

CABINET

Date of Meeting	Tuesday, 20 th November 2018
Report Subject	North Wales Supported Living and Outreach Support Procurement
Cabinet Member	Cabinet Member for Social Services.
Report Author	Chief Officer (Social Services)
Type of Report	Operational

EXECUTIVE SUMMARY

The six North Wales Authorities and Betsi Cadwaladr University Health Board (BCUHB) are working in collaboration on the second phase of the Regional Domiciliary Care Tender. Phase 1 focused on producing a list of domiciliary care Agencies which is now complete with a framework-like agreement in place for commissioning of these services from the local market. It has been agreed regionally that Phase 2 should focus on the procurement of supported living services due to delays in recommissioning these services following the recent legal challenge from Mencap regarding sleep-in pay. This report details progress made to date and requests approval to tender on behalf of the region for a Supported Living and Outreach Agreement. At this stage the process only involves developing a list of pre-qualified providers that will subsequently allow each of the 6 North Wales Authorities to undertake efficient mini tender exercises for individual packages of care and/or supported living houses. The estimated values within this report are what may be commissioned in future, across the region, through competitive tenders using the agreement. Each partner will manage their own mini tender process following the establishment of this overarching agreement.

RECOMMENDATIONS

1	That Cabinet approve the proposal for Flintshire to tender for the Regional Supported Living and Outreach Agreement.
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REPORT DETAILS

1.00	BACKGROUND
1.01	<p>During 2017/18 Denbighshire County Council led a commissioning process to establish a Regional Agreement (similar to a framework) for purchasing domiciliary care services for adults from Care Inspectorate Wales (CIW) registered providers. This has now been completed and the Agreement have been operational since 1st April 2018.</p>
1.02	<p>This arrangement replaced an existing North Wales Contract which needed to be retendered in accordance with procurement regulations and changes in social care legislation (including Social Services and Wellbeing (Wales) Act 2014). The project was managed for the Regional Commissioning Board by the Regional Collaboration Team which is hosted by Denbighshire County Council. Flintshire Officers had full involvement in the design, tendering and evaluation process of phase 1 as did partners across the 6 Local Authorities and BCUHB.</p>
1.03	<p>The Regional Agreement is used by the six Local Authority partners and Betsi Cadwallader University Health Board (BCUHB) in North Wales. Each partner is responsible for their own purchasing arrangements and there are standardised terms and conditions to call off against the Agreement. These arrangements only apply to organisation regulated by CIW. Flintshire now purchase all independent domiciliary care services through this agreement wherever possible.</p>
1.04	<p>It has been agreed regionally that Phase 2 of this work should focus on the procurement of supported living services. This will allow Flintshire County Council and partners to use the agreement and have the ability to conduct mini tenders for supported living packages of care. There is no financial commitment at this stage in the process it is purely to establish a list of suitable providers who have undertaken a pre-qualifying process to demonstrate they are able to meet the specification. The tender process will follow the light touch regime and will develop a framework-like agreement.</p>
1.05	<p>To procure supported living package of care on an individual basis can be time consuming and a lengthy process. Through establishing this agreement partners will have flexibility to either Direct Award or conduct Mini Tenders for supported living services. This will be a more efficient and responsive process whereby providers will have already undertaken key checks and due diligence to demonstrate they are able to meet the needs and quality standards required.</p>
1.06	<p>A service specification has been developed and will encompass additional requirements over and above the domiciliary care requirements in phase 1 and will meet the following individual's needs:</p>

	<ul style="list-style-type: none"> • People with learning disabilities with/without additional health needs • People with mental health needs • People presenting behaviours that may be challenging including dementia • People with physical disabilities with/without additional health needs • People with autistic spectrum conditions
1.07	<p>Providers will be asked to submit an indicative hourly rate. This will not be evaluated and will be for information purposes only. This will give us the option to use the agreement to directly award contracts if an emergency situation should arise, however it is anticipated that the majority of packages will be commissioned through a Mini Tender process.</p>
1.08	<p>The majority of providers working in the supported living sector submitted successful tenders during phase 1 of this work stream however phase 2 will focus on meeting supported living specifications and hence these organisations will be required to complete a set of supplementary questions relating to these specifications. Those providers who did not apply during phase 1 will be required to complete both sets of questions (phase 1 and the supplementary questions from phase 2). There is an opportunity to open up phase 1 at this time for any domiciliary providers who did not apply in the first phase to do so during phase 2 – they will only be required to answer the questions from phase 1.</p>
1.09	<p>High level estimated costings for this work stream are as follows:</p> <ul style="list-style-type: none"> • £165 million (over a period of five years) for the North Wales region • Flintshire County Council estimated spend £9.3 million per year <p>For clarity however there is no financial commitment at this stage in the process it is purely to establish a list of suitable providers who have undertaken a pre-qualifying process to demonstrate they are able to meet the specification.</p> <p>The only eventual financial commitment for Flintshire County Council will be the commissioning of supported living services for Flintshire residents as is currently undertaken, but that in the future will be undertaken using the Regional Agreement referred to above.</p>
1.10	<p>Flintshire County Council are leading on this work stream will full support and contribution from all partners. The tendering will be undertaken on an 'open basis' and the process will re-open over time to allow new providers to apply.</p>

2.00	RESOURCE IMPLICATIONS
2.01	Officer time to manage the procurement process with support from officers across the region.
2.02	Provider information events are supported financially by the Regional Commissioning Team.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Providers have been kept up to date with progress of this work stream through various communication streams including a notice on Sell to Wales and a “Meet the Buyer” event which was held on 5 th November 2018 at the Optic Centre in St Asaph.
3.02	Supporting People have been consulted and are involved in this work stream. However services commissioned through Supporting People would be with non-regulated providers, the Supported Living Agreement will be for regulated services only.

4.00	RISK MANAGEMENT
4.01	The project aims to provide greater sustainability of service provision and clear contractual arrangements for Providers.
4.02	All partners have agreed to underwrite this exercise and to contribute towards the Councils costs should the Council face any legal challenge resulting from the tendering exercise (this confirmation is secured via a Regional Commissioning Board Agreement and an Integration Agreement already in place). This risk is not deemed likely as it is a second phase of the process and no challenge was received during the first phase.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Jane M Davies Telephone: 03152 702503 E-mail: Jane.m.davies@flintshire.gov.uk