
Report to CABINET

Extension of the Current Commissioning Arrangements for Care at Home, Extra Care Support and Night Provision Support Services

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

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23rd March 2026

Reason for Decision

The Council's current contractual arrangements for the delivery of Care at Home, Extra Care and Night Provision support services commenced on 1 April 2019 and, following the approved two-year extension option, are due to expire on 31 March 2026.

Approval to undertake a full open tender process for new Care at Home, Extra Care and Night provision support services was granted by Cabinet on 22nd September 2025, as set out in the Cabinet report titled, "Future commissioning Arrangements for Care at Home, Extra Care support and Night Provision support services." (Original Key Decision Reference: HSC-13-25) The tender process for Care at Home, Extra Care and Night Provision services is underway. However, due to necessary changes in procurement timelines including extended tender submission deadlines which enables full engagement from prospective providers, evaluation and moderation requirements, and the need to ensure a safe mobilisation period for any new providers the recommissioning timetable has needed to be revised.

To ensure continuity of care for vulnerable residents, compliance with our statutory duties under the Care Act 2014, and a safe and well-managed transition to new contractual arrangements, approval is sought to extend the current contracts for a further three months until 30 June 2026, with the new contracts commencing 1 July 2026.

Executive Summary

Care at Home (CAH) services provide essential care and support to approximately 950 adults across Oldham, with around 10,850 hours of care delivered each week. The annual expenditure on CAH services is approximately £19.6 million. In addition, Extra Care supports around 159 individuals

weekly, delivering approximately 7866 hours weekly at an annual cost of £2.2 million. Night Care provision, currently delivered through a legacy block contract an annual cost of £122,207.84 These services underpin Oldham’s Adult Social Care vision of supporting people to be independent healthy save and well within their own homes.

The invitation to tender is now closed, however, procurement timescales have shifted due to;

- Provider-requested extension of tender submission deadline
- Increased volume and complexity of clarification questions
- Unknown volume of tender submissions
- Need for extensive evaluation and moderation
- Need for a safe mobilisation period to prevent disruption

Given these factors, a three month extension is required to ensure continuity, protect residents and enable safe and orderly transition.

Table 1 shows the estimated spend for a 3-Month extension (April–June 2026);

Service	Contract Life Spend (7 years)	Annual Spend	3-Month Cost
Care at Home	£137.2m	£19.6m	£4.9m
Extra Care Housing	£15.4m	£2.2m	£0.55m
Night Care	£854k	£122k	£28k
Total	£153m~	£21.9m	£5.47m

Table 1

The variation is in line with regulation 72 of PCR2015 and the modification is below the 10% of the contract value.

This expenditure is essential to maintain statutory provision.

Recommendations

Option 2 is the Preferred Option

1. Approve a three-month extension of the current contracts for Care at Home, Extra Care and Night Provision from 1 April 2026 to 30 June 2026, at an estimated cost of £5.47m.
2. Approve that the new contracts commence on 1 July 2026.

1 Background

- 1.1 The Council's current commissioning arrangements for Care at Home, Extra Care Housing support and Night Provision commenced on 1 April 2019. These services were originally commissioned through a Flexible Purchasing System (FPS), consisting of five geographical clusters with two lead providers in each cluster and three back-up providers. Extra Care Housing support is delivered by a single provider across six schemes, while Night Care provision is delivered through a legacy block contract with one provider. The contracts were initially awarded for a five-year period and have since been extended by two further one-year periods, taking the contract end date to 31 March 2026.
- 1.2 These services collectively support a significant number of residents with statutory care needs. Care at Home currently delivers approximately 10,850 hours of care each week to around 950 individuals, with an annual expenditure of £19.6 million. Extra Care Housing provides 7,866 hours per week to 159 residents at an annual cost of £2.2 million. Night Care provision costs £9,423.68 every four weeks, equivalent to an annual spend of £122,507.84.
- 1.3 Under the Procurement Act 2023, the Council is required to commission new services using an Open or Competitive Flexible Procedure, as the previous DPS/FPS model can no longer be used for new awards below threshold. A full procurement exercise is therefore underway to secure new contracts to commence on 1 July 2026.

2 Current Position

- 2.1 The procurement for the new Care at Home, Extra Care Housing and Night Provision contracts began on 5 November 2025 with the publication of the Invitation to Tender (ITT). The original tender submission deadline of 1 December 2025 was extended to 19 December 2025 following multiple provider requests and in recognition of the volume of clarification questions received. This extension is necessary to ensure sufficient provider engagement and a competitive market response, but it also compresses the remaining stages of the procurement timetable.
- 2.2 The tender closed on Friday 19 December 2025 at 12:00 noon. A total of 572 expressions of interest were received, resulting in 117 formal submissions. Given the volume and potential complexity of submissions, the evaluation process has been scheduled to allow sufficient time for a thorough and robust assessment. Tender evaluation will take place from 5 January to 27 February 2026 and will include quality evaluation, financial assessment, compliance checks and moderation. Following completion of the evaluation, the Council intends to publish the Contract Award Notice on 6 March 2026. An 8-working-day standstill period will then commence, concluding in mid-March 2026, after which formal contract award is expected on 19 March 2026.
- 2.3 Mobilisation for the new contracts is scheduled to begin on 23 March 2026 and will run until 30 June 2026. This period is required to ensure a safe and seamless transition for approximately 950 Care at Home users and 159 Extra Care residents, and to allow for full TUPE processes, operational planning, workforce handover, system configuration, care plan reviews and risk assessments. The new contracts will then commence on 1 July 2026.
- 2.4 Given this timetable, the current contracts cannot safely end on 31 March 2026. The Council requires a three-month extension to ensure service continuity, comply with

statutory duties, and avoid significant disruption to service users and their carers.

2.5 The revised timeline is as per below;

Event	New Date
ITT Published	05 November 2025
Deadline for Clarifications	12 December 2025, 12:00
Deadline for ITT Submissions	19 December 2025, 12:00
Tender Evaluation	05 January – 27 February 2026
Contract Award Notice	06 March 2026
Standstill Period	8 working days
Contract Award	19 March 2026
Mobilisation Period	23 March – 30 June 2026
Contract Go-Live	01 July 2026

3 Options/Alternatives

3.1 **Option 1: Allow the existing Care at Home, Extra Care and Night Provision contracts to expire on 31 March 2026 without extension**

3.2 This option is not viable as it would be allowing the current contracts to end on 31 March 2026 without putting new arrangements in place. This is neither viable nor lawful. If the contracts were to lapse, the Council would have no formal or compliant mechanism to deliver essential adult social care services. This would breach procurement legislation, as the Council must undertake a lawful competitive process for services of this value and scale. Without contracted providers, the Council would also be unable to meet its Care Act 2014 duties to meet eligible needs, maintain care at home and safeguard vulnerable adults. This would create immediate risk for the 950 people receiving Care at Home support, 159 Extra Care residents and those relying on night provision. It would also expose the Council to legal challenge, regulatory scrutiny and reputational harm. For these reasons, this option is not recommended.

3.3 **Option 2: Proceed with the full procurement exercise and approve a three-month extension to the existing contracts, extending them from 1 April 2026 to 30 June 2026, with the new contracts commencing on 1 July 2026 (Preferred Option).**

3.4 Under this option, the Council would continue with the current procurement process for Care at Home, Extra Care Housing and Night Provision in line with the Procurement Act 2023. The invitation to tender closed on 19th December 2025 at 12:00 noon, following an extended deadline requested by providers. Evaluation, moderation and contract award activities will take place between January and March 2026, followed by a mobilisation period from 23 March to 30 June 2026. To allow this timetable to be completed safely and without disruption to services, a three-month extension to the existing contracts is required, moving the expiry date from 31 March to 30 June 2026.

This option ensures lawful and uninterrupted service delivery and provides the time needed for a safe transition to new providers. It allows for proper mobilisation, TUPE processes, and quality checks, reducing the risk of disruption for service users and staff. The extension also protects the workforce by avoiding rushed transitions and ensures service users and families have confidence that care will continue safely. Given the extended tender deadline and the unknown volume of submissions, the extra three months are essential to complete evaluation and mobilisation properly. For these reasons, this option is the safest, most compliant and operationally sound, and is therefore the preferred option.

4 Preferred Option

4.1 **Option 2 – Proceed with the full procurement exercise and approve a three-month extension to the existing contracts, extending them from 1 April 2026 to 30 June 2026, with the new contracts commencing on 1 July 2026.**

4.2 This option aligns with statutory obligations, procurement regulations, and best practices for service delivery. This approach provides the most flexible, compliant, and transparent solution for securing high-quality services for Oldham's most vulnerable residents.

5 Consultation

5.1 Consultation has taken place with all existing providers delivering Care at Home, Extra Care and Night Care services. Each provider has confirmed their agreement to the proposed three-month extension, recognising the importance of ensuring continuity of care and supporting a safe mobilisation period for any new contractual arrangements. In addition, the wider provider market has been informed of the revised contract start date of 1 July 2026, following the decision to extend the ITT submission deadline to 19 December 2025. Providers have been made aware that the extension is required to maintain service stability while the procurement, evaluation and mobilisation activities are completed in full.

6 Financial Implications

6.1 The proposed 3-month extension of the current Care at Home, Extra Care, and Night Provision contracts from 1 April 2026 to 30 June 2026 will result in an estimated cost of £5.48m, broken down as follows:

Care at Home: £4.90m
Extra Care Housing: £0.55m
Night Care: £0.03m

This expenditure will be funded from the Adult Social Care allocated budget for 2026/27. The extension is necessary to maintain statutory services and ensure continuity of care during the transition to new contractual arrangements.

There is no anticipated impact on the Medium-Term Financial Strategy beyond the planned expenditure for 2026/27.

Failure to approve this extension would risk service disruption, potential breaches of statutory duties under the Care Act 2014, and could lead to increased costs associated with emergency provision.

Liz Taylor - Senior Accountant

7 Legal Implications

- 7.1 The proposed three-month extension is a permitted modification under PCR 2015 Regulation 72(1)(b), as the value (£5.47m) is well below the 10% threshold and does not alter the overall nature of the services.

Extending the contracts is necessary to maintain statutory Care Act 2014 duties, ensure continuity for vulnerable service users and allow sufficient time for evaluation and mobilisation of the new contracts. Allowing the contracts to lapse would place the Council in a non-compliant and high-risk position.

Subject to Finance confirming budget availability, there are no legal objections to approving the extension and issuing the required modification documentation

Pamela Nsofor - Solicitor

8 Procurement Implications

Based on the contract value of £153m, the proposed modification of £5.3m equates to approx. 3.46%, so is well below the threshold of 10%, and a long way short of the legal 50% modification that is allowed. The contract was commissioned under PCR2015 regulations, so these continue to apply.

PCR 2015 Regulation 72 states:

Contracts and framework agreements may be modified without a new procurement procedure in accordance with this Part in any of the following cases:

1. for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor—
2. cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, or
3. would cause significant inconvenience or substantial duplication of costs for the contracting authority,
4. provided that any increase in price does not exceed 50% of the value of the original contract;

Given the significant implications of moving this business early, impacting on service users, TUPE implications, the current tender, and other reasons, it would cause significant inconvenience to all parties if we were not able to extend the agreement by 3 months.

This is only to allow additional time to deal with the current tender and the volume of interest it has created (over 450 Expressions of Interest).

The proposed extension would be the most sensible resolution, and alternatives are likely to have significant negative impact to the council, suppliers and service users. To not approve it would leave us in a non-compliant position.

James England – Procurement Manager

9 **Human Resources implications**

9.1 There are no HR implications other than TUPE, with this report as it is a commissioned service with external providers. The TUPE process is underway as part of the procurement exercise.

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

10.1 Yes – as per previous Cabinet report – and no changes.

11 **Key Decision**

11.1 Yes

12 **Key Decision Reference**

12.1 HSC-13-25

13 **Background Papers**

13.1 Cabinet approval report 22nd September 2025 (Original Key Decision Reference HSC-13-25)

14 **Appendices**

14.1 None