

18 June 2013

Accommodation Based Services – Framework Contract

Ward(s) All

Portfolios: Councillor McCracken
Councillor A. Andrew – Regeneration and Transport
Councillor R. Andrew – Children’s Services
Councillor I. Shires – Community Engagement and Voluntary Sector
Councillor Towe - Resources
Councillor Ali- Public Health and Protection

Executive Summary:

- 1.2 This report outlines proposals for procurement of accommodation-based services comprising residential and nursing care home placements and housing related support services funded by Walsall Council and Walsall Clinical Commissioning Group (WCCG).
- 1.3 The procurement exercise will be phased as follows:
- Lot 1 - residential and nursing care home placements
 - Lot 2 - accommodation for young people at risk of homelessness
 - Lot 3 – accommodation for people at risk and/or suffering from domestic abuse
- 1.4 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 £88 million of Walsall Council and £44 million of Walsall Clinical Commissioning Group (CCG) expenditure based on current levels.

2. Recommendations to Cabinet

- 2.1 That Cabinet authorises a procurement process be undertaken in respect of accommodation based services to meet identified needs within the residential and nursing and housing related support sector be approved.
- 2.2 That Cabinet delegates authority to award the contracts for residential and nursing care home placements and accommodation for young people at risk of homelessness and people at risk and/or suffering from domestic abuse to the Executive Director of Social Care and Inclusion.

Reason for scrutiny:

Panel currently has a working group looking at the quality of services in care homes. The framework contract has the Council's overarching contract specification for the quality of care in care homes and the working group will want to seek reassurance that the new framework specification will be in line with the work on improving the quality and standards of care.

Recommendation to Scrutiny and Performance Panel

That Scrutiny and Performance Panel agrees with the recommendations to Cabinet.

Background papers:

None

Resource and legal considerations:**Financial implications**

Current expenditure on these services is approximately £22m per annum for the Adult Social Care & Inclusion budget, and £11 million per annum from WCCG's budget.

SC&I aims to support people to live as independently as possible in their own home, and going forward this is likely to reduce the spend of residential and nursing care home placements.

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 a specific level of work.

Legal implications

The Council needs to ensure the delivery of care and support services in compliance with equality legislation and the procurement process is in compliance with the Council's Contract Rules 2010 and procurement legislation to mitigate the risk of challenge.

Legal advice has been sought to minimise the risk of challenge and seek to comply with legislation.

Establishing a framework agreement enables flexible contracting arrangements that can meet fluctuating service demands. Service provision is only "called off" as and when required and there is no guarantee to any service provider of a specific level of work.

Citizen impact:

Service users will continue to receive good quality care and support in care homes.

Environmental impact:

There will be no direct impact on the environment as a result of the re-procurement of this framework contract.

Performance management:

The number of people supported in residential placements is measured as a Council performance indicator and reported to the Department of Health. Well performing authorities are considered to be those which maintain high numbers of people at home, with comparatively low levels of residential placements, particularly of adults with complex needs. Walsall's position has been improving in recent years from being in the lowest quartile for performance in 2009/10 moving to average by 2012/13. The directorate is planning to reduce the number of placements still further. Scrutiny and Performance Panel will continue to scrutinise the Council's performance in this area of service.

Equality Implications:

An Equality Impact Assessment will be completed as part of the project management approach to the procurement exercise. It is not expected that there will be any direct equality implications arising from the re-procurement of this framework contract.

Consultation:

There will be a communication and consultation plan developed to ensure clear and consistent messages are delivered for all stakeholders to share their views in a timely manner.

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Lot 1 - Residential and Nursing Care Home Placements

The previous framework agreement for providers of residential and nursing care home placements was established by Walsall Council and NHS Walsall for a 3 year period, with the option of extending the contract for a further year, subject to consultation and mutual agreement which is the maximum period for this type of contracting arrangements. The procurement of future services must be completed at the earliest opportunity to minimise the risk to the Council of buying these services without a compliant process being undertaken.

This contract was tendered in 3 phases for client groups' older people (Phase 1), mental health,(Phase 2) and specialist services which include learning disabilities (LD), physical and sensory disabilities (P&SD) and other complex care (Phase 3).

Phase 2 and 3 contracts were never awarded due to the changing nature of these services and so these services are therefore operating under old terms and conditions (i.e. pre 2009 contractual terms and therefore, no inflationary uplifts have been applied).

The Council currently has 355 contracts (70 in borough and 285 out of borough) which supports 849 (576 in borough/273 out of borough) service users, these contractual arrangements are due to expires 31 March 2014 following legal advice to allow a timely and transparent procurement process.

It is recommended that the Council adopt a framework agreement for the re-tendering of the residential and nursing tender which would support the personalisation agenda of increase choice and control for service users, carers and their families, and partnership working with Walsall CCG via the Joint Commissioning Unit.

Lot 2 - Accommodation for young people at risk of homelessness, and Lot 3 - People at risk and/or suffering from domestic abuse

Young people at risk and domestic abuse accommodation have historically been funded through Supporting People Grant. There are 8 services which support 146 young people and 2 services for domestic abuse which supports 46 service users. All Directorates of the Council and partner agencies have an interest in these services and the strategic aim is to clarify their role as part of a broader range of services and not treat them in isolation from prevention or follow up support.

The services will be re-commissioned as part of an integrated pathway of care and support that places greater emphasis on prevention and so the amount of accommodation units to be subject to the procurement exercise may be different from the current levels.

Progress to Date

The residential and nursing care home procurement exercise incorporates WCCG expenditure and is being led by the Council. The Council conducts procurement and contract monitoring on behalf of WCCG and Consultation with stakeholders has been organised from May 2013. This will assist with the development of the residential and nursing care home placement specifications.

A programme of work has been arranged from April 2013 to scope existing youth homelessness accommodation services and agree future provision with representation from all Council Directorates.

The Domestic Abuse (DA) Strategy Group with representation from partner agencies and across the Council is reviewing domestic abuse services to redesign the pathway of services.