regardless of any successful initial testing that takes place, we are noticing that analogue equipment in situ becomes temperamental and loses its full functionality with no warning, potentially putting people's lives at risk.
7. Given these potential risks associated with a failed alarm unit, we believe it is imperative that immediate action is taken to implement a robust process, protecting vulnerable residents who are using a Safe & Connected alarm system. We are aware of Telecare Services Association (TSA) sharing Enfield's telephone numbers with the telecoms industry as a way of recognising Safe & Connected users, however to date, no effort has been made by these providers to contact the Local Authority with planned work taking place in the area. Enfield Council has a critical role to play in the digital switchover to implement the solutions required to support residents and prevent impact on day-to-day life

### **Preferred Option and Reasons for preferred option**

8. The preferred options recommended are as follows and are detailed in Part 2 of this Report.
  1. Utilise the Consortium Procurement Framework Agreement, Lot 1 – TECS Suppliers Catalogue Jan 2023, Direct Award
  2. Appello Smart Living Solutions Ltd – direct award on Council's standard contract terms

The following benefits of Consortium Procurement Framework Agreement are noted:

- Provides the Council with an efficient and compliant route to market
- Direct appointments permitted under the Framework
- Time – once the requirements were validated by the Service Area and internal governance processes are satisfied, direct Orders and Call-Off Contracts can be placed
- Reduced administrative burden in terms of the time and transaction costs (both suppliers and Council) compared to running a full standalone procurement process

- Framework Suppliers have been identified, vetted, and quality checked via a competitive standalone procurement process originally when establishing the Framework Agreement
9. Other Options and routes to market considered:
- Vary a relevant / existing contract for ICES – initially considered but confirmed by contract provider that this would not be feasible option as they no longer provide telecare equipment.
  - Utilise the Technology Enabled Care & Products / Services, ESPO Framework Agreement, Lot 2 – Reference: 203\_21 via Further Competition - in this instance, not viable as more expensive than going direct.

### **Relevance to Council Plans and Strategies**

10. Strong, healthy, and safe communities

We will support people to live independently for as long as possible within their local communities and are helping people living with disabilities to be in control of their own lives. The Council is investing in innovative smart technology to enable adult social care users to stay happier, safer and more independent, and to help reduce social isolation. By ensuring the Safe & Connected service is fully digitalised, this will enable vulnerable adults to continue to live at home. In certain cases, the use of telecare will reduce the reliance on support agencies, i.e., domiciliary care as well enabling vulnerable adults to receive the necessary support when in crisis.

### **Financial Implications**

11. The proposal is for a purchase, fit and disposal of community telecare equipment to meet the National digital requirements in this area and as rollout proceeds apace and ahead of schedule nationally, it is necessary to accelerate the Council's own changeover.
12. The service will fund the purchase in the main from capital balances held for Adult Social Care's use and other sources and savings as a priority programme. Current balances are over £10m and are held for a variety of purposes and medium and long term strategic and savings plans.
13. Overall Adults social care has a £157.6m gross expenditure budget (before salary uplifts and other similar adjustments) and is currently forecasting to be in balance this year. Adjustments for incremental costs in ongoing maintenance and other ongoing costs related to this purchase are relatively modest and in later years and will be contained within the Adult Social care revenue budgets.
14. This is an important service which helps users to remain independence for individual service users and the council is committed as a supplier to provide the service to users and maintain its integrity during the

changeover. The service provides benefits to the whole Adult Social Care and Health systems. Users have a choice of provider, and many are keen to use the council service. As a non-statutory service, a small market appropriate charge is made for the service to users.

15. The service is continually reviewing all its services for value for money and the speed of the national rollout has brought forward the need for this purchase on a critical service, which the council is obligated to maintain to its customers. The digital switchover means none of the current equipment will work, hence this is a critical purchase to maintain operations and replacements have been ongoing already where needed from the existing budgets. This purchase and using capital reserves allows for the rest of the changeover to be completed in Enfield at the necessary speed to maintain services to users.

## **Legal Implications**

16. The Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles. The proposals in this report are compliant with the Council's general power. In addition, section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions.
17. Both contracts proposed in this report must be approved by Legal Services on behalf of the Director of Law and Governance.
18. With regard to the proposed call off from the Consortium Framework: As the estimated contract value exceeds the threshold under Part 2 of the Public Contracts Regulations 2015, 'PCR 2015' (currently £213,477 inclusive of VAT), the Council must ensure compliance with the PCR 2015 and its Constitution - in particular, the Contract Procedure Rules ('CPRs'). Both the PCR 2015 and the CPRs permit the use of framework agreements. CPR 14.4 states that frameworks, where they exist, should be used provided Best Value can be demonstrated and managers are required to retain sufficient evidence to demonstrate compliance. A due diligence exercise must be carried out by the Procurement and Commissioning Hub prior to calling off from the Consortium Procurement Framework and the Council must be clearly identified as a contracting authority able to use the framework when it was initially set up. The proposed direct award must be permitted under the terms of the Consortium Procurement Framework, and relevant conditions for the direct award must be met.
19. With regard to the direct award to Appello Smart Living Solutions Ltd, although it is below the relevant procurement threshold for the application of the PCR 2015, the award must still comply with the CPRs. For this reason, a waiver must be in place to justify the proposed approach. Officers must also be comfortable this represents best value for the Council.

## **Procurement Implications**

20. Any procurement must be undertaken in accordance with the Council's Contract Procedure Rules (CPR's), the Public Contracts Regulations (PCRs) and the Council's Sustainable and Ethical Procurement Policy. Furthermore, the proposed direct award must be permitted under the terms of the Procurement Consortium Framework, and relevant conditions for the direct award must be met by the Service Area.
21. The Service Area must keep records of approvals to proceed at each stage of this procurement to evidence compliance with the rules and value for money.
22. The Service Area shall ensure procurement delivery takes place via the Council's e-Tendering system, the London Tenders Portal (LTP). All evidence of authority to procure and award of any contract(s) resulting from this requirement, as well as all contractual documents, including executed contracts, must be uploaded on to LTP.
23. Information regarding the awarded contracts must be promoted to Contracts Finder to comply with the Government's transparency requirements.
24. In accordance with the Councils CPR's, the service must ensure that a Contract Manager is nominated and allocated to the procurement once uploaded onto the LTP, and that the monitoring requirements are adhered to, including evidence of regular contract reviews.
25. This requirement has been classified as "Silver" under the Council's Contract Management tiering tool. A meeting took place with the client and contract owner and explained the principles of contract management and the level of management that will be required for the proposed contracts. The contract owner has also been offered assistance, if required, with any meetings to get the manager to a more confident position. A brief meeting had taken place and guidance and assistance with drafting the KPIs were offered that were required for this contract.

## **Equalities Implications**

26. Equality, diversity, and inclusion are central to the decisions the Council makes on how to deliver the best possible outcomes for our communities at a time of considerable financial challenge, both for local people and for the local authority. This proposal takes the above into consideration by ensuring the Safe & Connected service is procuring services via a framework to ensure best value, whilst also meeting the needs of vulnerable adults.

## **HR and Workforce Implications**

27. The only workforce implications is the additional resources required to implement the digitalised equipment, which has been factored into the cost of this work.

## **Environmental and Climate Change Implications**

28. The Safe & Connected service continues to look at reducing their carbon footprint by use of electric vehicles and working with proposed suppliers (see part 2) companies who are also working towards becoming carbon neutral.

## **Public Health Implications**

29. The Council provides significant support and help to vulnerable residents through several devices and interventions known as telecare. Enabling this to continue post the digital handover will enable this to continue and potentially improve.

## **Digital Service Implications**

30. Community Telecare equipment operates in a standalone environment delivered as a service by the provider. LBE uses similar technologies in some areas but in this instance the separation is appropriate, and any crossover has been evaluated and find that the solution proposed is appropriate. There are no direct digital implications for the team.

## **Safeguarding Implications**

31. The Care Act 2014 places a duty on Local Authorities to protect adults at risk of abuse or neglect. The proposed action will ensure a robust response to the potential risk faced by vulnerable people if left without the essential support that Safe and Connected provide.

## **Other Implications**

32. Local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person. This may sometimes be referred to as 'the wellbeing principle' because it is a guiding principle that puts wellbeing at the heart of care and support. The wellbeing principle applies in all cases where a local authority is carrying out a care and support function, or making a decision, in relation to a person. Generally, the Care Act 2014 has the following duties, all applicable here:
  - Promoting individual wellbeing
  - Preventing needs for care and support
  - Promoting integration of care and support with health services
  - Providing information and advice
  - Promoting diversity and quality in provision of services
  - Co-operating
  - Safeguarding adults at risk of abuse or neglect

- The Act applies to all people living in the borough regardless of whether they have needs for care and support

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**Report Author:** Des O'Donoghue  
Head of Brokerage, Contracts & Community Services  
Des.O'Donoghue@enfield.gov.uk  
020 8132 2091

## **Appendices**

*Part 2 of Community Telecare Equipment KD Report*

## **Background Papers**

None