

**RISK LOG****JOINT TENDER – DOMICILIARY SERVICES – ADULT SOCIAL SERVICES AND DARLINGTON PCT**

Ref	Risk	Impact	Risk Level
1.	<p>Time frame. The contracts held by Adult Social Services were due to expire in March 2009 but have been renewed until September 2009 to enable the joint commissioning exercise to take place. The timeframe still remains tight with contracts ending September 2009 and new contracts being awarded 1 October 2009.</p>	<ul style="list-style-type: none"> <li>• For the tender to be completed within the required timeframe, the advert must be placed week beginning 26 January 2009 to ensure deadline can be met.</li> <li>• If the timescales could not be met a further report to Cabinet would be required. In this instance permission would need to be sought from Cabinet to renew current contracts for a further six months/year to go out to tender again.</li> </ul>	<b>High</b>
2.	<p>The individual reporting procedures need to be aligned:</p> <ul style="list-style-type: none"> <li>• DBC need to report progress and report recommendations from tender before awarding of contracts to Cabinet.</li> <li>• PCT need to report to their Board.</li> </ul>	<p>Timescales may not run parallel and could hold up the process. However, present arrangements have enabled reporting procedures to be aligned in time for Cabinet meetings.</p>	<b>Low</b>
3.	<p>The joint proposal does not go ahead.</p>	<p>DBC/PCT will be put at a disadvantage in being able to build the necessary foundations around joint commissioning that will enable effective delivery of meeting National and Local Government drivers such as Reablement/Intermediate Care, Care Closer to Home and reduced hospital admission and delayed discharges.</p>	<b>Low</b>

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4.	Some businesses may need to evolve their business to meet requirements of the specification as it covers people with varying needs.	Cost to provider to ensure business meets requirements and the cost associated with preparing documentation for the tender.  The service specification and scoring mechanisms do not exclude small providers.	<b>Medium</b>
5.	Insufficient resources/budget	The framework agreement does not guarantee providers a set amount of hours therefore will to an extent mitigate the risk of having an insufficient budget.	<b>Medium</b>
6.	TUPE may apply where an existing provider is not awarded a new contract.	Timetable needs to build in capacity for TUPE transfer negotiations to take place before start of new contract (three months required).	<b>Low</b>
7.	Transfer of packages to new providers – Adult Social Services.	Capacity would need to be built in within Commissioning for service users to be reviewed and up to date assessment/care plan information to be drawn up prior to transfer to a new provider.	<b>Low</b>
8.	Transfer of packages to new providers – Darlington PCT	Capacity would need to be built in within Darlington PCT planning for service users to be reviewed and up to date assessment/care plan information to be drawn up prior to transfer to a new provider.	<b>Low</b>
9.	If DBC/Darlington PCT set the hourly rate within the tender process.	Will not promote competition, value for money, best value and meet procurement rules. Council have not condoned cost setting in the past – refer to supporting people tender.	<b>Low</b>

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10.	Tenderers may submit higher rates within tender.	A high cost of service would affect the number of services to vulnerable people that could be commissioned and there would be budget implications.	<b>High</b>
11.	Cost of CRB checks being undertaken within the tender process to safeguard vulnerable adults.	Cost of CRB checks need to be included in the budget.	<b>Low</b>
12.	Timeframe for undertaking CRB checks.	The CRB checks need to be completed in a timely manner otherwise they may compromise the tender process. CRBs are not guaranteed to be completed within timeframe and could hold up awarding of contracts.	<b>Medium</b>
13.	Service User Consultation – Equality and Disability Impact Assessments	Equality and Disability Impact Assessments are factored into timeframe, however, any actions as a result of the assessments may impact on the current timeframe.	<b>Low</b>
14.	A framework agreement will not guarantee that hours will be commissioned from individual providers.	New providers may not want to take the risk of setting up in Darlington when they are not guaranteed any hours to ensure their viability.	<b>Medium</b>