

Report to	Cabinet
Date of meeting	18 th February 2020
Lead Member / Officer	Councillor Bobby Feeley & Phil Gilroy (Community Support Services)
Report author	Alison Heaton (Community Support Services)
Title	Approval for the North Wales Supported Living Agreement

1. What is the report about?

- 1.1. This report contains recommendations for Cabinet to approve the acceptance / rejection of tenders in relation to the recent procurement exercise led by Denbighshire County council on behalf of the six North Wales Councils and Betsi Cadwaladr University Health Board (BCUCH)

2. What is the reason for making this report?

- 2.1. A decision is required on the accepting / rejecting tenders in relation to the recent procurement exercise (tender) for the North Wales supported Living Support (Framework) Agreement.
- 2.2. Denbighshire County Council's Contract Procedure Rules require that awarding of contracts with a value over £2 million receive Cabinet approval.

3. What are the Recommendations?

- 3.1. That Cabinet approve the acceptance of the tenders of 35 suppliers and to reject the tenders of 6 suppliers for the reasons detailed within the Framework Agreement Award Recommendation Report (Appendix 1).
- 3.2. That Cabinet confirms that it has read, understood and taken account of the original Commissioning Form (Appendix 2), the Well-Being Impact Assessment, (Appendix 3), and the Data Processing Impact Assessment for the North Wales

Domiciliary Care tender (Appendix 4). This tender forms part of that original work stream.

4. Report details

- 4.1. Denbighshire County Council previously led on an electronic procurement exercise (tender) to establish a regional North Wales Agreement for Domiciliary Care Services for adults on behalf of the six Local Authority partners and BCUHB. This agreement commenced 1st April 2018.
- 4.2. The Agreement ensures that the partners meet the requirements of the 'Social Services & Wellbeing (Wales) Act 2014' and the 'Regulation & Inspection of Social Care (Wales) Act 2016.
- 4.3. The opportunity for new providers seeking to gain approval and for existing providers seeking to broaden the scope of supply they had originally been approved for was re-opened through a formal tendering exercise was reopened in February 2019.
- 4.4. A third electronic procurement exercise (tender) has been completed, led by Denbighshire County Council. This was to approve new providers wishing to provide Supported Living Services across the North Wales Region and for existing approved providers of Domiciliary Care Services providers to also provide Supported Living Services.
- 4.5. All of the 7 partner organisations have contributed to the evaluation of the tenders against a published procedure and criteria.
- 4.6. Providers have been required to pass appropriate organisational due diligence checks including financial stability, health and safety and insurance requirements, and evidence how they are working to promote the wellbeing of the people that they support.
- 4.7. A team of over 25 professionals across the 7 partner organisations have been involved in scoring the providers' tenders.

4.8. The Evaluation Team have agreed the outcome of the evaluation – to accept the tenders of 35 suppliers (that have met all the published qualification and quality requirements) and to reject the tenders of 6 suppliers who did not meet the requirements.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. Domiciliary (Homecare/Supported living) Services support people who are ill, frail or disabled to maximise their wellbeing and should promote independence and resilience (core themes of the Denbighshire Wellbeing Plan).
- 5.2. Most domiciliary care workers work in the communities in which they live.
- 5.3. Employing and training people to care and support people who are ill, frail or disabled contributes to ensuring our communities are resilient, providing additional benefits / social value.

6. What will it cost and how will it affect other services?

- 6.1. Rates were not submitted as part of this procurement exercise.
- 6.2. The Framework will be used to Procure Supported Living Services by way of mini tenders. This will greatly reduce the timescales required to complete the tender process.
- 6.3. The cost of procuring Supported Living Services in Denbighshire will continue to be met through the Community Support services Budget.
- 6.4. All costs associated with this tender exercise have been funded through contributions from all 7 partner organisations and the Regional Learning Disability Transformation Project.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. A Well-Being Impact Assessment was undertaken during the scoping and planning phase of the original tender. The Assessment has since been reviewed and the original scores remain applicable.

7.2. The completed Well-Being Impact Assessment detailed 3 stars and a score of 21/24; having a positive impact on all the Well-Being goals in Denbighshire.

8. What consultations have been carried out with Scrutiny and others?

8.1. This is the second phase of the North Wales Regional Domiciliary Agreement tender. Since the original procurement exercise, The Lead Member has been kept briefed on the commissioning project and the tender planning and signed off the original Commissioning Form (document required by Contract Procedure Rules in order to commence a tender exercise).

8.2. The requirements of the 7 partner organisations have been discussed via the regional Commissioning Boards, at NWASH and at the NW Learning Disability Partnership Board.

9. Chief Finance Officer Statement

9.1. The Framework is obviously required to ensure that the services can continue to be delivered. It is expected that the costs will be contained within budget in this area, although the service as a whole is dealing with a number of pressures.

10. What risks are there and is there anything we can do to reduce them?

10.1. A full project risk assessment has been completed and mitigating actions agreed by all of the partners.

10.2. The main risk at this stage of the procurement exercise is receiving a challenge to the notification of rejection of tenders. In order to minimise this challenge, full

feedback will be given to the unsuccessful providers detailing the areas of the tender which they passed and failed and the reasons why certain responses did not meet the pass criteria (This is standard procedure).

10.3. In order to impact on the award of the Agreement a legal challenge would have to be made. We are confident that the evaluation has been conducted in line with the published evaluation methodology and so any challenge would likely to be unsuccessful.

10.4. In appointing 35 approved providers, the region (and its citizens) will be better served by providers that have been appropriately assessed / quality assured, and partners / citizens have access to greater choice.

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11. Power to make the decision

11.1. Denbighshire Council's Contract Procedure Rules require that awarding of contracts with a value over £2 million require Cabinet approval.

11.2. Supported Living Services are supported by the Council under the Social Services and Well-Being Act 2014.

11.3. Supported Living Services are regulated by The Care Inspectorate Wales under the Regulation and Inspection of Social Care (Wales) Act 2016.

Appendices:

Appendix 1: Framework Agreement Award Recommendation Report

Appendix 2: Commissioning Form approving commencement of tender

Appendix 3: Well-Being impact assessment for the Regional Domiciliary Care

Appendix 4: Data Processing Impact Assessment