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| | <p>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 27th March 2017</p> |
| <p style="text-align: center;">Title</p> | <p>Contracts Award for Accommodation and Support Services (Lot 1 Support at Home)</p> |
| <p style="text-align: center;">Report of</p> | <p>Dawn Wakeling, Adults & Health Commissioning Director and Director of Adult Social Services</p> |
| <p style="text-align: center;">Wards</p> | <p>All</p> |
| <p style="text-align: center;">Status</p> | <p>Public (with Exempt counterpart and appendix, redacted by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended).</p> |
| <p style="text-align: center;">Enclosures</p> | <p>Appendix A – Ranked bidders and scores</p> |
| <p style="text-align: center;">Officer Contact Details</p> | <p>Kirstie Haines, Adults Wellbeing Strategic Lead Kirstie.haines@barnet.gov.uk Sue Tomlin, Joint Commissioning Manager Sue.tomlin@barnet.gov.uk Stacey Sangha, Procurement Manager for Adults & Children Services stacey.sangha@barnet.gov.uk</p> |

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| <p>Summary</p> |
| <p>Policy and Resources Committee agreed on 16 December 2015 in the 2016/17 forward plan to authorise procurement of Accommodation and Support Services. The Services were put out to tender on 16 September 2016 and invited applications to apply to join an approved list of providers. Following the procurement process, it is recommended that the providers listed in this report are awarded contracts under accommodation and support Lot 1 (Support at Home). The services under Lot 1 are due to commence on 1 July 2017. The contract term is three years with the option to extend for a further two years if deemed suitable.</p> |

Decisions

To award the contracts for the provision of Accommodation and Support Services under Lot 1 (Support at Home) to the providers set out in the report for a period of 3 years from 1 July 2017 with an option at the Council's discretion to extend the contracts for up to two years subject to satisfactory performance and budget.

Lot 1 – Support at Home

(Flexible and short term housing related support for people with mental health conditions. Support is to help people live independently in their own accommodation in the community).

- One Housing Group
- MidCo Care Ltd
- Creative Support Ltd
- Autism Sussex
- Sanctuary Supported Living
- Lifeways Community Care Ltd
- Richmond Fellowship
- The Barnet Group
- Origin Housing
- Voyage Care
- Genesis Housing

1. WHY THIS REPORT IS NEEDED

- 1.1 Policy and Resources Committee agreed in the forward plan on 16 December 2015 to authorise Adults and Communities to procure Accommodation & Support services. This report is required to authorise the award of contracts to those providers listed in the report scoring highest on evaluations of both quality and price.

2. REASONS FOR DECISIONS

- 2.1 The priority focus of the procurement was development of a range of services as an alternative to high cost provision and commissioning effective prevention and early intervention services.
- 2.2 A compliant procurement process was followed throughout. There was considerable engagement with providers in the process of developing the new service specification and lots; including feedback and on-going dialogue with

existing and prospective providers on the expiring supported living framework. A consultation event was held in July with current providers.

- 2.3 Market engagement activities included a formal request for information from providers to gauge market interest; this was published on the procurement portal with a call to register an interest in July 2016. Over 50 providers attended an information event held on 13 October 2016.
- 2.4 The full tender documents for the services were put out to tender on 16 September 2016; this was advertised on the Council's E-Tendering Portal and open to all bidders including existing framework providers and through professional networks.
- 2.5 Organisations were invited to submit tenders for individual or multiple lots identifying their organisational experience, how they would meet the requirements of the specification and their arrangements and relationships with housing providers.
- 2.6 The table below shows the number of expressions of interest and valid bids for Lot 1 received by the closing date of 11 November 2016:

| Lot | Title of lot | Expressions of interest | Valid bids received by 11 Nov 16 |
|-----|-----------------|-------------------------|----------------------------------|
| 1 | Support At Home | 17 | 13 |

- 2.7 A panel comprising of representatives from the Commissioning Group and Adults and Communities Delivery Unit undertook the evaluations.
- 2.8 Procurement advice is that unsuccessful providers can challenge direct involvement of service users in evaluating submissions. In order to ensure that the full range of Council priorities and service user accommodation and support needs were taken into account by bidders, priorities were built into and referenced in the specification and individual lots; as set out in national guidance and best practice and Barnet's Strategic Commissioning Plan for Adults Accommodation and Support.
- 2.9 Procurement guided and supervised the evaluation but did not score the bids. This was a single stage procurement; submissions from providers who passed the qualification stage were subsequently evaluated individually by officer panel members from 5 December to 8 December 2016.
- 2.10 The tender evaluation had a split of 60% for quality and 40% price. The quality award criteria for the tender follows in the table at 1.4 below.

2.11 Quality

| Question | Scoring Range | Maximum Points Available |
|--|---------------|--------------------------|
| Service Delivery/outcomes | 0-5 | 20 |
| Security / Safeguarding | 0-5 | 20 |
| Supporting people with behaviours that challenge | 0-5 | 20 |
| Staffing | 0-5 | 20 |
| Partnership Working | 0-5 | 20 |
| Total | | 100 |

- 2.12 The quality/price percentage split for the tender was 60/40. 40% of the overall score was awarded to price. The quality of score was therefore multiplied by 0.6 combining the score with price to calculate a total score.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Commissioning options included working within the West London Alliance framework procurement and re-commissioning of a local 'fixed' framework.
- 3.2 These options were rejected as the frameworks did not allow for the range of services required locally to achieve the objectives of the commissioning plan and re-shaping of our accommodation and support offer.
- 3.3 In terms of the decision to award to the recommended providers, those listed in the recommendation above were agreed as the highest scoring bidders through the tender process.

4. POST DECISION IMPLEMENTATION

- 4.1 If there is agreement with the recommendation to award to the highest scoring providers, all bidding providers will be notified as to the outcome of the tender and the 10 day tender standstill period will commence. Following this, Officers will work with the successful bidders to ensure that their implementation plans will be on track.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 These contracts will form part of the Council's statutory duties under the Care Act 2014 including duties in regard to promoting wellbeing, prevention and transition to adult care and support.
- 5.1.2 The Council's Corporate Plan strategic objectives 2015-20 are that the Council, working with local, regional and national partners, will strive to ensure that Barnet is the place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the tax payer.

The new Accommodation and Support options will support the Council in meeting these objectives by:

- enabling more people to stay independent and live for longer in their own homes
- allowing young people with complex disabilities to stay in Barnet, where they grew up, and live in their own homes, with education and training opportunities helping them to grow in independence
- ensuring people with mental health needs receive the support in the community to help them stay well

5.1.3 These contracts support the Adults and Safeguarding Commissioning Plan 2015–20 (2016-17 addendum) which includes the commissioning priority of diversifying the accommodation offer to help more people live independently.

5.1.4 The new accommodation and support services also support the aims of the Joint Health and Wellbeing Strategy 2015-20, ‘keeping well’ and ‘promoting independence’ and the.

5.1.5 The contracts with providers will be robustly monitored and reviewed including the performance through the key performance measures and outcome indicators.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 Diversification of our accommodation and support services is anticipated to deliver savings because new types of services and a greater choice of providers will be available to help keep people independent for longer and avoid crisis.

5.2.2 The new services provide a greater choice of options avoiding the need to purchase accommodation and support outside of the current framework and agreed rates. The budget allocated for 2017/18 to fund Support at Home services under this lot is £192,000; this is a maximum budget and service users will be individually assessed and referred for support.

5.2.3 Regular financial monitoring forms part of the contract, as does working within the ethos of continuous service improvement; providers will be required to evidence service users preparation and step down/move on plans through the accommodation and support pathway (where appropriate). This will also form part of performance monitoring and contract monitoring which will take place

on a quarterly basis.

5.2.4 There are no staffing or IT implications for the Council or TUPE implications for the Providers.

5.3 Legal and Constitutional References

5.3.1 The services delivered under this contract are subject to the 'light touch regime' under the Public Contracts Regulations 2015.

5.3.2 The Contract opportunity was advertised in OJEU in compliance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

5.3.3 HB Public Law led on the drafting of the contract terms and conditions based on the content of the service specification. The legal procurement process was followed throughout the tender process as advised by the LBB Procurement Manager.

5.3.4 HB Public Law will be instructed to complete the contract with the successful providers.

5.3.5 The Council's Constitution, Part 4, Council Procedure Rules- Contract Procedure Rules Appendix 1 - Table A states that procurements over £164,176 can be authorised by the Procurement Forward Plan. The acceptance of the contract must then be recorded by means of Full Officer DPR, if within budget and within the agreed savings target.

5.3.6 The Council's Constitution, Council Procedure Rules - Contract Procedure Rules, require that for contracts of this value, acceptance can be undertaken by a Full Officer DPR by a Council Officer in consultation with Chairman of relevant theme Committee.

5.4 The scheme of delegation for Adults and Health, as published on the Council's website, states that contracts over this value may be accepted by the Commissioning Director, Adults and Health.

5.5 Risk Management

5.4.1 The award of this contract is unlikely to raise any public concern as such services are already in operation and there will be no change for existing service users.

5.5.2 Risks associated with the procurement process were mitigated ensuring that provision of support services will be consistent with budget resources and savings targets; advance market testing and price comparison was carried out with potential providers.

5.4.3 The risk that the new services and contracts will not provide value for money has been mitigated by designing the service specification and lots to reflect

best practise and experience, support relevant legislation and key strategic documents for the Council. The specification and contracts will be outcomes focused and related to Barnet's key performance objectives within the Accommodation and Support Commissioning Strategy.

- 5.4.4 Risks of non-delivery will be managed by developing a strategic relationship with providers in relation to this contract and robust contract monitoring. As this is an approved list of providers it can be re-opened during the contract period, subject to the usual procurement processes.
- 5.4.5 Establishing the new providers and services will be implemented following a project management approach which will include recording and managing risks.
- 5.4.6 Service users who are supported by providers, who either did not apply to join the new approved list or were unsuccessful in their submissions, will continue to receive these services and contractual arrangements will be made with these providers to ensure continuity.

5.5 Equalities and Diversity

- 5.5.1 The core provisions of the Equality Act 2010 came into force on 1st October 2010 and the public sector equality duty (section 149 of the Act) came into force on 5th April 2011. Under section 149, the council must have due regard to the need to eliminate discrimination, harassment and victimisation prohibited under the Act and to advance equality for opportunity and foster good relations between those with protected characteristics and those without.
- 5.5.2 The protected characteristics are age; disability; race; gender reassignment; pregnancy and maternity; religion or belief; sex; and sexual orientation. They also cover marriage and civil partnership with regard to eliminating discrimination.
- 5.5.3 Any organisation providing public sector services is subject to scrutiny by the council to ensure that delivery complies with the public sector equality duty.
- 5.5.4 A greater range of accommodation, support options and providers increases the person centred support available for people with disabilities and mental health conditions to maximise their independence and achieve their goals.
- 5.5.5 The Equality Impact Analysis undertaken prior to publication of the tender found that the procurement will have a positive impact as it will enable service users to have a varied range of person-centred options to support them to live well in the community and to develop their independence. It will provide and enhance a more personalised approach, working closely with individuals to match accommodation and support and their aspirations for a home, friends and good work. In addition it will enable more specialised support to people with complex needs to enable them to live more independently in the community

5.5.6 Further equality specific measures may be developed with reference to particular projects or services as the contracts progress to ensure that the organisation acts in keeping with the Council's public sector equality duty.

5.6 Consultation and Engagement

5.6.1 Engagement on the housing strategy was carried out with the learning disabilities partnership board, health partners and existing providers to inform the commissioned services.

5.6.2 A local consultation in 2014/15 on housing priorities with people with learning disabilities found that the main issues and barriers to moving were a lack of choice of accommodation. A further priority was making sure we are planning for future needs particularly people with complex needs.

5.6.3 More recently tenants within the London Borough of Barnet were positive about changes to their service model. A more person-centred and flexible approach, including the pathway approach through supported accommodation. The tenants have shown a positive interest in moving on..

5.6.4 Providers (both currently commissioned and non-commissioned) were invited to attend supplier engagement events prior to the start of this tender process which was during the clarification period.

6 BACKGROUND PAPERS

6.1 Policy and Resources Committee, 16th December 2016
(Forward Plan Authorisation):

<https://barnet.moderngov.co.uk/documents/s29624/Barnet%20Carers%20and%20Young%20Carers%20Strategy%202015-20%20-%20Carers%20are%20supported%20and%20valued%20by%20our%20community.pdf>

6.2 Housing Strategy – reflects consultation and views of service users

<http://barnet.moderngov.co.uk/mgConvert2PDF.aspx?ID=26448&ISATT=1#search=%22housing%20strategy%22>

7. DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action

- 8.1 To award the contracts for the provision of accommodation and support services under Lot 1 (Support at Home) to the providers set out in this report for a period of 3 years from 1 July 2017 with a possible extension of up to two years subject to satisfactory performance and budget.

Signed **Dawn Wakeling**
Adults and Health Commissioning Director
Director of Adult Social Services

Date **27th March 2017**