Directorate for Commissioning, Public Health and Adult Social Care

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Date: 1 August 2017

Dear Service Provider

Contract Amendment: Contract for the Provision of Personal Care Services in a Care Home (Long and Short Stay) April 2015 (Version 3.0)

I refer to the above contract.

In accordance with Clause 3.2 of the above contract I hereby formally extend the Contract for a further 2 years to 31st March 2020.

In addition, in accordance with Clause 16.1.3 the format of the Placement Agreement has been amended. The amendments made clarify the following:-

- that the provisions of the Placement Agreement prevail and supersede the provisions of any previous agreement between the Service Provider and the Service User
- that the Service User provides a declaration of full financial disclosure, and a declaration of an understanding of the consequences of non-disclosure in that it will lead to a new financial assessment and an acknowledgement that if as a result of the financial assessment that they no longer qualify for financial support then that they are liable to pay the care home fees at the private rate.

Further administrative updates are also made as follows:

Clause 1 – Contract Details, the Council's address is now Civic Centre 1, High Street, Huddersfield, HD1 2NF

Clause 2.5 – The definition of Authorised Officer amended to read: the Council's Service Director Adult Social Care Operations, or any person appointed by the Council to manage the Social Services' activities of the Council, their successors and agents or persons nominated by them for various purposes in connection with the Contract as notified to the Service Provider.

Clause 15 – Safeguarding Adults at Risk - Amended reference to the *West Yorkshire Multi-Agency Policy and Procedures to Safeguard Adults from Abuse* to read *Safeguarding Adults West and North Yorkshire and York Multi Agency Policy and Procedure. (NB: For Service Providers not covered by this policy, the policy of the Local Authority within which the Care Home is located will prevail)*.

Clause 18.5 – Amended as follows - This Contract may be terminated in accordance with the provisions of the Contract on behalf of the Council by the Authorised Officer or their authorised representative.

Clause 22.4 – New Sub-Clause – Each Party shall continue to perform their respective obligations under the Contract notwithstanding this dispute resolution process.

Clause 37.1 - Amended as follows - All notices required by or relating to this Contract shall be in writing and shall be sent to the Parties at the address appearing in the Contract or any other addresses (including email addresses) as may be notified in writing. Notices shall be deemed duly given on the day following posting or if sent by electronic transmission, immediately when the notice is transmitted, provided that the relevant communication is not returned as undelivered.

These amendments will automatically be incorporated in the revised Contract at the following web link from Tuesday 1st August 2017:
http://www.kirklees.gov.uk/beta/adult-social-care-providers/pdf/care-home-contract-kirklees.pdf

There is no need to respond to this letter, the revised version of the Contract for the Provision of Personal Care Services in a Care Home (Long and Short Stay) August 2017 (Version 4.0) will be posted to the Council's Social Care Contracts website at the following link:
www.kirklees.gov.uk/socialcarecontracts.

If you have any queries regarding this matter please do not hesitate to contact Anne Martin on 07976 194179 or via email contractmonitoringunit@kirklees.gov.uk.

Yours sincerely

Amanda Evans
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