

BRIEFING NOTE

Agenda Item no. 11

TO: Social Care Scrutiny and Performance Panel
DATE: 12 July 2012

SUPPORT FOR LIVING AT HOME SERVICES

Purpose

To provide an update of the progress made on the procurement of a new framework contract for Support for Living at Home Services.

Background Information

In March 2010 a report was presented to Social Care and Inclusion Scrutiny Panel, which identified a number of shortcomings in the contracting arrangements for domiciliary care provision in Walsall. The implementation of personalisation of adult social care services also creates a need to revise the contracting arrangements and so a major exercise has been undertaken that changes the arrangement from being based upon a traditional block contracting approach to a model whereby:

- the procurement exercise will result in the establishment an open Framework Agreement which accommodates enables provider entrance through a robust accreditation process
- there is no guaranteed income for providers
- the process will not close; maximising choice and control for citizens
- there will be no set market price
- the individual service user will normally choose the provider to deliver personalised services (except for CHC cases that are not yet receiving Personal Health Budgets) and
- the Council will only broker services when the citizen cannot or refuses to do so, and will follow a published procedure to ensure transparency both for the Council and Providers

Progress to Date

A Project Group commenced work on the design of the new service specification and evaluation criteria approximately 18 months ago with input from a range of multi agency and disciplinary internal and external stakeholders, including service user engagement.

On 1st July 2011, the Council commenced a procurement process, through which 95 tender submissions were received and evaluated by a range of multi agency and disciplinary internal and external stakeholders, including service user engagement.

During the evaluation, lessons were learned about the market response which resulted in a review of the pass thresholds and other components of the evaluation criteria in order to ensure successful progression of the tender through to a point of award.

Contract Award – Intention to award notices were issued January 20th 2012, with a ‘Standstill Period’ which is in line with EU Procurement regulations. This time period enables the market place to question, clarify and challenge the process that has taken place. Multiple appeals/clarifications were received from which common themes emerged. Sharon Wright acted in the capacity of the Council’s nominated appeals officer to consider all communications received during this period. As a result of the appeals/clarifications received, the Council initiated a comprehensive review of the full process and evaluation, which resulted in corrective action to ensure that the Council conducted the procurement process in an open, transparent, fair and equal manner.

During the period of this review the Council received a legal challenge which effectively suspended progression of the procurement through to award until the issues raised had been satisfactorily dealt with. The Council successfully managed the challenge and as a result were able to progress through to a 2nd stage intention to award.

2nd Stage Intention to Award – Following the standstill period review the Council issued revised ‘Intention to Award’ Notices which were again followed by the mandatory ‘Standstill Period’. In response to issues raised during the 1st standstill period the Council published much more information about the outcome evaluation undertaken, a detailed written feedback and offered an in person de-brief to those providers that wished to receive one.

Contract Award & Implementation - The Council received no challenge to the 2nd stage Intention to Award Notices and a decision was made to proceed to the next phase of the procurement – Contract Award. 39 providers were successful for inclusion in the new Support for Living at Home Services Framework.

Due to the fundamental change in the Council’s Target Operating Model (TOM) for Adult Social Care a number of infrastructure requirements need to be established in order for the new Contractual Framework to ‘go live’. Much of this work is running in parallel to the development and implementation of new contractual frameworks under the Social Care & Inclusion Transformation Programme.

In order to ensure synchronised and stable implementation, transitional contracting arrangements are in the process of being established, which will enable the new Support for Living at Home Services Contract to be phased in between now and 31 March 2013. Subject to agreement from Providers, transitional contracts will be established for the continuation of existing services and the provision of new services as set out below:

1. Transitional Contract 1 - For the continuation of existing services with Providers that were contracted under the 2008-12 Domiciliary and End of Life Care Contracts, which will run up to a maximum of 12 months from the start date on that contract.
2. Transitional Contract 2 - For the provision of new packages via the 39 new Providers that were successful in the recent Support for Living at Home Services (SLHS) tender

Recommendations (if required)

To note the new timeline for the implementation of the new framework contract for support to living at home services.

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