

Cabinet – 14 December 2011

Support for Living at Home Services

Portfolio: Councillor McCracken, Social Care, Health and Housing

Service: Adult Social Care and Inclusion

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of report

This report provides an outline of progress for the procurement of Support for Living at Home Services and makes recommendations to Cabinet. This report follows the two previous reports submitted to September 2010 and February 2011 Cabinet respectively.

Walsall Metropolitan Borough Council (Walsall Council), working in partnership with Walsall's Teaching Primary Care Trust (NHS Walsall) is in the process of establishing a Contractual Framework Agreement for Support for Living at Home Services. It is proposed that following successful completion of the current procurement tender exercise, the Council will use the Framework Agreement to provide services to eligible vulnerable service users living within the borough from 01 April 2012.

The Framework Agreement will cover the following care and support categories:

- Domiciliary Care
- End of Life (palliative) Care
- Continuing Health Care (CHC)
- Community Support

The above care categories are applicable to the following service user groups:

- Older Persons (65yrs+)
- Younger Adults and Disabilities (18yrs to 65yrs)
- Mental Health
- Physical and Sensory Disability
- Learning Disability

In order to respond to changing and diverse needs, the Framework Agreement will provide flexible contracting arrangements, which will be expanded upon demand following the initial procurement tender exercise.

The duration of the Framework Agreement will be up to a maximum 4 years and will have a potential life time value in the region of £76 million based on current utilisation and spend.

2. Recommendations

- 2.1 Approval be given to The Council to enter into a zero based hours Framework Agreement for 1 year, commencing on 1st April, 2012 with the potential to extend annually up to a total contract term of 4 years with providers who have successfully met the procurement criteria during this exercise and such providers who meet this procurement criteria in a similar procurement exercise when it is repeated.
- 2.2 To delegate authority to the Executive Director of Social Care and Inclusion in consultation with the relevant Portfolio Holder, to accept tenders and enter into contracts with providers as detailed in Section One of this report on behalf of the Council.
- 2.3 That the Director of Social Care and Inclusion report back to members the outcome the outcome of the procurement exercise detailing the impact on the local provider market

3. Background Information

- 3.1 During 2010 members agreed to the re-tender of domiciliary care services for older people services, disability services, mental health services and learning disability services with continuing health care services being added in February 2011.
- 3.2 In October, 2011 a progress report was presented to Social Care Scrutiny and Performance Panel confirming key activities which took place prior to commencement of the tender process and activity against the tender evaluation plan updated as follows:

	Event	Start date	End date	Comment
1	Tender returned	05.08.2011	05.08.2011	95 tenders received
2	Compliance check and scanning	18.08.2011	29.08.2011	95 tenders through to QQ stage
3	Evaluation of qualification questionnaire (QQ)	29.08.2011	19.09.2011	95 tenders through to Q&CA stage
4	ITT enclosures validation	10.10.2011	24.10.2011	53 tenders through to the presentation stage
5	Evaluation of Quality & Competence	19.09.2011	24.10.2011	53 tenders through to the presentation

	Assessment (Q&CA)			stage
6	Provider Presentations	24.10.2011	21.11.2011	53 providers interviewed

- 3.3 All potential providers who do not meet the minimum threshold throughout all stages of the process will receive feedback as part of the procurement process. Those unsuccessful providers will also be offered support to develop an improvement plan to strengthen their position should they wish to apply for access to the zero based hour's Framework Agreement in the future.
- 3.4 A zero based hours Framework Agreement is in line with national personalisation programme enabling the Council to call off services under the Framework in accordance with the service users wishes as agreed through the support planning process

4. Resource considerations

- 4.1 **Financial:** Expenditure on the current contracts for 2011/12 is forecast to be £15.603m. No new resources are required to in this procurement exercise however; efficiencies will be achieved by the merging of the funding streams historically used to commission services by individual client groups.

These changes are forecast to contribute £871k towards the directorate target of £2m of efficiencies for 2012/13 from the roll out of personal budgets.

This will be achieved by reviewing current client eligibility and reducing the use of costly residential and nursing care thus supporting the client's preference to remain living independently in their own home

- 4.2 **Legal:** Throughout this exercise, officers have remained committed to ensuring the delivery of care and support services complies with equality legislation and that the procurement process is in compliance with the Council's Contract Rules 2010 and procurement legislation. An officer from Legal Services has been an active member of the SLHS project board. This approach not only mitigates the risk of challenge it also ensures the project complies with all legislation and is conducted in a transparent, fair and equitable manner.

The use of a framework agreement provides flexible contracting arrangements. Service provision is only "called off" as and when required. There is no guarantee to any service provider of the level of work

- 4.3 **Staffing:** All the services that are subject of this procurement exercise are employed within the external/independent sector and there are no TUPE implications

5. **Citizen impact**

Citizens will have increased choice and control of their care/support provision as there was no limit to the number of providers who can be on the Framework to support the personalisation agenda within Walsall.

6. **Community safety**

There is no known community safety issue affected by this report.

7. **Environmental impact**

It is not yet known whether the impact of the proposed changes in contracting arrangements on vehicle mileage travelled and carbon footprints will be positive, negative or neutral. The exercise of choice and control by services users over the provision of the care and support services may lead to more local sourcing of services. It may also more and different providers operating in and across the borough as service users will select the provider who will support them to maximise their outcomes.

8. **Performance and risk management issues**

8.1 **Risk:** A full analysis of risk has been undertaken as part of the project approach, with regular monitoring and escalation/mitigate by project board members as required.

Main risks are around minimising a risk of challenge to the procurement process and a failure of the market to respond to new ways of working. However, this risk is mitigated through the Walsall project management approach.

8.2 **Performance management:** The increased targeting of the services will ensure that performance improves and efficiencies are realised in terms of improved outcomes for services users by contracting with providers who have met a quality threshold established by the framework.

9. **Equality implications**

Replacement of the current contracting arrangements with a framework agreement will mean that the market is better placed to meet individual needs regarding race, gender, disability or other equality issues with personalised services ensuring compliance with all relevant equalities legislation.

10. **Consultation**

There has been extensive consultation with key stakeholders including:

- Citizens (present and future) inclusive of carers, Black and Minority ethnic representation
- Providers, inclusive of voluntary and community sector
- Internal stakeholders inclusive of Health, Legal, Finance and Procurement

Background papers

Cabinet report – 9th February, 2011

Social Care Scrutiny & Performance update papers on 01.09.2011 and 06.10.2011

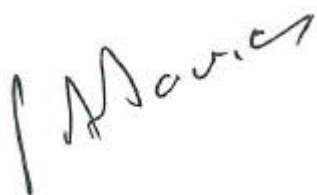
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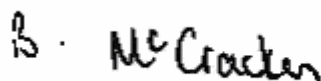
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Paul Davies
Executive Director

25 November 2011



Councillor McCracken
Portfolio holder

6 December 2011