

	<p align="center">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER in consultation with the Chairman of the Adults and Safeguarding Committee</p>
<p align="right">Title</p>	<p align="center">Contract Award for Day Opportunities and Employment Support Services</p>
<p align="right">Report to</p>	<p>Strategic Director of Adults, Communities & Health Director of Adult Social Services</p>
<p align="right">Wards</p>	<p>All</p>
<p align="right">Status</p>	<p>Public</p>
<p align="right">Officer Contact Details</p>	<p>Caroline Glover, Health and Social Care Commissioner Caroline.glover@barnet.gov.uk Stacey Sangha, Procurement Manager for Adults & Children Services Stacey.Sangha@barnet.gov.uk</p>

Summary
<p>The Day Opportunities and Employment Support Services (“the Services”) described in this Report were procured in accordance with the commissioning plans and strategy outlined in the Reports to the Adults and Safeguarding Committee of 19 March 2015, 6 March 2017, and 12 June 2017 appended to this Report. Barnet Council’s Policy and Resources Committee approved the procurement of the Services within the Councils Procurement Forward Plan for 2017-2018 as approved on 1 December 2016.</p> <p>The Services were divided into 6 Lots and were all were put out to Tender on 23 May 2017 as an Approved List Contract (set terms and conditions on which services would be purchased as and when required on the set terms referred to, for 3 years as from 2017). Tenders were invited from Suppliers for the right to join a list of providers from whom services would subsequently be purchased or called off (“The Approved List).</p> <p>Following this procurement process, those Providers who were evaluated and awarded more than 60% of the total of 100% on those quality criteria set for award of the right to supply under Lots 1-6 of the Tender exercise, were given the right to supply the Services to</p>

the Council. Those Suppliers and the Lots to which they are to be appointed are described in this Report. The Suppliers are listed in Appendix 1 to this Report.

The Council's purchase of services from the Suppliers will be on an "as and when required" basis and will be subject to a competitive Call Off process between Suppliers to each Lot as set within the terms of the Contract and internal Council approval processes as required by Barnet Council's Contract Procedure Rules. (July 2017 version or such updated version as applies during the Term).

The aggregated total cost to the Council of the purchase of these services from the Suppliers over the Term is £1,815,000.00 and is within the Council's budget.

The authority to award the Contract as sought below will establish an Approved List of Suppliers from which the Council can purchase the Services on an "as and when required" basis for the Term described below, subject on each occasion to :-

- (a) competition between Suppliers to each Lot as set out in the Call Off Process set out in the Contract and,
- (b) Internal Council approval as required by Barnet Council's Contract Procedure Rules. (July 2017 version or such updated version as applies during the Term).

Decisions

To award those Companies and Organisations referred to in Appendix 1 to this Report ("the Suppliers") the right to join an Approved List Contract for the supply to the Council of Day Opportunities and Employment Support Services ("the Services) and for the award of that Contract for a period of 3 years from 1st November 2017, (with an optional extension by one year) ("the Term"), on those terms agreed during Tender.

Optional extension of the Contract by one year is to be at the Council's discretion and to be subject to satisfactory performance of the Suppliers and availability of funding within the Council's budget at the relevant time).

The authority to award the Contract as sought above will establish an Approved List of Suppliers for the Services, from whom the Services can be purchased as and when required over the Term, subject to the Call Off process set out within the Contract.

Lot 1 - Intensive Employment Support – 'Workplace Retention'

(Flexible short-term employment support for people, who are currently in employment and need additional support to enable them to retain their employment).

- HFT
- Kisharon

- Mind in Barnet
- Origin
- Royal British Legion
- Royal National Mencap
- The Barnet Group
- Camden Society

Lot 2 – Intensive Employment Support ‘Place and Train’ (*Intensive evidence-based employment support to enable people with learning disabilities, physical disabilities and autistic spectrum conditions to enter employment*).

- HFT
- Kisharon
- Origin
- Royal National Mencap
- The Barnet Group
- Camden Society

Lot 3 – Intensive Employment Support – mental health

(*Intensive employment support to enable people with mental health conditions and autistic spectrum conditions to enter employment*).

- HFT
- Mind in Barnet
- Prevista
- The Barnet Group

Lot 4 – Community Peer Support Networks

(*Supports small groups of people with low support needs to access and autonomously move into mainstream social, leisure, educational activities, employment and other opportunities in the wider community*).

- Barnet Mencap
- Keyring
- Kisharon
- Origin
- The Barnet Group
- Camden Society
- Walsingham

Lot 5 – Supported Day Opportunities (Low/Medium/High needs)

(Support people with low, medium and high need to develop their skills and to gain greater independence. This service will support people to access and autonomously move into mainstream social, leisure, educational activities, employment and other opportunities in the wider community).

- HFT
- Kisharon
- The Barnet Group
- Camden Society
- Walsingham

Lot 6 – Complex Needs Day Care

(The service will support people with profound and multiple learning and physical disabilities to improve or maintain their current level of independence, whilst maintaining social friendships, peer group support and social networks).

- Sense
- The Barnet Group

1. WHY THIS REPORT IS NEEDED

- 1.1 The Council currently spot-purchases day opportunity provision for adults aged 18-65 years old. For new service users Barnet Council wants to move away from spot-purchasing provision and instead develop an Approved Provider list to establish a consistent quality platform for all provision with a clear focus on improving outcomes for adult social care service users and to progress the policy of the Council as set out in paragraphs 1 (3) (a) to (c) below
- 1.2 The Policy and Resources Committee agreed in the Forward Plan on 1 December 2016 to authorise Adults and Communities to procure Day Opportunities Services (“the Services”).

This Delegated Powers Report is required to authorise the award of contracts to those Providers (“Suppliers”) listed in the Report whose tenders achieved 60% or above in terms of quality during the evaluation and scoring stage of the Tender process undertaken by Barnet Council this year which followed the decision to authorise the procurement of the Services .

- 1.3 By way of policy background to the procurement:-
- (a) The Adults Safeguarding Committee of 19 March 2015 approved the 2015-20 Adults and Safeguarding Committee Plan, which set out the Councils aim to increase the number of those people with learning disabilities and mental health conditions who are in employment.
 - (b) The Adults Safeguarding Committee of 6 March 2017 approved the 2017/18 addendum to the 2015-2020 Adults and Safeguarding Commissioning Plan, which sets out a key priority for the Council to transform day care provision to ensure that people remain active and engaged through access to employment and volunteering.
 - (c) The Adult and Safeguarding Committee of 12 June 2017 approved Barnet’s My Time My Choice Commissioning Plan for Day Opportunities and Employment Support for working age adult social care service users, set out that the Council would commission a range of new day opportunity and employment services and extend the number of Providers available to Barnet’s social care clients, with the intention of significantly extending the choice of services available.

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 that would support people to develop their independence and enter and retain employment.

- 2.2 There was considerable engagement with Providers in the process of developing the new Services Specification and Lots.
- 2.3 Market engagement activities included a request for information from Providers to gauge an understanding of the current market. A market engagement day took place on the 5 May 2017. This session was used to explain the Councils vision for Day Opportunities and Supported Employment. Over 30 Providers attended.
- 2.4 The Services were put out to Tender on 23 May 2017. They were advertised on the Council’s E-Tendering Portal; on Contracts Finder and- in the Official Journal of the European Union (OJEU).
- 2.5 Organisations were invited to submit Tenders for individual or multiple lots identifying their organisational experience, and how they would meet the requirements of the specification.
- 2.6 The table below shows the number of expressions of interest and valid bids for each lot received by the closing date of 27 June 2017:

Lot	Title of lot	Expressions of interest	Valid bids received by 27 June 2017
1	Intensive Employment Support – Workplace Retention	58	12
2	Intensive Employment Support – Place and Train	58	9
3	Intensive Employment Support – Mental Health	58	4
4	Community Peer Support Networks	58	8
5	Supported Day Opportunities (Low/Medium/High)	58	6
6	Complex Needs Day Care	58	3

- 2.7 A Panel comprising of representatives from the Commissioning Group and Adults and Communities Delivery Unit undertook the evaluations.
- 2.8 In order to ensure that the full range of Council priorities and service user support needs were taken into account by bidders, priorities were built into and referenced in the Specification and in individual Lots; as set out in National Guidance and Best Practice and in Barnet’s My Time My Choice Commissioning Plan Day Opportunities and Employment Support for working age Adult Social Care Services Users

- 2.9 The Procurement Manager for Adults and Children Services guided the procurement process and supervised the evaluation process but did not score the bids.
- 2.10 The procurement approach used for this Tender was based on the Open Tender Process. Given the fact that the services procured here fall within Schedule 3 of the Procurement Regulations 2015 (Social and Other Specific Services) the flexibilities in the procurement process offered up by the Light Touch Regime in the Public Contract Regulations 2015 have been utilised. A compliant procurement process was followed throughout according to the Procurement Hub.
- 2.11 Submissions from Suppliers who passed the Selection Questionnaire stage were subsequently evaluated individually by Officer Panel members.
- 2.12 The Evaluation Panel Members then met during July and August 2017 to complete moderation for all evaluated scores. This was to agree consensus scores for each of the Lots.
- 2.13 The Tender evaluation was based on 100% quality and the quality award criteria for the Tender follows in the tables at 2.14 below. Providers needed to receive at least 60% out of 100% to be awarded onto the Approved list. The Council did not bind itself to accept the lowest tender, or indeed any Tender, but looked for the most economically advantageous proposals based on the following evaluation stages:-
- (a) Stage 1 - Submission on time & Acceptance of T&C's: Tenders needed to be submitted through the online E-Procurement Portal "Curtis Fitch" Bidders by no later than 27th June 2017. Bidders needed to confirm acceptance of the terms and conditions of the contract (subject to acceptance by the Authority of any amendments proposed during clarifications) according to the Declaration by Tenderer.
 - (b) Stage 2 - Compliance Evaluation: Organisations needed to submit a Selection Questionnaire. The selection questionnaire is a declaration by the supplier of their eligibility to deliver the service they have tendered for. Any questionnaire responses that fail Stage 2 would not be considered further.
 - (c) Stage 3 – Method Statement Questions: Tender evaluation is based on a 100% Quality. For this tender, Providers were assessed through the method statement questions for Quality in order to get onto the Approved List.
 - (d) Stage 4 – Price Evaluation: During the Tender stage Providers were required to insert their ceiling rates for the contract period for each lot they intend to bid for. The ceiling rates are their maximum rates payable by the Authority throughout the contract lifetime. Price has

not been evaluated because 100% quality was weighted as part of the Tender and price will be evaluated at each call of stage for the Day Opportunities and Supported Employment Tender.

2.14 Quality

Lot 1

Question	Scoring Range	Weighting
Service Delivery	0-5	45%
Service Risks	0-5	20%
Person Centred Planning	0-5	35%
Total		100%

Lot 2 and Lot 3

Question	Scoring Range	Weighting
Service Delivery	0-5	35%
Service Risks	0-5	15%
Person Centred Planning	0-5	25%
Existing Provider Relationships	0-5	25%
Total		100%

Lot 4

Method Statement Question	Scoring Range	Weighting
Service Delivery	0-5	45%
Service Risks	0-5	20%
Support & Maintain Networks	0-5	35%
Total		100%

Lot 5

Method Statement Question	Scoring Range	Weighting
Service Delivery	0-5	35%
Service Risks	0-5	15%
Outcomes	0-5	20%
Support	0-5	30%

Total		100%
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Lot 6

Method Statement Question	Scoring Range	Weighting
Service Delivery	0-5	40%
Service Risks	0-5	15%
Person Centred Planning	0-5	30%
Supporting Complex Support Needs	0-5	15%
Total		100%

- 2.15 In terms of the decision to award to the recommended Suppliers, those Suppliers listed in the Tables at Appendix A achieved 60% or above in their quality scores in accordance with the Council's evaluation criteria. They are the Suppliers to be appointed onto the Approved List, for the purposes of future supply of the Services to the Council.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 An alternative commissioning option that was considered was to continue to spot-purchase day opportunity provision.
- 3.2 This option was rejected as continuing to spot-purchase would not enable the Council to establish a consistent quality platform for all provision with a clear focus on improving outcomes for adult social care service users and it would also not enable the Council to develop a range of new day opportunity and employment services that will be able to respond flexibly to the different needs and aspirations of service users and their families to more effectively move them towards greater independence and employment.

4. POST DECISION IMPLEMENTATION

- 4.1 If the Decision recommended in this Report is approved, all Bidders will be notified as to the outcome of the Tender. This procurement is under the light touch regime therefore there is no 10 day standstill period.
- 4.2 A Contract Award Notice will be placed in the Official Journal of the European Union.

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 Day Opportunities and Employment 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
 - supporting people to progress to employment
 - supporting people to retain employment
- 5.1.3 These contracts support the Adults and Safeguarding Commissioning Plan 2015–20 (as amended by the 2017-18 addendum). The addendum includes a commissioning priority for the provision of day care in a manner that ensures that people remain active and engaged through access to employment and volunteering.
- 5.1.4 The new Day Opportunities and Employment Support Services will also support the aims of the Joint Health and Wellbeing Strategy 2015-20, 'keeping well' and 'promoting independence'.

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

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

5.2.1 The contract value authorised through the Council's Forward Plan 2017/18 for day opportunities work streams was £1,815,000 for 4 years which includes the option for a one year extension (subject to satisfactory performance and budget). However diversification of our Day Opportunities Services is anticipated to deliver savings because new types of services and a greater choice of Providers will be available to help progress people to greater independence, to avoid the need for more acute services and avoid crisis.

5.2.2 The new services provide a greater choice of person centred options enabling service users to develop their resilience and their independence and should reduce the need for more intensive and high cost interventions avoiding people unnecessarily escalating to higher dependency services.

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' progression towards increasing their independence. 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 Regulations 74 to 76 of the Public Contracts Regulations 2015.

5.3.2 HB Public Law drafted contract terms and conditions based on instructions received prior to tender. The Tender process was as advised by the Procurement Manager at the London Borough of Barnet.

5.3.3 HB Public Law will complete the Approved List Contract with the successful Providers on the basis of those terms tendered and agreed during the Tender process.

5.3.4 Where a Contract is within Budget, the Council's Constitution, Council Procedure Rules (App 1 Table A Para D) authorises the award of a Contract (including the appointment of Suppliers to it), by an authorised Council Officer in consultation with Chairman of relevant theme Committee

5.3.5 Under the January 2017 version of the Barnet Council Scheme of Delegation for Adults and Safeguarding, the appropriate Decision-Maker (for contract

award decisions of more than £164,176 in value) is either the Director for Adults and Health (Director of Adult Social Service) or the Delivery Director, or the Assistant Director (or their current equivalents).

5.4 Risk Management

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

5.4.3 Risks associated with the procurement process were mitigated by ensuring that provision of support services will be consistent with budget resources and savings targets.

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 practice, local market research and an understanding of the local market demand and benchmarking against other councils. These support relevant legislation and key strategic documents (for the Council: the Adults and Safeguarding Commissioning Plan and Barnet's My Time My Choice Commissioning Plan for Day Opportunities and Employment Support). The Specification and Contracts will be outcomes-focused.

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 Suppliers 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 the Suppliers, who either did not apply to join the new Approved List or were unsuccessful in their submissions, will continue to receive these services.

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 Day Opportunity and Employment Support, options and Suppliers increases the person-centred support available for people with disabilities, autistic spectrum conditions 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 this 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 support and their aspirations for 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 Day Opportunities and Employment Support Commissioning Plan was shaped by engagement with Social Workers, Service Users, Carers and Suppliers through work on the 0-25 Service, transformation of Your Choice Barnet Services, Early Intervention Service development and from workshops. As this Tender is to establish an approved list of providers for new services existing service users were not directly consulted as there will be no change in the support being provided for them by their existing service providers. For new Service Users, choice is an element of the matching process to Suppliers who can best meet their needs.
- 5.6.2 In 2016 Service Users currently using Your Choice Barnet (YCB) Day Care services were positive about changes to their service model to a more person-centred and flexible approach. There has been a positive interest in doing more activities in the community, progressing to greater independence and moving in to employment by some YCB tenants and their families.
- 5.6.3 Providers (both currently commissioned and non-commissioned) were also invited to attend Supplier engagement events prior to the start of this Tender process and during the clarification period.
- 5.6.4 This decision was taken in consultation with Chairman of the Adults and Safeguarding Committee.

6 BACKGROUND PAPERS

- 6.1 Report to the Adults and Safeguarding Committee of 19 March 2015 (Agenda Item 8) regarding the Council’s Five year Commissioning Plan 2015-2020 setting out the priorities and commissioning intentions of the Adults and Safeguarding Committee from 2015/16 to 2019/20, together with proposed revenue budgets for each of the main service areas and the outcomes by which progress will be measured during this period
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=7933&Ver=4>
- 6.2 Appendix 1 of the Annual Procurement Forward Plan (agenda Item 10) for 2017/2018 presented to the Policy and Resources Committee on 1 December 2016 which provided approval for the procurement of Day Opportunities and Employment Support Services.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8731&Ver=4>
- 6.3 Report to Adult and Commissioning Safeguarding Committee of 6 March 2017 (Agenda Item 7) presenting updated targets for 2017/18 by way of an addendum to the Commissioning Plan for 2015/16 to 2019/20.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=8676&Ver=4>
- 6.3 Report to the Adults and Safeguarding Committee of 12 June 2017 (Agenda Item 9) outlining the Commissioning Plan for Day Opportunities and Employment Support for Working Age Adult Social Care Service Users entitled “My Time My Choice Day Opportunities and Employment Support commissioning plan”
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=9230&Ver=4>

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 those Companies and Organisations referred to in Appendix 1 to this report the right to join and Approved List Contract for the supply to the Council of Day Opportunities and Employment Support Services and for the award of that Contract for a period of 3 years from 1st November 2017, (with an optional extension by one year) on the basis of the Decision recommended in this Report.

Signed



Dawn Wakeling
Strategic Director for Adults, Communities and
Health

Date

18/09/2017

Signed

Date
