SCHEDULE 3

PAYMENT SCHEDULE

1. Service Payment

1.1. Subject to provisions of Clauses 9 (Services Payment), 12 (Performance Monitoring and Agreement Review) 38 (Suspension) and 39 (Termination) of this Agreement the Council shall pay the Services Payment to the Service Provider in accordance with this Schedule 3 (*Payment Schedule*).

1.2. The Service Payment shall be calculated weekly in accordance with the following formula:

(GH + AH) x HR = WP

GH = Weekly Guaranteed Hours
AH = Additional Hours over and above the Guaranteed Hours delivered within the identified week
HR = agreed Hourly Rate
WP = Weekly Payment, which will be paid in four (4) weekly periods as identified in 6.3

1.3. The agreed hourly rate (HR) is £

1.4. The Services Payment is inclusive of all services pursuant to this agreement.

1.5. The Council shall not be liable for any sums in addition to the Services Payment for services delivered additional to those detailed in the Services Specification or otherwise requested by the Council in writing to the Service Provider. Any costs incurred by the Service Provider as a result of additional service provision over and above the Service Specification or otherwise requested in writing by the Council shall be at the Service Provider's own risk.

1.6. The Service Provider is not entitled to make specific charges directly to the Service User or other third party for the provision of Services under this Agreement unless authorised to do so in writing in advance by the Council.

1.7. The Service Provider may only seek payment for services or facilities provided in addition to those detailed in the Service Specification where this is agreed in writing in advance by the Service User or the Service User's Carer(s). The Service Provider is required to notify the Council of such arrangements at the Contract Management Meetings.

2. Guaranteed Hours

2.1. The guaranteed hours will be paid regardless of whether they have been fully used or not, subject to 2.2 of this schedule and paragraph 3 of schedule 2 *(Performance Standards)*

2.2. The guaranteed hours payment will incrementally increase from the commencement date as follows:

Week 1 – 25% of guaranteed hours
Week 2 – 50% of guaranteed hours
Week 3 – 75% of guaranteed hours
Week 4 and onwards - 100% of guaranteed hours
Following contract end, the payments for the last six weeks will be based on actual hours delivered.

3. Marketplace.

3.1. The Council has implemented a fully automated purchase to pay system called marketplace.

3.2. The Service Provider must submit electronic invoices within 10 Calendar Days of the end of the month to which it relates using the Council's marketplace system. Where an invoice does not relate to a specific month, the invoice must be submitted within 10 Calendar Days of agreement from the Council.

3.3. Each invoice must contain separate lines to identify the costs that form the total Services Payment e.g. guaranteed hours, additional hours and credits due must all be on separate lines.

3.4. The Service Provider shall provide the Council with a central e-mail address to which orders will be sent electronically via marketplace from the Commencement Date. It is the Provider's responsibility to ensure that continuity of service is maintained at all times and that orders are processed promptly.

3.5. The Provider will submit electronic invoices from the Commencement Date. The Service Provider will achieve this through turning any outstanding Purchase Orders into electronic invoices by utilising the PO Flip method (previously described as 'Manual Invoicing' in the Supplier Guide) on marketplace.

3.6. The Council's standard payment terms are 30 days following the receipt of a valid invoice.

3.7. Services should only be provided/carried out on receipt of an Official Purchase Order, which has been raised via marketplace, by the Council.

3.8. The Service Provider assumes full responsibility for ensuring that programs or other data downloaded uploaded or in any way transmitted electronically to the Council are free from viruses, or any other items of a destructive nature whatsoever. The Council does not accept any responsibility for any loss, disruption or damage to the Provider's data or computer system which may occur whilst using material derived from marketplace. The Council recommends that users recheck all downloaded material with their own virus check software.

4. Information

4.1. In addition to the electronic invoice, the Provider shall submit a schedule detailing the service users who have used the service and the number of hours they have received within each week of the four week invoicing period.

5. General

5.1. The Council may recover from the Service Provider the total sum of any Local Government Ombudsman fine and in addition the Council's reasonable costs incurred pursuant to the Local Government Ombudsman's investigation where:

(a) the Local Government Ombudsman upholds a complaint made by a Service User, Service Users Family or a Customer regarding the quality of the Services within a Providers facility caused as a result of the Provider's manifest negligence and or breach of the Providers duties pursuant to the provisions of this agreement.

And:

(b) the Local Government Ombudsman subsequently levies a fine against the Council.

6. Value Added Tax

6.1. In addition to the Service Payment the Council shall pay to the Service Provider such Value Added Tax as may be properly chargeable by the Service Provider in connection with provision of the Service on receipt of a valid and correct VAT invoice in respect thereof.

6.2. The Service Provider will need to contact the Council for information on how to submit an invoice containing VAT.

6.3. ECC Four Weekly Invoicing Periods for 2015-16 and 2016-17.

ECC Four Weekly Invoicing Periods
2015/2016

1	15/03/2015	To	11/04/2015
Week 1	Sunday 15/03/15	To	Saturday 21/03/15
Week 2	Sunday 22/03/15		Saturday 28/03/15
Week 3	Sunday 29/03/15		Saturday 04/04/15
Week 4	Sunday 05/04/15		Saturday 11/04/15

2	12/04/2015	To	09/05/2015
Week 1	Sunday 12/04/15	To	Saturday 18/04/15
Week 2	Sunday 19/04/15		Saturday 25/04/15
Week 3	Sunday 26/04/15		Saturday 02/05/15
Week 4	Sunday 03/05/15		Saturday 09/05/15

3	10/05/2015	To	06/06/2015
Week 1	Sunday 10/05/15	To	Saturday 16/05/15
Week 2	Sunday 17/05/15		Saturday 23/05/15
Week 3	Sunday 24/05/15		Saturday 30/05/15
Week 4	Sunday 31/05/15		Saturday 06/06/15

4	07/06/2015	To	04/07/2015
Week 1	Sunday 07/06/15	To	Saturday 13/06/15
Week 2	Sunday 14/06/15		Saturday 20/06/15
Week 3	Sunday 21/06/15		Saturday 27/06/15
Week 4	Sunday 28/06/15		Saturday 04/07/15

5	05/07/2015	To	01/08/2015
Week 1	Sunday 05/07/15	To	Saturday 11/07/15
Week 2	Sunday 12/07/15		Saturday 18/07/15
Week 3	Sunday 19/07/15		Saturday 25/07/15
Week 4	Sunday 26/07/15		Saturday 01/08/15

6	02/08/2015	To	29/08/2015
Week 1	Sunday 02/08/15	To	Saturday 08/08/15
Week 2	Sunday 09/08/15		Saturday 15/08/15
Week 3	Sunday 16/08/15		Saturday 22/08/15
Week 4	Sunday 23/08/15		Saturday 29/08/15

7	30/08/2015	To	26/09/2015
Week 1	Sunday 30/08/15	To	Saturday 05/09/15
Week 2	Sunday 06/09/15		Saturday 12/09/15
Week 3	Sunday 13/09/15		Saturday 19/09/15
Week 4	Sunday 20/09/15		Saturday 26/09/15

8	27/09/2015	To	24/10/2015
Week 1	Sunday 27/09/15	To	Saturday 03/10/15
Week 2	Sunday 04/10/15		Saturday 10/10/15
Week 3	Sunday 11/10/15		Saturday 17/10/15
Week 4	Sunday 18/10/15		Saturday 24/10/15

9	25/10/2015	To	21/11/2015
Week 1	Sunday 25/10/15	To	Saturday 31/10/15
Week 2	Sunday 01/11/15		Saturday 07/11/15
Week 3	Sunday 08/11/15		Saturday 14/11/15
Week 4	Sunday 15/11/15		Saturday 21/11/15

10	22/11/2015	To	19/12/2015
Week 1	Sunday 22/11/15	To	Saturday 28/11/15
Week 2	Sunday 29/11/15		Saturday 05/12/15
Week 3	Sunday 06/12/15		Saturday 12/12/15
Week 4	Sunday 13/12/15		Saturday 19/12/15

11	20/12/2015	To	16/01/2016
Week 1	Sunday 20/12/15	To	Saturday 26/12/15
Week 2	Sunday 27/12/15		Saturday 02/01/16
Week 3	Sunday 03/01/16		Saturday 09/01/16
Week 4	Sunday 10/01/16		Saturday 16/01/16

12	17/01/2016	To	13/02/2016
Week 1	Sunday 17/01/16	To	Saturday 23/01/16
Week 2	Sunday 24/01/16		Saturday 30/01/16
Week 3	Sunday 31/01/16		Saturday 06/02/16
Week 4	Sunday 07/02/16		Saturday 13/02/16

13	14/02/2016	To	12/03/2016
Week 1	Sunday 14/02/16	To	Saturday 20/02/16
Week 2	Sunday 21/02/16		Saturday 27/02/16
Week 3	Sunday 28/02/16		Saturday 05/03/16
Week 4	Sunday 06/03/16		Saturday 12/03/16

ECC Four Weekly Invoicing Periods
2016/2017

1	13/03/2016	To	09/04/2016
Week 1	Sunday 13/03/16	To	Saturday 19/03/16
Week 2	Sunday 20/03/16		Saturday 26/03/16
Week 3	Sunday 27/03/16		Saturday 02/04/16
Week 4	Sunday 03/04/16		Saturday 09/04/16

2	10/04/2016	To	07/05/2016
Week 1	Sunday 10/04/16	To	Saturday 16/04/16
Week 2	Sunday 17/04/16		Saturday 23/04/16
Week 3	Sunday 24/04/16		Saturday 30/04/16
Week 4	Sunday 01/05/16		Saturday 07/05/16

3	08/05/2016	To	04/06/2016
Week 1	Sunday 08/05/16	To	Saturday 14/05/16
Week 2	Sunday 15/05/16		Saturday 21/05/16
Week 3	Sunday 22/05/16		Saturday 28/05/16
Week 4	Sunday 29/05/16		Saturday 04/06/16

4	05/06/2016	To	02/07/2016
Week 1	Sunday 05/06/16	To	Saturday 11/06/16
Week 2	Sunday 12/06/16		Saturday 18/06/16
Week 3	Sunday 19/06/16		Saturday 25/06/16
Week 4	Sunday 26/06/16		Saturday 02/07/16

5	03/07/2016	To	30/07/2016
Week 1	Sunday 03/07/16	To	Saturday 09/07/16
Week 2	Sunday 10/07/16		Saturday 16/07/16
Week 3	Sunday 17/07/16		Saturday 23/07/16
Week 4	Sunday 24/07/16		Saturday 30/07/16

6	31/07/2016	To	27/08/2016
Week 1	Sunday 31/07/16	To	Saturday 06/08/16
Week 2	Sunday 07/08/16		Saturday 13/08/16
Week 3	Sunday 14/08/16		Saturday 20/08/16
Week 4	Sunday 21/08/16		Saturday 27/08/16

7	28/08/2016	To	24/09/2016
Week 1	Sunday 28/08/16	To	Saturday 03/09/16
Week 2	Sunday 04/09/16		Saturday 10/09/16
Week 3	Sunday 11/09/16		Saturday 17/09/16
Week 4	Sunday 18/09/16		Saturday 24/09/16

8	25/09/2016	To	22/10/2016
Week 1	Sunday 25/09/16	To	Saturday 01/10/16
Week 2	Sunday 02/10/16		Saturday 08/10/16
Week 3	Sunday 09/10/16		Saturday 15/10/16
Week 4	Sunday 16/10/16		Saturday 22/10/16

9	23/10/2016	To	19/11/2016
Week 1	Sunday 23/10/16	To	Saturday 29/10/16
Week 2	Sunday 30/10/16		Saturday 05/11/16
Week 3	Sunday 06/11/16		Saturday 12/11/16
Week 4	Sunday 13/11/16		Saturday 19/11/16

10	20/11/2016	To	17/12/2016
Week 1	Sunday 20/11/16	To	Saturday 26/11/16
Week 2	Sunday 27/11/16		Saturday 03/12/16
Week 3	Sunday 04/12/16		Saturday 10/12/16
Week 4	Sunday 11/12/16		Saturday 17/12/16

11	18/12/2016	To	14/01/2017
Week 1	Sunday 18/12/16	To	Saturday 24/12/16
Week 2	Sunday 25/12/16		Saturday 31/12/16
Week 3	Sunday 01/01/17		Saturday 07/01/17
Week 4	Sunday 08/01/17		Saturday 14/01/17

12	15/01/2017	To	11/02/2017
Week 1	Sunday 15/01/17	To	Saturday 21/01/17
Week 2	Sunday 22/01/17		Saturday 28/01/17
Week 3	Sunday 29/01/17		Saturday 04/02/17
Week 4	Sunday 05/02/17		Saturday 11/02/17

13	12/02/2017	To	11/03/2017
Week 1	Sunday 12/02/17	To	Saturday 18/02/17
Week 2	Sunday 19/02/17		Saturday 25/02/17
Week 3	Sunday 26/02/17		Saturday 04/03/17
Week 4	Sunday 05/03/17		Saturday 11/03/17