



REPORT TITLE: Community Meals – Re- Procurement

Cabinet Date	22 September 2021
Cabinet Member	Cllr Carole Allaway-Martin, Cabinet Member for Adult Social Care Commissioning
Key Decision	Yes
Purpose of Report	<ul style="list-style-type: none">• To consider options for the community meals service going forward, including approval to procure a new three year community meals service contract for Gloucestershire which includes two extension options each 12 months in length.• To request the continued delivery of the community meals contract's term (due to expire on the 31st October 2021) to cover the period whilst the procurement exercise is undertaken and new contractual arrangements are put in place.• To provide information on work being undertaken to refine the criteria for allocating Community Meals and how this links into alternative community-based options that support people to help themselves whilst linking with their local community, in line with Gloucestershire County Council's Looking to the Future Strategy 2019-2022.
Recommendations	<p>That Cabinet:</p> <ol style="list-style-type: none">1. approves the procurement of a council commissioned, partially subsidised, community meals service in Gloucestershire which supports vulnerable individuals by helping them cope with daily living and which also provides short term help supported by comprehensive advice and information to ensure they regain their confidence and independence and therefore delegates authority to the Executive Director of Adult Social Care & Public Health in consultation with the Cabinet Member for Adult Social Care Commissioning to:<ol style="list-style-type: none">(a) conduct a competitive tender process in respect of a contract for the provision of community meals services in Gloucestershire (the "Community Meals Contract"). The proposed contract shall continue for an initial period of 3 years and include two extension options each 12 months in length.(b) award such contract to the preferred tenderer.(c) apply an inflationary uplift each year in line with other commissioned community based services.(d) determine whether to exercise each of the two contract extension options under the Community Meals Contract (each 12 months in length) on the third and fourth anniversaries thereof respectively.2. Continue with existing contract delivery arrangements whilst

	undertaking the proposed procurement exercise.
Reasons for recommendations	To allow for the continued delivery of a subsidised hot meal service for residents in Gloucestershire when the current contractual arrangements ends. The proposed six-week subsidised service will be supplemented by information which supports and encourages people to regain their confidence and independence thereby supporting the declared aims of our residents and the council. There is insufficient time to undertake a compliant procurement process between now and the end of October 2021. We will commit to using national frameworks to procure the new service to ensure that the process is undertaken in the most efficient and timely way possible.
Resource Implications	<p>Work currently being undertaken by the Adult Social Care locality teams will manage down the reliance on this service. The recommendations of this report will be met within staffing resources identified by the project team however any overspend on the allocated budget of £162,115 per annum will be assigned to the relevant locality external care budgets and will be monitored through the assessment and review processes for the ASC locality teams.</p> <p>For the current financial year (2021/22) the estimated expenditure is £383,000. The majority of the 414 people with an ongoing service receive meals 7 days per week. In total these individuals receive 2684 meals per week, at a cost of £5,341.16 or an annual cost of £277,740.32. Though this could be managed down over time by reviewing and redirecting these individuals to alternative services, this will require focused practitioner time. The proposed new contract is due to start in April 2022. Therefore the overspend will be reported through the monthly budget monitoring process within locality external care budgets and funded from the Adults Reserves in 2021/22. In preparation for the proposed new contract individuals those currently in receipt of community meals are being reviewed and expenditure will be managed down to the current budget by April 2022.</p> <p>The proposed three-year community meals service contract will have a total value of £486,345. The new contract model will introduce a time limited subsidy, this when managed alongside focused Adult Social Care Conversations will ensure that the service is used in line with Gloucestershire County Council stated aims of helping people to help themselves</p> <p>If the council elects to exercise the first of its 12 month extension options of the allocated budget of £162,115 per annum under the proposed contract, the total contract value will be £648,460.</p> <p>If the council elects to exercise both of its 12 month extension options under the proposed contract, the total contract value will be £810,575.</p>
Background Documents	<p>Cabinet Report: 22 July 2015:</p> <p>https://glostext.gloucestershire.gov.uk/documents/s25542/Item%206%20-%20Recommissioning%20Community%20Meals.pdf</p>
Statutory Authority	Care Act 2014
Divisional Councillor(s)	N/A

Officer	Name: Brenda Yearwood Tel. no: 01452 328516 / 07990 675275 Email: brenda.yearwood@gloucestershire.gov.uk
Timeline	<p>We have explored the option of undertaking an open market tender to procure this service. However we also have the option to use either the ESPO, (Eastern Shires Purchasing Organisation) or YPO, (Yorkshire Purchasing Organisation), frameworks, both of which supply products and services to a wide range of customers including schools, local authorities, charities, emergency services, public sector and other businesses such as nurseries and care homes, both frameworks cover Community Meals, the current provider is already on both frameworks, along with a number of other providers.</p> <p>Considering the tight timeline for (ie, the council's current contract for the supply of community meals services will end on 31st October 2021), the recommendations in this report rely on the council using a framework agreement to call-off the required services. Under such an arrangement suppliers have already been assessed for their financial stability, experience and technical & professional ability, hence this would be the most time-efficient route for re-procuring this service, thereby minimising the gap between the end of the current contract and the start of the proposed new contract.</p> <p>The requirements document, specification and evaluation questions to procure the service are currently being developed. These will need to be finalised once the Cabinet decision has been made:</p> <ol style="list-style-type: none">1. Soft market testing will be undertaken framework providers in August 20212. Requirements document - submitted to the framework October 2021.3. Evaluation – November – December 20214. Award and transition – January – February 20225. New contract starts – 1st April 2022

1. BACKGROUND

- 1.1. Gloucestershire County Council recognises the importance of supporting residents to maintain their nutritional well-being and manage healthy lifestyles. The role of community meals service is to support older and vulnerable adults so they are able to maintain or regain their independence and remain living in their own home for as long as possible.
- 1.2. The initial aim of the community meals service was to provide short term support at times of stress or vulnerability with the view that those requesting the service would be offered advice and support so they, (or their families), could research longer term options. Prior to the 2020 Covid19 pandemic the Adult Social Care 'conversations' were the primary means of working with individuals to identify local options; lunch clubs, supper clubs, shopping services and meal delivery services from the voluntary and community sector and from commercial providers the aim being that these services would connect people to their local area and community networks.
- 1.3. During the initial lockdown of the Covid19 pandemic, between March and July 2020 the number of customers receiving meals increased and a number of those previously only receiving meals on week days requested an extension to the service to cover weekends. In addition to extending access for new and existing users the provider also supported provision of meals to the hotels used to house people who were previously without accommodation at the start of March 2020 lockdown. This increased usage demonstrated the benefits of having a service which could flex in response to changes in demand. We therefore recognise the value of continuing to offer a subsidised meal service for residents who find themselves in vulnerable circumstances so are therefore proposing to keep the current referral process.
- 1.4. Unfortunately this expansion of the access criteria means that the current Community Meals contract is over subscribed. We therefore need a plan to reduce expenditure and return the service to its original focus. With this in mind Adult Social Care locality teams have been reviewing those using the service and working with individuals and families to identify alternatives for accessing locally based support and services.
- 1.5. Following a review of the contract in May 2021 the operational and commissioning teams within Gloucestershire have been working with the recipients of community meals to return to the original purpose and access criteria of the 2015 contract. As of 19th May 2021, there were 744 individuals receiving a community meals service, by June 2021 the numbers had reduced to 606 and further reduced in July to 487. Gloucestershire County Council currently contributes £1.99 per meal per day.
- 1.6. The annual cost of the meals subsidy varies year on year dependent on the number of individuals accessing the service and the number of meals delivered each week. Many individuals receive meals on a daily basis but a small percentage only access the service on a selected number of days, for example week days only as there is support from wider family at weekends, the budget

forecast for May 2021 gave a predicted expenditure of £383,000. However the subsidy divided by the allocated budget of £162,115 would allow Gloucestershire the ability to apply the £1.99 subsidy to a maximum of 81,465 meals approximately 30% of the number receiving a subsidised service in May 2021 or 223 individuals receiving 7 meals per week. We therefore need to continue the review work as we work towards the procurement of a replacement contract.

- 1.7. In preparation for the potential procurement we have been reviewing those currently in receipt of community meals under the service categories outlined in the contract:
 - 1.7.1. Initial referral 0-6 weeks
 - 1.7.2. Request for continuation 7-12 weeks
 - 1.7.3. Ongoing service – agreed through an Adult Social Care referral and assessment
 - 1.7.4. Protected status the former recipients of service from the previous provider, Royal Voluntary Service (RVS) who receive a protected service having previously been allocated this on an ongoing basis at the end of the RVS contract. This protected status was approved by the then Cabinet as part of the contract award.

with the aim of managing the impact of the pandemic and returning to the original aim of using the services as a short term support that falls into the Adult Social Care three tier conversations Tier One Provision (Help to help yourself), Tier Two Provision (Help when you need it), Tier Three Provision (Ongoing support for those who need it). In order to prioritise the review we have looked at the delivery taking into account the length of time they have been engaged with the service

1. Those who only have community meals short term e.g. up to 6 weeks or 7-12 weeks or waiting for assessment
 2. Those who have community meals as part of other on-going services
 3. Those who have protected WRVS status –we need to continue to support these individuals so re-tendering for an interim support service, at least in the short term, would provide the support necessary for these individual
 4. individuals who are having care and unable to source meals themselves/ those leaving hospital/unable to access funds /risk situations etc.
- 1.8. With the exception of those referred to the service as part of a package to support hospital discharge the referral process is managed by the Adult Helpdesk who can allocate the initial six week service following a telephone assessment, at the time of undertaking this assessment the Helpdesk will also provide information on locally based supports and services relevant to the individual. At the end of six weeks individuals can request that the access to subsidised meals is extended for a further six week and again the Helpdesk will

provide information on locally based services and will refer the person to Adult Social Care for an assessment.

- 1.9. The original aim of the 2015 contract was to provide interim support whilst individuals were waiting for an assessment, at the time all ASC locality teams had pending lists of those waiting for assessments so access to the community meals service was used to ensure there was some contact for 'well-being' purposes. The intention at the point of assessment was to withdraw the meals service if and when commissioning alternative supports so that only those with no other services and those in the initial referral stages should receive the subsidy on this service.
- 1.10. With the introduction of the three conversations the pending lists reduced and the numbers of community meals started to reduce significantly as a result of this. Unfortunately much of this good work has been lost in the last 18-24 months as the teams have responded to the impact of the Covid19 pandemic
- 1.11. Prior to the 2020 pandemic the 'know your patch' work provided the ASC teams with up to date information on the services available in each of the county districts and though the majority of information relating to meals and nutrition has been routinely checked and updated over the last 18 months further information on new and emerging services/supports have not been added.
- 1.12. In July 2021 there were 73 records on the meals page but some of the listings were for weight management or diet clubs. Overall we have information on 65 community based meals services, many of these are in Cheltenham, Gloucester or The Forest of Dean. The 65 listed organisations/ services are not sufficient to offer a sustainable alternative to the current meals contract highlighting a particular concern for rural areas as the lunch clubs and meals services appear to be in the more built up areas of the county, even within the rural areas, for example services in the Cotswolds are based in Cirencester.
- 1.13. As part of the Community Meals review the, 'Your Circle' staff have also started a focused piece of work on Lunch Clubs and meals services, contacting the agencies to make sure details are up to date, checking information on potential opening times as well as the possibility of outreach provision. At the moment the team feel they have the majority of the larger providers but might not have some smaller offerings available in the district so are working with the ASC practitioners and district partners to build a more robust picture of community based supports the current focused work aims to identify new alternative to the commissioned service over time.

2. OPTIONS

- 2.1. In reviewing the service, we considered the following options three options. Of these **Option 3** is the preferred option. This option more closely aligns with the Gloucestershire Looking to the Future Strategy 2019-2022:

- supporting people to live independently for longer &
- Supporting those individuals who find themselves vulnerable to help them cope with daily living and adapt

OPTION 1: Cease the service

- 2.2. Though Adult Social Care practitioners need to consider nutrition and the provision of practical support to people with eligible assessed needs, to help them access and consume meals; there is no legal requirement on the Local Authority to fund any meal related costs. Many Local Authorities with social care responsibility no longer provide a hot meals service choosing instead to provide links on websites to alternative providers of hot meals, home delivery services and providers of frozen meals. There are a number of lunch clubs in the county where hot meals service or delivery also offers the potential for social interaction with other people.
- 2.3. Adult Social Care have committed to working with those individuals currently receiving an ongoing meals service, supporting them in identifying alternatives. The introduction of the three conversations style of assessment moved the focus of assessments so that, rather than identifying needs, the practitioner identified strengths and supported people to help themselves. The change in the focus of assessments had started to result in fewer individuals be allocated an ongoing meals service however this trend has been reversed by the impact of the pandemic.
- 2.4. In addition to this there are a number of the former recipients of service from the previous provider, Royal Voluntary Service (RVS) who receive a protected service. Those with a protected service currently have an annual cost of approximately £21k, (£21,420), which equates to just over 13% of the budget. If we chose to decommission the service we would either need to reverse the decision for these individuals or provide an alternative. Building this service into any new contract would be the easiest way to facilitate the required ongoing obligation.
- 2.5. There is also a value in maintaining a contractual relationship which provides access to a short-term support service which assists residents to maintain good nutritional intake at times when they find themselves in a situation of vulnerability, for example the service has a direct referral process to support those leaving hospital. The county is a largely rural one with areas where lunch clubs may be more difficult to access, we are still developing the networks and information channels that support community response in these areas. In the meantime, the community meals contract provides a valuable service ensuring people receive a daily visit to check on their wellbeing and receive a hot, plated, two course meal, potentially avoiding the requirement for a more formal service.

OPTION 2. Re-procure a new Community Meals Contract – A countywide service in the current contract format

- 2.6. The current contract provides a six-week subsidised service, followed by a further 6 weeks of subsidised support on application. The access to the service is then reviewed by an ASC practitioner, if the service is identified as part or the whole of an ongoing support plan and the ongoing service remains a subsidised provision.
- 2.7. Individuals with an ongoing service form the largest percentage of meal recipients. The majority of the 414 people with an ongoing service on the system on 19th May 2021 receive meals 7 days per week; only 82 have less than 7 meals per week. In total these individuals receive 2684 meals per week, at a cost of £5,341.16 or an annual cost of £277,740. Though the Adult Social Care Teams have started to review the recipients of the service, returning to the original aims of the contract, , redirecting these individuals to alternative services, there is still some way to go before we can achieve the required numbers.
- 2.8. Continuing with this option does not meet the aims of the Council strategy; providing support when individuals are at their most vulnerable; focusing on the strengths of individuals and communities and supporting people to do things for themselves. It is also not in line with the ASC conversation model which reflects the aims of the Council Looking to the Future Strategy 2019-2022 and is not deliverable in the current budget of £162,115.

OPTION 3. Manage the continuation of current service delivery post October 2021; Re-procure a new Community Meals Contract for the earliest opportunity – countywide service which reflects the Council’s Looking to the Future Strategy 2019-2022.

- 2.9. Re-procure a new Community Meals Contract that supports a six week subsidised meal service. The six-week intervention mirrors the Council Strategy in providing support when residents are at their most vulnerable and is aligned to the access criteria for Reablement, introducing short term intervention which encourages and supports individuals to return to independence. At the end of six weeks the individuals can choose to keep community meals, paying the full cost or can work with the Helpdesk to find local alternatives. This can also be linked to the support for people to be safely discharged from hospital and can therefore be reviewed as part of the Home First review.
- 2.10. The current provider, Apetito Ltd, has been providing a community meals service to the Council since April 2016. Following a successful first three years of the contract, Apetito were granted two annual contract extensions. The intention was to re-procure this contract in the autumn of 2020. However, the current service extension (for a seven month period expiring October 2021) was agreed as part of the Council’s emergency response to the Covid-19 pandemic. There are no further options available under the current contract to extend its term again after October 2021 we will therefore keep the procurement process as efficient and timely as possible in order to minimise the gaps between 30th October 2021 and the start of the new contract. It is unlikely that this could be

achieved in a timescale of less than eight weeks. We aim to have the new contract in place by April 2022.

2.11. The current cost of each community meal is £5.49, including delivery; there has been no increase in the customer contribution throughout the lifetime of the contract whilst charges for other council services have increased. The overall charge for the meals increased in 2020 from £5.29 to £5.49 Gloucestershire County Council met this additional cost with the subsidy increasing from £1.79 to the current contribution of £1.99. Gloucestershire, with a meal costs of £3.50, is now has one of the lowest costs for customers for subsidised meal provision in the country, costs vary from £4.25 to £6.50 with an overall average of £5.26.

2.12. The current contract does not allow for an inflationary uplift for the provider in the same way that other community-based services contracts such as domiciliary care and supported living does, this has been a point of contention for the service provider. As part of the tender we are also proposing that the service is subject to an inflationary uplift. The decision on how this inflationary uplift will be met, (increased subsidy or increased client contribution), will be undertaken by the Executive Director of Adult Social Care in consultation with the Cabinet Member for Adult Social Care Commissioning on an annual basis at the time of uplift.

2.13. Proposed change in process:

At the time of the initial referral Adult Social Care Helpdesk staff will:

- provide information on alternative, locally based provision/services in relation to lunch clubs, supermarket delivery services, community meals and home delivery services
- outline the purpose of the service
- outline the costs for the initial service
- outline that any future requests would not be subject to subsidy and explain the costing outlining that any further support would be allocated on a full cost basis.

2.14. All requests for access to community meals would result in a referral to the relevant Adult Social Care locality team for a Care Act Assessment in which the continued requirement for Community Meals support would be a key factor. During the assessment ASC practitioners would explore all alternative options and re-iterate that meals delivered through this contract would be charged at full cost.

3. Risks

3.1. There are a number of potential risks in recommissioning the community meals provision;

- The model for the proposed new contract may not be a viable model; the service provider needs to deliver a countywide service 365 days of the year. However, in introducing a model where only the first 42 days are covered by a subsidy we may make the service less attractive to recipients and therefore not sustainable for the service deliverer.
- The council plans to award a new community meals service contract as soon as possible, however it is unlikely to be in place before April 2022. It is therefore proposed to extend the term of the council's current community meals contract with Apetito until such date. As with any proposed contract modification, there is a risk that the council will receive a legal challenge under the Public Contract Regulations 2015 ("PCRs") to the proposed extension given that there are no further extension options available under the current contract. While it is acknowledged that a contract variation is only permissible under the PCRs on very limited grounds, the variation proposed in this report is justified on grounds that the service provides support to those seeking support from the Local Authority when vulnerable to help them cope with daily living and adapt, as outlined in the Council's Looking to the Future Strategy. It also fulfils the Adult Social Care statutory requirement to consider nutritional needs as part of any assessment, supporting individual's with this need whilst allowing time for staff to undertake the formal assessment process.
- However, a decision not to extend the current contract in October 2021 also brings a degree of risk under a number of others areas, the current recipients would be without a service as of October 2021
- Community options may not be available; developments stimulated by the Covid-19 pandemic may not be sustainable on an ongoing basis as people return to a more standard working week.
- The changes for existing service recipients will need to be managed by ASC practitioners and Helpdesk staff. The proposal to gradually reduce the subsidy for those with an ongoing service; introducing a full cost recovery model at the same time as the potential for an annual inflationary uplift may result in increased questions and concerns from those who have been in receipt of the service for some time. This is particularly relevant when taking into consideration that fact that the only increase in this service cost was the increase to the subsidy in 2019/20.
- The contract will be introduced half way through the financial year therefore the budget will continue to be overspent. The change to the contract structure will also not immediately change the position for those receiving the service as the move from a subsidised service will normally to be managed through the ASC review process. This process will take time and is subject to delay or postponement when other priorities occur.

4. Financial implications

- 4.1. It is not possible to maintain the level of delivery within the current allocated budget of £162,115. Should we move to the proposed contract structure the service would be manageable within the budget over time. Analysing those currently on the 0-6 week service, hospital referrals and the protected individuals the total costs for the service are outlined in the table below:

Service Type	Clients	Meals	Cost P/A
0-6 Weeks New referrals	101	570	£58,983.60
Hospital Referrals	13	91	£9,416.68
Protected Recipients	33	207	£21,420.36
			£89,820.64

4.2. The proposed contract is not expected to be in place before April 2022 therefore there will be a continued overspend in relation to this service for the 2021/22 financial year. Work undertaken by the ASC teams to manage the budget and return the service to its original aims should reduce the original predicted overspend.

5. Climate change implications

5.1. There are likely to be carbon emission implications for this contract due to the transportation of hot meals across the whole county. In the development of the specification we will encourage providers to have due regard for the environment and to put in place actions to limit the amount of mileage associated to the delivery of the meals.

5.2. We will also encourage providers to consider how they can minimise or neutralise their carbon footprint through the use of electric vehicles and logistics planning to minimise unnecessary mileage

6. Equality implications

6.1. Community meals are provided and delivered across Gloucestershire under the current contract. The meals are offered under the following dietary, cultural and religious considerations:

- 6.1.1. Diabetic
- 6.1.2. Textured – soft
- 6.1.3. Textured - pureed
- 6.1.4. Gluten Free
- 6.1.5. Nut Allergy
- 6.1.6. Other medical requirement as specified
- 6.1.7. Vegan
- 6.1.8. Vegetarian
- 6.1.9. African- Caribbean
- 6.1.10. Asian Vegetarian
- 6.1.11. Asian Halal
- 6.1.12. Kosher

6.2. Has an Equalities Impact Assessment (EIA) been completed? Yes

6.3. Cabinet Members should read and consider the Equalities Impact Assessment in order to satisfy themselves as decision makers that due regard has been given.

7. Data Protection Impact Assessment (DPIA) implications

7.1. DPIA is required. Working with IMS to identify and mitigate risks.

8. Social value implications

8.1. The previous contract encourages the use of volunteers and the partnership working between the successful tenderer and the voluntary and community sector, in particular those agencies who work with older, frail and disabled residents.

9. Consultation feedback

9.1. Ongoing consultation takes place as part of the current contractual requirements seeking the views of customers via a customer survey. The survey takes into account those regular users but also those who choose to stop. Results are generally very positive about the service.

10. Officer recommendations

OPTION 3. Manage the continuation of current service delivery post October 2021 Re-procure a new Community Meals Contract – countywide service which reflects the Council's Looking to the Future Strategy 2019-2022

10.1. Re-procure a new Community Meals Contract that supports a six week subsidised meal service. The six-week intervention mirrors the Council Strategy in providing support when residents are at their most vulnerable and is aligned to the access criteria for Reablement, introducing short term intervention which encourages and supports individuals to return to independence. This can also be linked to the support people to be safely discharged from hospital and can therefore be reviewed as part of the Home First review.

11. Performance Management/Follow-up

11.1. The referral process to access community Meals will continue to be managed by the Adult Helpdesk. Any concern, complaints will be logged with the Helpdesk. All service suspensions, late calls or missed visits will be reported to the Adult Helpdesk.

11.2. Access to the service, customer complaints, concerns or compliments will be submitted to the Gloucestershire county Council contract Lead on a quarterly basis along with performance statistics based on the contract KPI's, (Key Performance Indicator's).

11.3. The provider will be expected to present KPI's electronically to the contract lead at the end of each quarter and will be required to attend a quarterly monitoring meeting which will focus on the return. The contract will be reviewed 12-18 mths prior to the contract end date.