



Policy & Resources Committee

22nd February 2023

Title	Enablement care – additional enablement provision
Report of	Chair of Policy and Resources Committee
Wards	All
Status	Public
Urgent	No
Key	Yes
Enclosures	None
Officer Contact Details	Caroline Glover: Joint Commissioning Team, Communities, Adults and Health Caroline.glover@barnet.gov.uk

Summary

The Council currently has an enablement service delivered by two different providers: Your Choice Enablement (YCE – part of Your Choice Barnet) and Bliss Care.

There has been a growing need for enablement services due to the Covid-19 pandemic, pressures on the NHS and the need for care following hospital admission. To meet this additional demand, the Council has spot-purchased additional enablement support from generic homecare providers.

This paper requests approval for a waiver to the Contract Procedure Rules section 12.1, in order to undertake a direct award to up to two additional enablement care providers, following the completion of an expression of interest exercise with providers on the council's approved homecare framework. Upon award of contract, the successful provider/s will receive specialist enablement training, ongoing support and guidance from council occupational therapists (OT) and will operate within the council's enablement service model. This will enable more residents to regain their independence through the provision of dedicated enablement support and will reduce the need for spot-purchasing additional home care.

Officers Recommendations

1. To approve a waiver of the Contract Procedure Rules Section 12.1 to undertake a direct award of contract to up to two providers for provision of enablement care, following the completion of an expression of interest exercise with approved homecare providers.

1. Why this report is needed

- 1.1 Barnet Council's enablement service is an essential part of its preventative, early intervention and wellbeing provision, which promotes independence and reduces or delays the need for long-term care and support. Enablement provides intensive, time limited and needs-based care to adults, who meet the eligibility criteria for an enablement service, in order to help them attain an improved quality of life.
- 1.2 There have been significant changes in national policy and legislation that have reshaped the pathways for people moving from hospital into the community. This has led to significant changes in both the level of demand and complexity of residents referred to the enablement service. This was also driven by the impact of the Covid 19 pandemic and by the closer working between social care and health to manage surges in demand for hospital beds.
- 1.3 Your Choice Enablement (YCE), part of Your Choice Barnet, is the current main provider of the council's enablement service. In January 2023 YCE provided an average of 617 hours of enablement support per week. YCE have provided the service since November 2016. In April 2022, it was agreed to enter into a further contract with YCE (upon the expiry of the previous contract) for an additional period of 12 months with the possibility to extend for a further 12 months up to 1st April 2024. The shorter contract was agreed to enable officers to design and pilot an occupational therapy (OT) led model of enablement with YCE and to ensure that the findings from piloting new ways of working would shape the Council's longer-term commissioning approach, due to be implemented from 1st April 2024.
- 1.4 However, demand for enablement continued to increase and in order to meet this demand, in April 2022 the Executive Director of Adults and Health, in consultation with the Committee Chair, authorised a waiver of the Contract Procedure Rules to purchase a guaranteed block of two hundred hours of enablement support per week from Bliss Care and Training Limited (Bliss), in order to reduce reliance on spot-purchasing.
- 1.5 In November 2022, Barnet launched a pilot Occupational Therapy led model of enablement support. This model uses the skills of qualified occupational therapists and the knowledge of the YCE and Bliss enablement staff, who are working directly with people using the enablement service, to help people to recover as quickly as possible and be as active as possible after a stay in hospital. Occupational therapists, based in the post discharge team, provide training, guidance and support to YCE and Bliss enablement staff, to up-skill them and support them to deliver better outcomes for the people accessing their services. The aim of this model is to increase the

effectiveness of enablement, ensuring that more residents regain or enhance their independence.

- 1.6 The impact of the recently mobilised OT led model of enablement support has been positive. Early data is showing that the specialist support is leading people to be being enablement more quickly. It has also highlighted the importance of providing specialist enablement, to ensure that everyone going through the enablement pathway benefits from the OT led model of support and hence the importance of securing dedicated provider at pace to meet this demand.
- 1.7 This paper requests approval to make direct contract awards to up to two providers, following the completion of an expression of interest exercise with providers on the council's approved homecare framework. Upon award of contract, these two providers will then receive training on the OT Led model of enablement support. The aim of this will be to reduce reliance on spot-purchasing and provide equity of support for Barnet residents.

2. Reasons for recommendations

- 2.1 The Council will purchase 400 block hours of Enablement Support from each of the two new providers and these hours can be flexed up if demand increases. The global contract value of the proposed additional enablement service is under the threshold requiring a full procurement exercise and qualifies as a light-touch arrangement, enabling the Council to meet the increased demand.
- 2.2 Continued reliance on spot-purchasing a significant proportion of enablement packages from generic homecare providers, rather than an enhanced enablement service, means that some residents will not receive the benefits of receiving independence-creating support, leading to less effective outcomes and may be more likely to require long-term care as a result.
- 2.3 Alternative options considered but not recommended

Complete a full competitive procurement exercise to award a contract for additional enablement services. This option is not recommended in the short-term, given the immediate need for increased enablement capacity, the risk of delayed hospital discharges for Barnet residents and the number of home care packages being spot-purchased the council. This option is also not recommended as the Council is trialling a new OT led model of enablement provision that went live in November 2022, and it is recognised that more time is required to evaluate and develop the model to be incorporated into Barnet's longer term commissioning strategy. Work is currently underway to procure a new service for 1st April 2024.

3. Post decision implementation

- 3.1 A market testing exercise will be completed with the providers on the current Home and Community Support Services Approved Provider List. The Council will look to make a direct award of contract to up to two additional providers, subject to there being providers that are able to evidence that they will be able to serve the borough immediately and meet the required demand.

- 3.2 Direct award of contract will be authorised by the Executive Director of Communities, Adults and Health via a Chief Officer Decision delegated powers report in consultation with the Committee Chair.
- 3.3 HB Public Law will draft contracts for the new provider(s) to be signed by the provider(s) and the Council.
- 3.4 The Providers' staff will be required to be trained by the council's OT service and will receive training on the case management system (Mosaic) prior to commencing delivery of the service.
- 3.5 The performance of the service will be monitored continuously through the Care Quality Team monitoring process.
- 3.6 The Council's Care Quality Team will continue to work closely with all enablement providers to ensure that they consistently deliver high quality services. This will include regular service reviews as part of proactive performance management.

4. Implications of decision

4.1 Corporate Priorities and Performance

- 4.1.1 This decision supports the Council's corporate priority to support independent living for people with care and support needs, and to put people at the centre of their care.

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

- 4.2.1 Funding for the additional enablement block provision will be allocated from the existing Adult Social Care placements budget. This decision re-purposes existing funding currently used to spot purchase home care to fund the new enablement contracts
- 4.2.2 The indicative value for 400 block hours a week of Enablement support for a twelve-month period is £401,378 and therefore the indicative combined value for the two separate contracts will be £802,756.
- 4.2.3 Reducing reliance on spot-purchasing and increasing the amount of enablement support provided by enhanced enablement providers will support the council in cost avoidance by reducing the number of people requiring long term service provision.

4.3 Legal and Constitutional References

- 4.3.1 The proposed contracts will be below the threshold for light touch regime services contracts and is therefore not subject to the full requirements of the Public Contracts Regulations 2015 (PCRs), however the procurement principles of equal treatment, fairness and non-discrimination must be complied with together with the Council's Contract Procedure Rules.
- 4.3.2 As per Section 12.1 of the Contract Procedure Rules states state that: Approved Officers (Heads of Service or above) may apply for a waiver. All applications for a waiver of these Contract Procedure Rules must be submitted to Policy and Resources specifically

identifying the reason for which a waiver is sought, including justification and risk.

4.3.3 The proposed contracts will provide an urgent interim solution to the Council's reliance on spot-purchasing enablement packages from homecare providers and will enable an increased number of residents to benefit from receiving Enablement support from OT led service.

4.3.4 The proposed contracts will be granted for a maximum period of 12 months in accordance with Section 12 of the Contract Procedure Rules which states that: any waiver should only be granted for a maximum period of 12 months, except in exceptional cases.

4.3.5 Under the Council's Constitution, Article 7 the terms of reference of the Policy and Resources Committee includes the following responsibilities

(2) To be responsible for Finance including:

- Recommending the Capital and Revenue Budget (including all fees and charges); and Medium-Term Financial Strategy; to Full Council for adoption
- Revenue and Capital Monitoring and Expenditure: Committee to receive a cross-council overview with theme committees scrutinising revenue and capital expenditure within their remits
- Treasury Management
- Local Taxation
- Insurance
- Corporate Procurement
- Revenues and Benefits
- Grants
- Writing-Off Debt
- Virements
- Effective Use of Resources
- Procurement Forward Plan

(3) To be responsible for strategic policy, risk management, oversight of the organisation, performance and operational working of the Council including the following specific functions/activities:

- Contract Monitoring and Management: Cross-organisation overview of contracts with contracts in the terms of reference of another theme committee being scrutinised by that committee
- Performance Monitoring and Management: Cross-organisation overview of performance with performance in the terms of reference of another theme committee being scrutinised by that committee

(5) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.

4.4 **Insight**

4.4.1 As of 19th January 2023, Mosaic data showed that the Council is currently purchasing circa 15,000 hours of enablement support each month.

4.4.2 The table below shows the number of new enablement referrals coming through on a monthly basis in 2022 and shows the increasing number of referrals.

2022	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Number of new reablement packages	194	186	206	175	223	202	209	236	262

4.4.3 Since April 2022, 67.5% of enablement packages have come from hospital discharge.

4.5 Social Value

4.5.1 The Public Services (Social Value) Act 2012 requires the commissioning of public services to assess and secure wider social, economic and environmental benefits.

4.5.2 London Borough of Barnet has adopted a Social Value policy which informs procurements and for existing contracts benefit realisation in support of securing wider social, economic and environmental benefit.

4.6 Risk Management

4.6.1 The risks of not implementing this recommendation are that the Council continues to purchase a significant amount of its enablement services from non-specialist homecare suppliers rather than trained providers so:

- a. Residents receive an inequitable support offer – generic homecare rather than an enhanced enablement service and they will not receive the benefits of receiving independence creating support and so will have less effective outcomes
- b. The council is placed a greater financial risk due to both capacity and demand pressures

4.6.2 The provider(s) will be required to evidence key performance indicators and financial monitoring that will form part of performance monitoring and contract monitoring which will take place on a quarterly basis

4.7 Equalities and Diversity

4.7.1 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.

- 4.7.2 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.
- 4.7.3 Any organisation providing public sector services is subject to scrutiny by the Council to ensure that delivery complies with the public sector equality duty.
- 4.7.4 The contracts for enablement services include explicit requirements fully covering the Council's duties under equalities legislation. The person-centred approach that has been built into the specification for enablement enables residents to have choice and control over their day including, where possible, a choice about the gender of the staff they are supported by and their culturally specific requirements.

4.8 Corporate Parenting

- 4.8.1 Care experienced young people may go on to receive support from adult social care services as they reach adulthood. The services referred to in this report are available to people who have been looked after in their childhood or who are care experienced.

4.9 Consultation and Engagement

- 4.9.1 Engagement with users of the enablement service forms part of the monitoring of the services and will also be used to inform the development of the service and future commissioning approach.

4.10 Environmental Impact

- 4.10.1 There are no direct environmental implications as a result of this recommendation.

5. Background papers

- 5.1 None

