

<b>TITLE</b>	<b>Support and Care Procurement</b>
<b>FOR CONSIDERATION BY</b>	Council on Thursday, 21 January 2021
<b>WARD</b>	None Specific;
<b>LEAD OFFICER</b>	Director, Adult Social Care and Health - Matt Pope
<b>LEAD MEMBER</b>	Executive Member for Health, Wellbeing and Adult Services - Charles Margetts

## **PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)**

In accordance with WBC's Procurement and Contracts Rules and Procedures, this report seeks approval of Full Council to proceed with the Support and Care procurement framework. The procurement exercise will enable ASC to commission high quality, cost effective care for vulnerable adults in need of supported living or home care.

A key element of the ASC and the Voluntary and Community Sector Strategy, this procurement exercise will support our focus on prevention and reducing demand, delaying the need for more costly services. People will be supported and enabled to remain as independent as possible for as long as possible in their own homes and communities and not in residential care homes.

The final specifications will require providers to deliver reablement and strength based commissioning where the individual will continue to receive personalised support and be at the centre of any support. WBC will work closely with providers to ensure high quality choice of services are provided that support and safeguard its vulnerable residents.. Through this tender, WBC will ensure that improvements are made in the training and development of the carer workforce.

The Support and Care Procurement will strengthen our commissioning practice, improving the strategic oversight of commissioned activity, market intelligence and engagement with social care providers. This will create greater stability of placements for our most vulnerable and increase quality assurance resulting in improved outcomes.

Delegated authority is being sought for the Director of Adult Social Services to agree the procurement model for support and care services and enter into call off agreements with the successful organisations which meet value for money and quality requirements.

The Executive has considered the proposals set out in this report and agreed the recommendations at the meeting held on 26<sup>th</sup> November 2020.

## **RECOMMENDATION**

That as recommended by the Executive Council gives approval for:

- 1) Officers to proceed with the Support and Care procurement, as set out in Appendix 1 to the report;

- 2) Officers to create a compliant framework, from which to call off support and care packages;
- 3) The Director of Adult Social Services to have delegated authority to approve business cases to enter into call off agreements with successful organisations for individual or block contracts where price and quality benefits are achieved

## **EXECUTIVE SUMMARY**

Our ambition is for Wokingham Borough to be one of the best boroughs for adults and carers in need of support to live, where they feel safe, included and a key part of our community. Our ASC strategy focusses on how WBC and its partners will prevent, reduce and delay the need for formal support and care and where possible to improve people's health and wellbeing, focusing on prevention and self-help.

In 2018/19 approximately 2,025 new clients made 4,345 requests for information, advice or support from WBC. 69% (2970) of these led to signposting to universal services or no service provided and 11% (460) led to long term care. 1,860 people (existing and new) received support and care provided by WBC throughout the year. Most people (1,320) received support and care in their own home – and it is this aspect that will fall under the scope of this project. At any one time approximately 700 people are in receipt of a supported living or home care service, approximately 30 adult care packages are let each month totalling 360 per year.

Supported Living is a service designed to help people with a wide range of support needs retain their independence by being supported in their own home. People in supported living are usually aged between 18-64 and may live with their family or have their own tenancy as part of a shared accommodation and are responsible for their own bills and cost of living. To afford these, the person may be entitled to a wide range of benefits and grants. In single person supported living, they will also have their own front door.

Home care is looking after a person from the comfort of their own home. Care workers go into people's homes to help with the day to day aspects of living such as personal care. Home care is flexible and can be anything from a couple of visits a week right through to 24/7 live in care. Providers who provide the personal care element must be CQC registered. Usually people who receive home care service are aged 65 and over.

The procurement exercise will be delivered within existing budgets, approximately £14 million per annum. This will deliver existing efficiency programmes within the Medium Term Financial Plan, managing demand and utilising our budget to its full potential. It is based upon restructuring of existing spend through compliant and competitive procurement processes. The identified spend does not represent a change in expenditure and further efficiencies against this spend is not possible. This exercise will enable to Council to maintain sufficiency within the local adult social care market.

Given that WBC has had unforeseen expenditure due to Covid 19 it is important that all possible models to procure support and care are considered. This procurement will ensure that we continue to comply with WBC financial regulations, UK Public Procurement Regulations and EU law. At present, packages are spot purchased and there is little market engagement with providers. The project will ensure high quality services are delivered that continue to safeguard individuals, achieve value for money,

continued service improvements and enhanced outcomes for residents and the workforce. This will also allow WBC to have a better market oversight and influence the development of the market to meet strategic priorities. By working with providers who have agreed to our requirements and our rates we will be able to budget and forecast spend more accurately including controlling any future cost increases.

It is anticipated that the contract will be awarded by May/June 2021.

*Key milestones*

1. Cost modelling by end of October/November 2020 to ensure a sustainable rate of care and any future costings will be based on these models
2. Ongoing provider and stakeholder engagement
3. Tender advertisement February/March 2021
4. Framework award by April/May 2021
5. Full mobilisation by April/May 2021
6. Framework go live date May/June 2021

## BACKGROUND

Our ambition is for Wokingham Borough to be one of the best boroughs for adults and carers in need of support and care to live, where they feel safe, included and a key part of our community. Our procurement will help us achieve this ambition and with our partners will enable us to prevent, reduce and delay the need for formal support and care and where possible to improve people's health and wellbeing, focusing on prevention and self-help.

Providers on the framework will support vulnerable adults, adults with disabilities and older people to achieve the desired outcomes that are important and personal to them. They will help deliver Wokingham's ambitions for ASC in the borough, to ensure that all residents are enabled to achieve their personal goals and ambitions, in a context which promotes safety, independence and choice.

The procurement will help deliver the four key aims or priorities of the new ASC strategy:

- protect and safeguard adults
- prevent, reduce and delay the need for formal care and support
- promote and support choice and independence
- work in partnership and commission services that deliver quality and value for money

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At present supported living and home care is commissioned on a spot basis - there has not been any formal process whereby a select or approved group of providers has been selected. We are therefore, in a position where we work with a number of providers, ranging from those with single packages of support and care to those with a significant amount of Council work. Providers have raised concerns that there is a need to improve how providers are awarded work. There is a lack of competition, it is difficult for new entrants to enter the market and a lack of innovation/use of technology. There are also different start and end dates for contracts that causes additional work for Officers when renewing contracts. In addition for supported living, support provision in some cases is dependent on provision of housing (and vice versa.) So if the support provider changes, this may also affect the tenancy. There is a need to amend this so that the person has security of tenure in line with their tenancy agreement.

A procurement exercise will address these issues. There is a need to ensure that we approach the procurement of support and care strategically and this is more imperative

given the financial outlook due to COVID 19. The procurement will allow WBC to prequalify providers to a minimum quality level that ensures meeting our statutory duty as well as promoting continuous improvement in the care market. Encouraging competition through formal market competition may support management through forecasting budgetary pressures and requirements. Allowing providers to register their interest in working with WBC at any time may increase the number of providers and new entrants to the market as there is no time constrained tender period; this can promote choice, quality, competition and innovation in the market.

## **BUSINESS CASE**

Under the Public Contracts Regulations (PCR) 2015, both frameworks and dynamic purchasing systems (DPS) are compliant techniques for procurement. A framework is a 'closed' approved provider list to which providers agree to general terms and conditions of performance and quality, and from which you can subsequently directly award contracts or run mini competitions. Frameworks may only be let for up to 4 years. A DPS is similar in nature to a framework, except that it remains open for new provider applications, all contracts are let through mini-competitions, and it does not have the 4 year limitation, and must be run entirely electronically.

The proposal looks to implement a model that selects best and compliant elements of a DPS and framework designs to meet our requirements (following internal and external stakeholder engagement). All providers will have to meet quality and/or price standards to be accepted, and if/where concerns relating to this arise, they may be temporarily or permanently suspended from bidding for WBC care packages

Other benefits this will provide to WBC will be:

- Delivery of the ASC Strategy and the Voluntary and Community Sector Strategy. This will include a focus on prevention and in reducing, and delaying the need for more costly services, by supporting people to live independently in their own homes and communities and not in residential care homes. This is particularly important, given the experiences of care homes during COVID19 and the expected increase in support and care at home as the main choice for many people. This puts emphasis on the ability of care providers to 'enable and reable' people to stay in their own homes, particularly on discharge from hospital.
- The specifications will enable providers to deliver reablement and strength based commissioning where the individual will continue to be at the centre of any support, they will include improvements in the training and development of the carer workforce.
- Quality control and service improvement –this method of procuring delivers a single set of overarching terms for quality and performance which providers must agree to, creating a standard, equal and transparent expectation to all providers who successfully apply in order to maintain framework status. In addition individuals who are receiving Direct Payments will benefit from the framework, all providers would expect to ensure the same terms and conditions including rates are applied to these packages.
- We will work closely with framework providers, including having regular forum and engagement opportunities to ensure that quality is improved. This will also require

us to meet Care Act (2014) requirements – the procurement will allow for planning around supporting sustainability of the market through more efficient contract monitoring, consistent cost modelling and price variance management. This will improve not only our market intelligence but our influence over our local market both financially and through improved supplier relationship management.

- The contract price will be determined through a standardised model and may be a set rate for all providers, ensuring consistency, equal opportunity and treatment. By working with providers who have agreed to our rates we will be able to budget and forecast spend far more accurately including controlling any future cost increases (including for Direct Payments as mentioned above).
- Through cost modelling with the market, we can ensure the design encapsulates a sustainable and efficient rate for both supported living and domiciliary care applicable to Wokingham borough.
- We will explore any opportunities of making the process more efficient for WBC including guaranteeing hours where appropriate, zoning certain parts of the borough, and exploring how technology can be used in delivering support and care.
- Efficiencies for internal staff including linking with wider partners and taking into account the changes that have taken place in the market following Covid19.
- Modernising our procurement procedures – the majority of LAs have designed and utilise their own or a consortium framework e.g. Nottinghamshire; Stockport, Trafford and Rochdale Councils; Oxfordshire; Reading Borough. Providers are familiar with using these systems. Additionally, WBC already successfully uses frameworks for Children’s residential care and independent foster agency placements.
- Procurement process will reflect the market – and support and invite newer and smaller businesses to contract for services as well as larger national organisations.

**See procurement business case for more details including timeline.**

## **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***WBC faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0 (this is within planned Medium Term Financial Plan envelope)	Actual spend will vary by the amount of care assessed as eligible under The Care Act.	Revenue
Next Financial Year (Year 2)	£0 (this is within planned Medium Term Financial Plan envelope)	Yes - any inflation added to the framework will be agreed annually as part of the medium	Revenue

		term financial planning process. Amount of inflationary award will be limited by the new contractual terms in this procurement.	
Following Financial Year (Year 3)	£0 (this is within planned Medium Term Financial Plan envelope)	Yes - any inflation added to the framework will be agreed annually as part of the medium term financial planning process. Amount of inflationary award will be limited by the new contractual terms in this procurement.	Revenue

<b>Other Financial Information</b>
The procurement exercise will be delivered within existing budgets, approximately £14 million per annum. This will deliver existing efficiency programmes within the Medium Term Financial Plan, managing demand and utilising our budget to its full potential. It is based upon restructuring of existing spend through compliant and competitive procurement processes. The identified spend does not represent a change in expenditure and further efficiencies against this spend is not possible. This exercise will enable to Council to maintain sufficiency within the local ASC market.

<b>Stakeholder Considerations and Consultation</b>
As above

<b>Public Sector Equality Duty</b>
Attached

<b>Climate Emergency – <i>This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</i></b>
The tender process will ensure any environmental considerations are taken into account, particularly where travel time in home care can be minimised.

<b>List of Background Papers</b>
Procurement Business Case

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