

	<p align="center"><b>CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</b></p>
<p align="right"><b>Title</b></p>	<p><b>Contract Award for Home and Community Support (HCS)</b></p>
<p align="right"><b>Report of</b></p>	<p>Strategic Director for Adults, Communities and Health</p>
<p align="right"><b>Wards</b></p>	<p>All</p>
<p align="right"><b>Status</b></p>	<p>Public</p>
<p align="right"><b>Enclosures</b></p>	<p>None</p>
<p align="right"><b>Officer Contact Details</b></p>	<p>Ven Chennubotla, Health &amp; Social Care Commissioner <a href="mailto:Ven.chennubotla@barnet.gov.uk">Ven.chennubotla@barnet.gov.uk</a></p> <p>Priya Divani, Care Quality Services Manager <a href="mailto:Priya.Divani@barnet.gov.uk">Priya.Divani@barnet.gov.uk</a></p> <p>Danielle Bass, Procurement Manager <a href="mailto:Danielle.Bass@Barnet.gov.uk">Danielle.Bass@Barnet.gov.uk</a></p>

<p align="center"><b>Summary</b></p>
<p>Following the procurement of a borough wide home and community support service in 2016, the Council identified the need to increase home care capacity across the borough particularly for hard to reach areas, to maintain a high quality responsive service for all vulnerable residents.</p> <p>The current contractual arrangements do not permit the reopening of the existing approved list. The Council has therefore undertaken a new tender for a supplementary list of approved Home and Community Support suppliers.</p> <p>The contracts with the new providers will commence on 10<sup>th</sup> October 2018. The contract will end on 9<sup>th</sup> October 2019 with the option to extend for a further year if required.</p>
<p align="center"><b>Decisions</b></p>

To award one contracts for a supplementary approved list of providers for Home and Community Support with the option to extend for a further year subject to performance.

**Supplementary Approved Providers:**

1. inTouch Homecare (Service Scale Ltd trading as inTouch Homecare)
2. Surround Care (Seva Care Home Care Ltd T/A Surround Care Barnet)
3. Capital Homecare (UK) ltd.
4. The Link Care Nursing Agency Ltd
5. Hertsmere Valley Care Services Limited
6. The Cedars Homecare
7. Seva Care (UK) ltd( Sevacare (UK) Ltd trading as Mayfair Homecare)
8. Serve Soul Limited
9. Mercury Care Services Limited
10. BMF Social Care
11. Next Steps
12. GGCCE & Alpha Care Specialists (Greek and Greek Cypriot Community of Enfield)
13. Renaissance Personnel Limited
14. Dillion Care Ltd
15. Bluebird Care (Klej Ltd trading as Bluebird Care)
16. Unicare (London) Ltd
17. Sure Care Barnet Ltd
18. Shine Partnership Ltd
19. Pristine recruitment Homecare
20. Glenholme Healthcare Group

**1. WHY THIS REPORT IS NEEDED**

- 1.1 The Policy and Resources Committee agreed in the Procurement Forward Plan on 5<sup>th</sup> December 2017 to authorise Adults & Communities to procure a Home and Community Support service.
- 1.2 Barnet currently has a list of Home & Community Support suppliers which includes 6 strategic providers and 8 approved providers. The newly approved providers will be on a supplementary list which will be used when providers from the original list cannot meet the service demands, which provides the Council with an opportunity to move away from spot purchasing and better meet the need of individuals swiftly and effectively.
- 1.3 The procurement approach used for this tender was an Open Tender Process. The services procured fall within Schedule 3 of the Public Contracts Regulations 2015 (Social and Other Specific Services) known as the Light Touch Regime. The flexibilities in the procurement process offered up by the Light Touch Regime in the Public Contracts Regulations 2015 have been utilised. A compliant procurement process was followed throughout.

- 1.4 The service was put out to tender on the 8<sup>th</sup> May 2018. The tender was advertised on the Council's E-Tendering Portal; Contracts Finder, and in the Official Journal of the European Union (OJEU).
- 1.5 Market engagement activities included a provider information event, held on 3rd May 2018. This session explained the Council's vision for Home and Community Support and how the tender would be conducted. Over 50 Providers attended the market engagement event.
- 1.6 The table below shows the number of expressions of interest.

Table Number of Expressions

Title	Expressions of interest	Bids received	No. of bids failed on CQC rating	No. of bids taken to evaluation of quality and price
Homecare (HCS)	91	34	11	23

- 1.9 Part of the tender process was to ensure a high quality service was delivered and a minimum scoring of 50% was required. The Council looked for the most economically advantageous bids based on the following evaluation stages:
- (a) **Stage 1** - Submission on time & Acceptance of T&Cs: Tenders needed to be submitted through the online E-Procurement Portal, Curtis Fitch, by bidders no later than 12:00 noon, 12th June 2018. 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: Potential Bidders who submitted a Selection Questionnaire were subject to evaluation. At Selection Questionnaire stage, potential suppliers were required to declare their business continuity / contingency plan and financial viability. The selection questionnaire included a set of Pass/Fail questions, e.g. Provider must have a minimum CQC rating of Good or above. A number of detailed method statements were also completed by providers in response to questions relating to service delivery and quality.
- (c) **Stage 3** – Method Statement Questions:  
Tender evaluation is based on 40% Quality for this tender. The Quality ratio was broken down by sub criteria and measured through responses to method statement questions.
- (d) **Stage 4** – Price Evaluation: During the Tender Stage Providers were required to submit their financial information and this was evaluated by finance. Price is 60%.

- (e) The total scores for quality and price were combined to give a total evaluation score. The lowest price received the maximum marks with all other prices calculated proportionally.
- 1.10 A panel comprising of representatives from the Commissioning Group and Adults and Communities Delivery Unit undertook the evaluations.
- 1.11 Procurement guided and supervised the evaluation but did not score the bids. Submissions from providers who passed the qualification stage were subsequently moderated individually by officer panel members. The panels then met on 4th, 5th and 10<sup>th</sup> July 2018 to agree consensus scores.
- 1.12 The table below shows the quality questions asked as part of this tender and the weighting giving them.

**Table Quality Questions**

<b>Method Statement Question</b>	<b>Weighting</b>
Capacity & Planning (Contingency Business Continuity Plans)	20%
Service Provision	15%
Quality Assurance & Risk	20%
Safeguarding	15%
Business & Office Management	15%
Social Value	5%
Achieving outcomes	10%

- 1.13 This report is required to authorise the award of the contracts to those providers listed in the report whose tenders achieved 50% or above in terms of quality/price during the evaluation and scoring stage of the tender process.

**2. REASONS FOR RECOMMENDATIONS**

- 2.1 The supplementary list for the delivery of Home and Community Support will enable the Council to continue to achieve the following outcomes:
- To support people back to a level of independence in their own home and to be as independent as possible
  - To provide quality support to people so that they can remain living at home

- To increase capacity across the Borough and in particular hard to reach areas and for cultural/language needs
- To support personal care, help with activities for daily living and other practical tasks for a time limited period in such a way as to enable people to develop both in confidence and practical skills to carry out these activities for themselves

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Continuing to work with spot providers is not recommended as the council would be unable to ensure capacity when needed would be within approved budgets.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 If the decision recommended in this report is approved, all bidders will be notified via the council's e-tender system with the outcome of the tender. This procurement is under the light touch regime therefore the 10-day standstill period applies.
- 4.2 A Contract Award Notice will be placed in the Official Journal of the European Union.
- 4.3 All contracts will be robustly monitored and reviewed including their performance through key performance measures and outcome indicators.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.2 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.
- 5.3 The service will continue to support the Council in meeting its Corporate Plan 2015 - 2020 strategic objectives, 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
- 5.4 The service also supports the aims of the Joint Health and Wellbeing Strategy 2015-20, 'keeping well' and 'promoting independence'.

### **6. RESOURCES (FINANCE & VALUE FOR MONEY, STAFFING, IT, PROPERTY, SUSTAINABILITY)**

- 6.1 The service will continue to be funded by the Adults and Communities base budget and does not represent any further impact on spend, simply a broadening of the range of available suppliers. The total spend with each of the new suppliers listed is currently unknown as they will be used as and when required. Services provided by these suppliers and other suppliers of homecare services will not exceed the Adults and Communities budget for homecare services of £13M.
- 6.2 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.
- 6.3 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.
- 6.4 There are no staffing or IT implications for the Council or TUPE implications for the Providers.

## **7. SOCIAL VALUE**

- 7.1 The Public Services (Social Value) Act 2012 requires public bodies to consider how their commissioning of above threshold public services contract and procurement might improve economic, social and environmental wellbeing. There is no definitive list of what those improvements could be. The Act is deliberately flexible, giving public bodies freedom to determine what best suits local needs, as well as providers the opportunity to innovate.
- 7.2 The service supports individuals with needs relating to long terms conditions, frailty, mental health and learning disabilities to remain in their own homes, maintain greater levels of independence and participate in their communities.

## **8. LEGAL AND CONSTITUTIONAL REFERENCES**

- 8.1 The services delivered under this contract are subject to the 'Light Touch Regime' under Regulations 74 to 76 of the Public Contracts Regulations 2015.
- 8.2 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.
- 8.3 HB Public Law will complete the Contract with the successful Providers based on those terms tendered and agreed during the Tender process.
- 8.4 Where a Contract is within Budget, the Council's Constitution, Article 10 Table B

authorises the award of a Contract (including the appointment of suppliers to it), by a full DPR by a Chief Officer in consultation with the relevant Theme Committee Chairman). As the contract values with each supplier are currently unknown (i.e. they may or may not exceed the £500K threshold which requires a chief officer in consultation with committee chairman decision), the Chief Officer had elected to determine this matter via Full Officer DPR in accordance with Article 10, Table B.

- 8.5 In the absence of the Chairman of the Adults and Safeguarding committee, the Vice-Chairman has been consulted.

## **9. RISK MANAGEMENT**

- 9.1 The award of this contract is unlikely to raise any public concern as these services are already in operation and there will be no change for existing service users who will continue to receive services from their existing suppliers.
- 9.2 Risks associated with the procurement process were mitigated by ensuring that provision of support services will be consistent with budget resources and savings targets.
- 9.3 The risk that the new contracts will not provide value for money has been mitigated by designing the service specification and service to reflect best practice, local market research and an understanding of the local market demand and benchmarking against other councils.
- 9.4 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.
- 9.5 Establishing the supplementary list; services will be implemented following a project management approach which will include recording and managing risks.
- 9.6 Individuals 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.

## **10. EQUALITIES AND DIVERSITY**

- 10.1 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.
- 10.2 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 regarding eliminating discrimination.

- 10.3 Any organisation providing public sector services is subject to scrutiny by the council to ensure that delivery complies with the Public- Sector Equality Duty.
- 10.4 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.
- 10.5 Further equality-specific measures may be developed with reference to projects or services as the contracts progress to ensure that the organisation acts in keeping with the Council's public-sector equality duty.

## **11. CONSULTATION AND ENGAGEMENT**

- 11.1 Engagement included discussions with social care staff, people who use services, carers and suppliers. 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.
- 11.2 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.

## **12. CORPORATE PARENTING**

- 12.1 Care leavers over the age of 18 are also new to adult social care services, may use home and community support services as part of a care and support plan under the Care Act 2014

## **13. BACKGROUND PAPERS**

- 13.1 Report to the Adults & Safeguarding Committee of 19th 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 & 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/documents/g7933/Public%20reports%20pack%2019th-Mar-2015%2019.00%20Adults%20and%20Safeguarding%20Committee.pdf?T=10>
- 13.2 The 2018/19 forward plan presented to Policy & Resource committee and agreement to procure homecare services.  
<https://barnet.moderngov.co.uk/documents/s46588/Committee%20Forward%20Work%20Programme.pdf>



#### **14. DECISION TAKER'S STATEMENT**

*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. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

Chairman:  
Has been consulted

A handwritten signature in black ink that reads "Sachin Rajput". The signature is written in a cursive style with a long horizontal stroke underneath.

Date 11<sup>th</sup> September

**Chief Officer: Dawn Wakeling**

A handwritten signature in black ink that reads "D. Wakeling". The signature is written in a cursive style with a long horizontal stroke underneath.

**Signed:**

**Dated: 11<sup>th</sup> September 2018**