

Report to CABINET

Approval to Tender the Domestic Property Disability Adaptions Framework for the Provision of Level Access Showers and Shower over Baths

Portfolio Holder: Cllr Barbara Brownridge, Lead Member for Health and Social Care

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Reason for Decision

Cabinet approval is required to commence a competitive procurement exercise for the Domestic Property Disability Adaptations (DPDA) for the provision of Level Access Showers and Shower over Baths services. The aim of this is to award a new contract from 1 December 2026 for an initial period of two (2) years, with the option to extend for a further two (2) years. This will ensure continuity of this essential service, compliance with procurement regulations, and value for money for the Council.

Executive Summary

The Council currently operates a multi contractor Framework Agreement for Domestic Property Disability Adaptations DPDA, which commenced on 1 December 2022 for an initial term of 2 years with the option to extend twice, each for an additional term of no more than 1 year. Under the Framework Agreement, the Council places orders for the provision of Level Access Showers and Shower over Baths, as and when required. The Framework Agreements were put in place to enable the Council to meet its duty to award a Disabled Facility Grant (DFG) to those who are eligible and to ensure the works funded by a DFG are completed to a high standard and in a timely manner.

The framework was originally awarded for an initial period of two years, with the option to extend for up to two further periods of twelve months (2+1+1). The initial term expired on 30 November 2024, the first and second extension was exercised, meaning the framework is currently due to expire on 30 November 2026. Four contractors were appointed to the framework and continue to deliver a high volume of essential adaptation works across the borough.

This report seeks approval for the Council to undertake a competitive procurement exercise for a closed framework under the Procurement Act 2023 (PA23). A closed framework permits suppliers to join only at the point of establishment and does not allow new entrants during its lifetime. Under PA23 regulations, the maximum term of a closed framework is four (4) years. This approach provides stability, ensures legal compliance, and allows the Council to secure a sustainable and competitive market for the delivery of essential adaptation works.

The Council intends to award places on the framework to a maximum of four (4) providers, ensuring sufficient capacity, resilience, and competition within the market. Works will continue to be allocated using a rotational system.

The framework will be awarded for an initial period of two (2) years, with the option to extend by up to two (2) further periods of twelve (12) months each (2+1+1), giving a maximum framework duration of four (4) years, in line with PA23 requirements.

The total estimated value of works delivered through the framework over the four-year term is £6,600,000 (excluding VAT). This makes the procurement an above-threshold tender, and it will therefore be advertised and conducted in full compliance with PA23 regulations and the Council's Contract Procedure Rules.

Recommendations

Option 2 is the preferred option;

That Cabinet:

- Approves the commencement of a competitive tender process for the provision of the Domestic Property Disability Adaptations (DPDA) service as a closed framework under the Procurement Act 2023, and appoint up to four (4) providers, covering the delivery of Level Access Showers, Shower Over Baths and associated bathroom adaptations.
- Approves the proposed contract duration of two (2) years, to commence from 1 December 2026 to 30 November 2028, with an option to extend for a further two (2) years, up to 30 November 2030, subject to satisfactory performance, continued funding and the achievement of value for money.
- Delegates authority to the Director of Adult Social Services, in consultation with the Lead Member for Health and Social Care, to:
 - Conduct the procurement process in line with the Council's Contract Procedure Rules and procurement legislation, and
 - Award the contract(s) following completion of the procurement exercise.

Approval to Tender the Domestic Property Disability Adaptions Framework for the Provision of Level Access Showers and Shower over Baths

1 Background

- 1.1 The Domestic Property Disability Adaptations (DPDA) Framework Agreement enables the Council to commission essential home adaptation works, primarily Level Access Showers and Shower Over Baths, as and when required and at pre-agreed competitive rates. These works are funded through the Disabled Facilities Grant (DFG) and support the Council in meeting its statutory duties under the Housing Grants, Construction and Regeneration Act 1996 to provide eligible residents with adaptations that enable them to live safely and independently in their own homes.
- 1.2 The current Framework Agreements commenced on 1 December 2022 for an initial period of two years, expiring on 30 November 2024, with the option to extend for two further periods of up to twelve months each (2+1+1). One extension has already been exercised, and the framework is now operating within its final phase.
- 1.3 There are 4 contractors appointed to the framework arrangement:
- Provider A
 - Provider B
 - Provider C
 - Provider D
- 1.4 The framework operates on a multi-contractor basis, with works allocated to providers using a rotation system. This allows flexibility in service delivery, ensures resilience in capacity, and enables contractors to accept or decline works based on their operational availability. This model has supported timely delivery of adaptations and helped to manage fluctuations in demand.
- 1.5 The total capped value of the framework over its lifetime was approved at £2,260,000. However, demand for disability adaptations has continued to increase year on year, reflecting:
- An ageing population
 - Increasing prevalence of long-term health conditions and disabilities
 - Hospital discharge pressures, and
 - The strategic shift towards prevention and supporting people to remain at home
- As a result, spend has significantly exceeded the original approved contract value, highlighting both the essential nature of the service and the scale of demand within the borough
- 1.6 Our vision for Adult Social Care in Oldham is to support individuals to live independently, healthy, safe and well. The service enables that to happen and works to our target operating model in terms of prevention of moving into a residential setting.

2 Current Position

- 2.1 The Domestic Property Disability Adaptations (DPDA) Framework primarily provides essential adaptations to residents' homes, including Level Access Showers (LAS), Shower Over Baths (SOB), and associated bathroom alterations. These adaptations are critical in supporting residents to maintain independence, dignity, and personal safety, while also reducing environmental risks and supporting hospital discharge and prevention of residential care admissions. The service is therefore central to the Council's statutory responsibilities in relation to the Disabled Facilities Grant (DFG) and to the wider Adult Social Care prevention agenda.
- 2.2 The current framework consists of four contracted providers who deliver adaptations on a rotational basis. This has enabled flexibility in delivery and ensured continuity of service in the face of fluctuating demand. However, since the extension of the framework in November 2024, providers have raised concerns regarding financial sustainability, citing significant increases in labour costs, materials, National Insurance contributions, and general inflationary pressures. These market conditions have created challenges for providers in continuing to deliver the service at the existing contract rates.
- 2.3 Under the existing arrangements, a proposal has been developed to apply a 5% uplift to contract prices to support provider sustainability and service continuity. This uplift is proposed to be backdated to April 2025 and applied through to the end of the interim contractual arrangements. While this is necessary to stabilise the market in the short term, it further highlights the need for a new long-term contract that reflects current market conditions, realistic pricing structures, and future demand.
- 2.4 The current contract does not contain a formal mid-term price variation mechanism, although it does allow for discretionary annual price reviews which have not previously been exercised. Benchmarking undertaken with neighbouring Greater Manchester authorities, including Tameside and Rochdale, shows that similar uplifts have been applied within their adaptation contracts to address the same inflationary pressures. This demonstrates that the current DPDA pricing structure is no longer aligned with prevailing market conditions.
- 2.5 In addition to pricing pressures, activity levels demonstrate that demand for adaptations remains consistently high. Delivery data shows:
- 2.6 Table 1, 2 and 3 below shows the number of completed Level Access Showers (LAS) and Shower Over Baths (SOB) from 2023 – 2024, 2024 – 2025 and 2025 to date along with the total costings.

2023 – 2024				
Contractors	Level Access shower	Shower Over Bath	Bathrm Alts	Costs
Provider A	52	2	1	£322,654.94
Provider B	37	6	12	£315,870.77
Provider C	34	8	0	£232,086.21
Provider D	49	5	3	£351,793.85
Total	172	21	16	£1,222,405.77

Table 1

2024 - 2025				
Contractors	Level Access shower	Shower Over Bath	Bathrm Alts	Costs
Provider A	34	2	1	£219,755.84
Provider B	12	2	2	£105,505.85
Provider C	33	4	1	£214,780.60
Provider D	29	5	1	£201,999.26
Total	108	13	5	£742,041.55

Table 2

2025 to date				
Contractors	Level Access shower	Shower Over Bath	Bathrm Alts	Costs
Provider A	51	3	1	£309,329.46
Provider B	38	2	2	£305,924.75
Provider C	35	0	1	£214,780.60
Provider D	48	5	3	£295,036.32
Total	172	10	7	£1,125,071.13

Table 3

- 2.7 These figures demonstrate both the scale of the service and its critical importance to residents. Activity in 2024 and early 2025 was deliberately reduced to manage financial pressures caused by overspend, rather than reflecting a reduction in demand. This has created a backlog of need which is expected to continue to place pressure on services.
- 2.8 Based on historic activity levels and current delivery patterns, the estimated spend for the final year of the interim arrangements (December 2025 – November 2026) is approximately £1.65 million. This would bring the total estimated lifetime spend of the current framework to approximately £5.114 million, significantly above the original capped value of £2.26 million and beyond the Procurement Act (PA23) works threshold of £4,477,174 (excl. VAT).
- 2.9 The financial position is summarised below:

Description	Amount (£)
Spend to date	3,089,518.45
Projected spend (Sept–Nov 2025)	375,023.71
Projected spend (2025/26)	1,650,000
Total projected contract spend	5,114,000

Table 4

2.10 The DPDA service is primarily funded through the Disabled Facilities Grant. The current financial position of the DFG (as of April 2025) is:

Description	Amount (£)
Total Budget for DFG Provision	3,044,703.82
Spend to Date	1,034,003.19
Remaining Budget	2,010,700.63
Projected additional cost from 5% uplift	56,253.56

Table 5

2.11 The current unit prices further demonstrate the impact of inflationary pressures:

Current unit costs vs. projected costs with the 5% increase		
1	Current base price for Level Access Shower = £5,000.00	Base price with 5% increase = £5,250.00
2	Current base price for Shower Over Bath = £1,716.00	Base price with 5% increase = £1,801.80

Table 6

2.12 These revised prices will need to be fully tested through open market competition to ensure value for money and market sustainability.

2.13 Based on historic delivery levels, backlog demand, and projected growth, the expected annual spend through the new framework is estimated at approximately £1.65 million per annum.

2.14 This results in a total estimated framework value of:

Table: Estimated Framework Spend	
Period	Estimated Spend (£)
Year 1	1,650,000
Year 2	1,650,000
Year 3 (Extension)	1,650,000
Year 4 (Extension)	1,650,000
Total over 4 Years	6,600,000

Table 7

2.15 This gives a total estimated framework value of £6,600,000 (excluding VAT). As this value exceeds the PA23 works threshold, the procurement will be classified as an above-

threshold tender and will be published and conducted accordingly to ensure full regulatory compliance.

- 2.16 While the existing framework has delivered significant benefits, it is now approaching the end of its contractual life and no further extensions are available within the original terms that would remain compliant with the Council's Contract Procedure Rules and procurement legislation.
- 2.17 The Council must therefore move to a new, legally compliant and sustainable contracting model. This requires the commencement of a competitive re-tendering exercise to secure a new DPDA contract from 1 December 2026. The commissioning plan is to undertake this procurement during summer 2026, with a new contract in place and operational from 1 December 2026. The proposed new contract will be let for an initial period of two (2) years, with an option to extend for a further two (2) years, subject to performance and funding, providing stability, improved governance, and long-term value for money.

3 Options/Alternatives

3.1 **Option 1: Do nothing and allow the Framework Agreements to end on 30 November 2026.**

This option would involve taking no further action and allowing the current DPDA Framework Agreements, which are operating under their second extension, to expire on 30 November 2026. Beyond this date, there would be no formal contractual mechanism for the delivery of Level Access Showers, Shower Over Baths, or other essential adaptations.

This would prevent the Council from fully meeting its statutory duties under the Disabled Facilities Grant (DFG) legislation and could result in delays or the inability to provide adaptations for eligible residents. Vulnerable individuals may experience negative impacts on their health, wellbeing, independence, and safety.

Additionally, the absence of a framework would expose the Council to significant legal, operational, and reputational risks, including non-compliance with procurement regulations, while contractors would have no guarantee of work, potentially leading to disengagement from the market and reduced capacity to deliver future services.

For these reasons, this option is not recommended.

Option 2: Seek approval for the commencement of a competitive tender process for the provision of the Domestic Property Disability Adaptations (DPDA) service through a closed framework under the Procurement Act 2023, covering the delivery of Level Access Showers, Shower Over Baths and associated bathroom adaptations for a duration of two (2) years, to commence from 1 December 2026 to 30 November 2028, with an option to extend for a further two (2) years, up to 30 November 2030.

This option proposes the commencement of a competitive tender process for the provision of the DPDA service through a closed framework under the Procurement Act 2023, covering the delivery of Level Access Showers, Shower Over Baths, and associated bathroom adaptations.

The new contract would have an initial duration of two (2) years, running from 1 December 2026 to 30 November 2028, with the option to extend for a further two (2) years to 30

November 2030, subject to satisfactory performance, continued funding, and the achievement of value for money.

Re-tendering the service would provide a legally compliant, financially sustainable, and strategically robust contractual arrangement, ensuring long-term continuity of service for residents and stability for providers. It would allow the Council to test the market, secure best value, reflect current inflationary pressures and realistic pricing, and embed social value, sustainability, and quality requirements.

To support this, approval is sought to delegate to the Director of Adult Social Services, in consultation with the Lead Member for Health and Social Care, the power to:

- Conduct the procurement process in line with the Council's Contract Procedure Rules and relevant procurement legislation, and
- Award the contract(s) following completion of the procurement exercise.

This approach mitigates the operational, legal, and reputational risks associated with allowing the current framework to expire and ensures that vulnerable residents continue to receive timely, essential adaptations to support independence, safety, and wellbeing.

4 Preferred Option

4.1 **Option 2: Seek approval for the commencement of a competitive tender process for the provision of the Domestic Property Disability Adaptations (DPDA) service through a closed framework under the Procurement Act 2023, covering the delivery of Level Access Showers, Shower Over Baths and associated bathroom adaptations for a duration of two (2) years, to commence from 1 December 2026 to 30 November 2028, with an option to extend for a further two (2) years, up to 30 November 2030.**

This is the preferred option because it provides a legally compliant, financially sustainable, and strategically robust solution to deliver essential adaptations for residents. The current framework, operating under its second extension until 30 November 2026, has exceeded its financial and contractual limits, and any further extensions or short-term arrangements would not provide long-term certainty or value for money.

Re-tendering the service ensures that the Council can:

- Maintain continuity of essential adaptations for vulnerable residents, supporting independence, safety, and wellbeing.
- Secure best value through open competition and align contract pricing with current market conditions, including inflationary pressures and provider sustainability.
- Establish a contractual arrangement that is compliant with procurement legislation and the Council's Contract Procedure Rules.
- Embed robust performance management, quality monitoring, and social value requirements into the new contract.
- Provide long-term stability for service providers, encouraging continued engagement and capacity in the market.

This option also allows sufficient time to develop a comprehensive service specification and procurement strategy that reflects current and future demand, ensuring that the Council can continue to meet its statutory responsibilities under the Disabled Facilities Grant (DFG) legislation. For these reasons, Option 2 is recommended as the preferred approach.

5 **Consultation**

- 5.1 A consultation will be undertaken to inform the re-tendering process and ensure that stakeholder views are considered. The consultation will focus on service delivery, quality, outcomes, value for money, and any proposed changes to the service specification.

Current service providers have been formally informed that the existing contract will come to an end on 30 November, and that the service will be subject to a full re-tender. This notification was provided in line with contractual and procurement requirements to ensure transparency and sufficient notice.

6 **Financial Implications**

- 6.1 The proposed represents capital expenditure and will be a charge against the Community Health and Adult Social Care – Disabled Facilities Grant (DFG) capital programme.
- 6.2 The estimate cost of the scheme is approximately £1,650,000pa on average, up to £6,600,000 in total.
- 6.3 The DFG is allocated annually and it is uncertain as to the level grant support for future years, in recent years it has been around £2.9m per annum. Although, there is a reasonable assumption that the grant funding will not cease due the provision of Disabled Facilities Grants (DFGs) is a mandatory statutory requirement for local councils in England and Wales under the Housing Grants, Construction and Regeneration Act 1996.

Jit Kara - Senior Accountant

7 **Legal Implications**

- 7.1 The proposal is to award a framework pursuant to section 45 and publish a tender notice under PA23 regulation 20(2) and accordingly is compliant with the Council's Contract Procedure Rules and constitution.

Bryan Boese – Solicitor Oldham Council

8. **Procurement Implications**

- 8.1 The new framework for the Domestic Property Disability Adaptions service will be set up as a framework under the Procurement Act 2023 (PA23) regulations. A framework is a type of public procurement agreement where suppliers can only join at the initial launch, with no new suppliers allowed to enter during the framework's lifespan. The maximum term for a closed framework is 4 years.

The council seeks to award a place on the framework to a maximum of Four (4) providers. This is to ensure there is enough capacity to meet the demands of the service. Works will be allocated to providers using a rotation system.

The framework agreement will be awarded for an initial term of Two (2) years with the option to extend the agreement by up to Two (2) further periods of Twelve (12) months each. (2+1+1).

The total value of the Works over the 4-year term is estimated to be £6,600,000 excl VAT. This is therefore an above threshold tender, and the tender notice will be published accordingly to ensure compliance with PA23 regulations.

Ankur Patel – Procurement Manager

9 **Equality Impact, including implications for Children and Young People**

9.1 Yes

10 **Key Decision**

10.1 Yes

11 **Key Decision Reference**

11.1 HSC-02-26

12 **Background Papers**

12.1 N/A

13 **Appendices**

13.1 N/A

Signed _____ Cabinet Member (specify whom)	Dated _____
Signed _____ Executive Director/Deputy Chief Executive	Dated _____