

GLOUCESTERSHIRE HEALTH & SOCIAL CARE FRAMEWORKS 2020-24

Cabinet Date	19 June 2019
Adult Social Care Delivery	Cllr Kathy Williams
Adult Social Care Commissioning	Cllr Roger Wilson
Key Decision	Yes
Background Documents	<p>Cabinet decision dated 17th September 2014 – Building Better Lives: The Implementation Begins</p> <p>http://glostext.gloucestershire.gov.uk/ieDecisionDetails.aspx?ID=569</p>
Location/Contact for inspection of Background Documents	<p>Please contact the Project Leads:</p> <p>Chris Gratton, Interim Commissioning Manager (Disabilities Hub) E-mail: chris.gratton@gloucestershire.gov.uk</p> <p>Brenda Yearwood, Interim Lead Commissioner – Contract Management E-mail: brenda.yearwood@gloucestershire.gov.uk</p>
Main Consultees	<ul style="list-style-type: none"> • Commissioning and operational colleagues across health and social care from Gloucestershire County Council, Gloucestershire NHS Clinical Commissioning Group and 2gether NHS Foundation Trust • Internal stakeholders on the Project Group including colleagues from the legal, commercial, finance, communications and risk management teams • CCG Joint Commissioning Partnership Executive • Learning Disability and Autism Clinical Programme Group • Care providers via the Gloucestershire Disabilities Provider Forum • Service users and their families / carers via the Partnership Boards • Gloucestershire Care Providers Association (GCPA)
Planned Dates	<p>Engagement with key stakeholders: January – June 2019</p> <p>Procurement processes: September 2019 – February 2020</p> <p>New contractual arrangements commences: 1st April 2020</p>
Divisional Councillor	All

Officer	<p>Kim Forey Director of Integration – Gloucestershire County Council & Gloucestershire NHS Clinical Commissioning Group Tel: 0300 421 1628 E-mail: kimforey@nhs.net</p>
Purpose of Report	<p>To seek approval and consent to:</p> <ul style="list-style-type: none"> • conduct a tender process for a new 4-year multi-provider framework commencing on 1st April 2020 for the procurement of community-based support services for people with an assessed health or social care need including disabilities, autism, a mental condition and/or older people; and • conduct a tender process for a new 4-year multi-provider framework commencing on 1st April 2020 for the procurement of buildings and community-based day opportunities for people with disabilities, autism and/or a mental condition and older people.
Recommendations	<p>It is recommended that Cabinet authorises the Commissioning Director (Adults and DASS) to:</p> <ol style="list-style-type: none"> 1. conduct EU and legally compliant tender processes for the award of: <ol style="list-style-type: none"> (a) a 4-year multi-provider framework for community based support services for people with disabilities, autism and/or a mental condition and/or older people; and (b) a 4-year multi-provider framework for the procurement of buildings and community based day opportunities services for people with disabilities, autism and/or a mental condition and older people, <p style="text-align: center;">both commencing on 1st April 2020; and</p> 2. upon conclusion of the tender process, to enter into a contract with providers who have been evaluated as achieving the requisite score against the relevant evaluation criteria, in each case as set by the Council.
Reasons for recommendations	<p>The current Disabilities Frameworks ends on 6th November 2019 and therefore new procurement and contractual arrangements will need to be put in place to succeed them.</p> <p>The current strategy has provided a more integrated commissioning approach across health and social care with consistency of processes, contractual terms, price and quality of service. By including the procurement of Older People’s services, the aim is to further integrate procurement</p>

	<p>processes and minimise duplication for service providers. It will also create opportunities for existing providers to diversify their current service offering.</p> <p>Since the current disabilities frameworks end on 6th November 2019, it will not be possible to make further awards under them after that date. However, in view of the strategic advantages of aligning the commencement of the new framework with other contractual arrangements across adult social care, it is intended that the Commissioning Director (Adults and DASS) will make a direct award in the case of each support package commissioned during the period from the expiry of the current frameworks on 6th November 2019 to 31st March 2020. This will enable the Council to align the adult social care contractual arrangements by letting care packages currently delivered through the Older People’s DPS under the new framework with the aim of moving the purchasing of older people’s care packages to the new framework.</p> <p>This will further enable EU compliant tender processes to be carried out for the new contractual arrangements to commence on 1st April 2020.</p> <p>The framework for Day Opportunities services will open on a quarterly basis allowing new providers to become a supplier at any point during the 4-year period. As a result, it is intended that the tender process will be more streamlined and accessible for smaller, voluntary sector type day opportunities providers.</p>
<p>Resource Implications</p>	<p>There will be no financial impact on the current level of spending solely as a result of the recommendations set out in this report and demand remains the main influencing factor.</p> <p>An indication of the annual spend in each service area for the financial year 2018-9 is as follows:</p> <ul style="list-style-type: none"> • Learning Disabilities: c.£32,785,000 • Physical Disabilities: c.£3,648,000 • Mental Health: c.£2,495,000 • Transforming Care: £4,600,000 • Disabled Children & Young People Service: c.£155,000 • Older People’s Home Care: c.£18,000,000

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Background

Since November 2015 Gloucestershire County Council, NHS Gloucestershire Clinical Commissioning Group and 2Gether NHS Foundation Trust jointly have jointly commissioned six disabilities 4-year frameworks to procure community-based support services for adults (and where regulations allow, children) with a learning disability, physical disability, autism and/or a mental health condition.

Gloucestershire has a mature local market of support providers in these sectors. There are 85 providers on the six current contract frameworks and they range from large national charities through to small, owner-managed businesses. Fewer than 10% of support packages are commissioned outside of the six contract frameworks.

In addition, Gloucestershire County Council and Gloucestershire NHS Clinical Commissioning Group also jointly commission community-based home care for older people. The contractual arrangements for these are covered by two lead provider contracts (which were tendered in 2016), a Dynamic Purchasing System for rural packages (also tendered in 2016) and a further DPS for urban packages (tendered in 2017) in order to enhance the purchase of urban packages.

There are currently 66 active providers delivering care under the Older People's home care contracts and DPS arrangements. However, over the three years of the contract, this number has fluctuated and at one point, rose to 92 providers. Under the two DPS arrangements, new providers have entered the Gloucestershire market, started delivering services and then handed back contracts when the level of competition and the rural geography of the county have made business sustainability difficult.

It is a strategic goal to align the timeframe of the new frameworks with other contractual arrangements across adult social care. In consultation with both the Commercial and Legal teams and as set out above, it is proposed to continue with the current contractual arrangements for an interim period so that the new frameworks begin on 1st April 2020, adding in lots to cover the Older People's market to ensure that we have services to cover all service areas over time.

Scope

In addition to the community-based supported living and day opportunities services for adults with disabilities, autism and/or a mental health condition, consultation with commissioning and operational colleagues across health and social care has identified other types of support which could be procured under the new contract framework.

The Disabled Children's and Young People's Service (DCYPS) has highlighted the need for a more competitive contract with set rates for a floating / visiting support services for disabled children and young people. A consistent approach across both children's and adult social care will help to ensure a smoother transition for young people with disabilities into Adults Services.

Gloucestershire, as an Integrated Care System, is working to develop services for individuals with a learning disability, mental health condition and/or autism who have the highest level of

need and require specialist input with their care and support. These services could be developed further under the new framework.

A piece of work to identify opportunities to develop new Specialist Provision is also being undertaken to identify what need there is for specialist accommodation and support for adults with challenging behaviour and complex needs. Any findings from this work will help to shape the relevant service specifications.

Options

The current arrangements, introduced in November 2015, have provided a more integrated commissioning approach across health and social care together with consistency of processes, contractual terms, price and quality of service. It has also enabled us to develop the local market, work closely with providers and build stronger relationships with them. Their introduction has generally been seen as positive development and has been accepted by the local market as the established procurement model for community-based disabilities support services.

Looking forward, the two most appropriate procurement models considered for community-based support were either:

- to develop another framework (with various individual lots); or
- to develop a Dynamic Purchasing System (DPS).

Our main concerns around a DPS partially arrived from the learning about both current Older People's DPS, were around the potential volume of providers without the requisite skills or experience who will apply and the internal resources needed to evaluate regular tender submissions.

A framework for Day Opportunities services will allow new providers the opportunity to submit a tender on a quarterly basis at any point during the 4-year period. The tender process will be more streamlined and accessible for smaller, voluntary sector type day opportunities providers, it is hoped that this framework will encourage more providers from the local market to join.

The current disabilities floating / visiting support services framework has been difficult to develop. It is therefore proposed that this framework is not replaced but that an outreach support option is included under the supported living and complex needs provision. Where appropriate, the operational teams will have to access providers on the Older Persons domiciliary care and Continuing Health Care frameworks for this type of support. As a result, we will work with local providers who wish to diversify their service offering in this respect.

There is an identified gap in more traditional, disability specific supported living provision. The need to develop housing and support options that combine the independence of the supported housing model with the ability to purchase targeted 1:1 social care hours in a flexible way for those people with more complex needs. For individuals who have accessed short term support options but require a longer term solution, we need to work collaboratively to meet their needs appropriately using service providers who have the skills and knowledge to work with this cohort of people. In consultation with colleagues from the Supporting People

commissioning team, it was felt that these services were best procured via Lot 18 (Low support) under GCC's Community and Accommodation Based Support (CABS) Services framework (which has recently gone out to tender).

With regard to the procurement of Older People's community-based support, one option was to continue with the current urban and rural Dynamic Purchasing Systems. However, given the experience to date the option of aligning with the strategy of having one single framework for community-based adult social care with improved processes was preferred.

Recommended tender and procurement process

The recommended option is a single multi-provider framework with separate lots for the following community based services:

- Support Services in Shared Accommodation (with floating support outreach option);
- Support for People with Complex Needs (with floating support outreach option);
- Floating / Visiting Support for Children and Young People;
- Forensic;
- Domiciliary Care (including sleeping and waking nights, Continuing Health Care (CHC), palliative and end of life care),

and a multi-provider framework for Day Opportunities.

The framework for community based services will last for 4 years and will be re-opened annually for the first 3 years. The framework for Day Opportunities will last for 4 years and potential providers will have the opportunity to submit a tender on a quarterly basis at any point during that period.

Pricing and budgets

The Older People's current pricing model is based on a maximum usual pricing structure. At this stage, there is no intention to change this structure as it allows transparency in the costing model. However, we will be updating the template and instructions so that the pricing tool is used more efficiently and effectively as a proportion of our domiciliary care providers have continued to use a static pricing structure that doesn't reflect the costs of delivery and therefore hasn't provided the relevant market intelligence.

As under the current disabilities arrangements, pricing caps are in place on the fees which providers can charge. The recent trend data indicates that, over time, these variations in pricing have flattened out so an alternative option under consideration is to specify the fee rates to be paid as opposed to setting a cap.

Within the new framework, it is envisaged that it will be 'business as usual' with a maximum pricing structure across the provision. There is no anticipated impact on the relevant budgets.

The new framework for Day Opportunities will allow providers to set a price for their services.

Currently, Electronic Call Monitoring (ECM) is used for both Older People and Disabilities and these processes will be aligned as part of the new framework.

The Council will work with providers to set payment terms that are appropriate and fair. Across the new frameworks, consistent methodology to uplift provider rates to reflect economic pressures will be implemented.

Risk Assessment

In consultation with the Audit, Risk and Assurance team, any risks associated with the project have been identified and a risk register prepared which will be regularly reviewed by the project team.

Officer Advice

That Cabinet approve the recommendations as set out in this report.

Equalities considerations

A Due Regard Statement has been completed on the proposals outlined above and is appended to this report.

From a service delivery perspective, the Due Regard Statement highlights that there is no evidence to suggest that the changes planned as part of these proposals will have a negative impact on service user age, disability, gender, ethnicity, sexual orientation, marital status, religion or belief.

Consultation feedback

Providers have been engaged with via the quarterly Gloucestershire Disabilities Provider forums and through the Gloucestershire Care Providers Association (GCPA) and have had an opportunity to give their views on the current frameworks and what should be included in the new frameworks.

Older People's providers have been engaged about changes to the DPS and many of the proposed adjustments have been arrived at in consultation with the local market. They will continue to be engaged as the new tender documents are developed.

Service users and their families and carers represented at the various partnership boards will help inform the service specifications and tender evaluation process.

Commissioning and operational colleagues from across disabilities health and social care will continue to be consulted in the development of all aspects of the new pseudo frameworks.

Performance Management / Follow-up

The Disabilities Hub is developing a contract management framework and we will work with the Commercial team to ensure that the key performance indicators are both informative and proportionate.

The new frameworks will be underpinned by robust and peer led performance monitoring in partnership with colleagues in social care operations, commissioning, safeguarding and CQC.

Gloucestershire Integrated Brokerage will continue to manage the process of commissioning individual packages and the information listed on ContrOCC.

The electronic call monitoring system (ECM), currently being provided by CM 2000, will remain a requirement in supported living for all providers under the new framework.

Report Title	Gloucestershire Health & Social Care Frameworks 2020-4
Statutory Authorities	<ul style="list-style-type: none"> • Gloucestershire County Council • Gloucestershire NHS Clinical Commissioning Group
Relevant County Council policy	<ul style="list-style-type: none"> • Building Better Lives Policy 2014-2024 • One Gloucestershire Five Year Sustainability and Transformation Plan 2016 • Gloucestershire Transforming Care Local Plan 2016-9
Resource Implications	<p>There will be no financial impact on the current level of spending solely as a result of the recommendations set out in this report and demand remains the main influencing factor.</p> <p>An indication of the annual spend in each service area for the financial year 2018-9 is as follows:</p> <ul style="list-style-type: none"> • Learning Disabilities: c.£32,785,000 • Physical Disabilities: c.£3,648,000 • Mental Health: c.£2,495,000 • Transforming Care: £4,600,000 • Disabled Children & Young People Service: c.£155,000 • Older People's Home Care: c.£18,000,000
Sustainability checklist:	
Partnerships	There is a long established partnership with Gloucestershire NHS Clinical Commissioning Group which is reflected in the Section 75 agreement in place. This project is sponsored and lead by joint commissioners from the Integrated Disabilities Commissioning Hub.
Decision Making and Involvement	A wide range of colleagues, partners and stakeholders are involved in the development of the new frameworks, tender process and service specifications.
Economy and Employment	The new frameworks will stimulate and invigorate the local market focusing on the support services that are commissioned. Individuals will be supported to achieve their full potential including employment where appropriate.
Caring for people	The new service specifications will be outcome focused promoting independence, increasing resilience and developing life skills.

<p>Social Value</p> <p>Built Environment</p> <p>Natural Environment including Ecology (Biodiversity)</p> <p>Education and Information</p>	<p>For those providers on the new frameworks with whom we spend over £500,000 per annum, the new contract will contain a requirement for them in relation to demonstrating social value. It will focus on employment opportunities, engagement with the local community and improving the lives and outcomes of service users.</p> <p>A question relating to social value will also be included as part of the tender questionnaire.</p> <p>No impact.</p> <p>No impact.</p> <p>No impact.</p>
<p>Tackling Climate Change</p>	<p>Carbon Emissions Implications? Neutral</p> <p>Vulnerable to climate change? No</p>
<p>Due Regard Statement</p>	<p>Has a Due Regard Statement been completed? Yes</p> <p>A copy of the full Due Regard Statement can be accessed on GLOSTEXT via: http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1</p> <p>Alternatively, a hard copy is available for inspection from Jo Moore, Democratic Services Unit, e-mail: jo.moore@gloucestershire.gov.uk.</p>
<p>Human rights Implications</p>	<p>N/A</p>
<p>Consultation Arrangements</p>	<p>Engagement has taken place with all relevant stakeholder groups including:</p> <ul style="list-style-type: none"> • commissioning, operational and clinical staff across health and social care; • local support providers and voluntary organisations; and • service users and their families and carers (via Partnership Boards).