

To: **Executive Director: People and Executive Member for Adult Services, Health & Housing (Deputy Leader of the Council)**

16<sup>th</sup> April 2024

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## **CONTRACT AWARD REPORT: INDEPENDENCE SUPPORT & SUPPORTED LIVING FRAMEWORK FOR ADULTS WITH LEARNING DISABILITIES & AUTISM**

### **1 Purpose of Report**

- 1.1 On 18<sup>th</sup> July 2023, the Executive approved the Strategic Procurement Plan (SPP) to establish a Framework for the provision of Independence Support & Supported Living Services for adults with learning disabilities and autism. Following completion of the tender exercise, carried out under the Light Touch Regime, this report seeks approval to appoint successful Providers to the Framework, commencing 1<sup>st</sup> June 2024.
- 1.2 As approved by the Executive, the award decision is delegated to the Executive Director, People, following consultation with the Portfolio Holder for ASCHH.

### **2 Recommendations**

#### **2.1 This report recommends that:**

**1) Approval is given to appoint successful Providers (details of the providers can be found in the Confidential Annex of this report) to the Independence Support and Supported Living Framework for an initial contract term of 3 years, commencing 1<sup>st</sup> June 2024. The Council may, at its discretion, extend the contract for a further 3 years (1+1+1 or multiples thereof). Individual packages of support will be “called off” the Framework in line with the Framework Protocol and Terms and Conditions.**

**2) It is noted that under the Contract Standing Orders, the Executive Director, People has the authority to permit extensions in accordance with the contract terms.**

**3) It is noted that, as set out in the Strategic Procurement Plan approved by the Executive, the approval to reopen the Framework during the term of the contract is delegated to the Executive Director, People to enable the council to meet ongoing demand.**

### **3 Reasons for Recommendations**

- 3.1 Supported Living enables adults with learning disabilities and autism to live in their own home (through a tenancy or ownership) with the support they need to maximise their independence, and to stay safe and well. Care and support services are provided, in accordance with the Care Act 2014, to meet the assessed needs of individuals.

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- 3.2 The Care Act 2014 places a duty on Local Authorities to influence and manage the local Independence Support and Supported Living market effectively, to ensure
- a vibrant, sustainable, and diverse marketplace
  - value for money
  - range and choice of support for people with care and support needs
- 3.3 The implementation of the Framework will ensure a compliant approach to contracting with the market. The Framework introduces a revised overarching specification with required standards and outcomes to be met and revised pricing structure. This will provide a consistent approach to contract monitoring and quality assurance, and facilitates a fair and transparent approach to pricing. The Framework will enable the Council to meet its statutory duties, ensuring appropriate oversight of service delivery and accountability of providers.

## 4 Alternative Options Considered

- 4.1 Alternative options have been considered and are detailed in the Strategic Procurement Plan.

## 5 Supporting Information

### Commissioning Considerations

- 5.2 Supported living models and commissioning approaches have developed significantly since the closure of long stay hospitals in the 1990's. The Valuing People White Paper in 2001 led to a fundamental shift away from residential care and hospital settings to the development of supported living settings in the community.
- 5.3 In line with the national trend, supported living provision in Bracknell Forest has evolved over a number of years. The council is recognised for performing well in ensuring local supported living models are prioritised, aimed at enabling people to have greater independence, choice and control. All support packages to date have been individually negotiated under spot contract arrangements. This is not sustainable in the longer term and creates challenges in managing price and quality across the market.
- 5.4 Supported Living is not itself a regulated activity, however, elements of the provision such as personal care are regulated by the Care Quality Commission (CQC), in line with the Health & Social Care Act 2008. Therefore, all Providers appointed under the Framework are required to be registered with the CQC. To ensure quality of provision, the Provider's CQC rating will be considered at the point that individual packages of care are called off and awarded through the Framework.
- 5.5 The Framework will ensure a fair, transparent, and consistent approach to sourcing Independence Support and Supported Living packages. Eligible Providers that are appointed to the Framework, will be able to bid for individual packages of care, with a robust, transparent call-off process in place, ensuring good outcomes and value for money. The Provider's eligibility to bid for packages of care through the Framework is aligned with the Council's Care Governance policy to ensure quality and safety of support.

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### Procurement

- 5.6 The procurement has been undertaken in line with the approach agreed in the Strategic Procurement Plan, approved by the Council's Executive on 18th July 2023.
- 5.7 This has ensured that the procurement is compliant with the Council's Contract Standing Orders and has been carried out in accordance with the Public Contracts Regulations 2015.
- 5.8 A project team consisting of colleagues from Procurement, Commissioning, Adult Social Care Operations, Finance and Business insights, will oversee the successful implementation of the new Framework.
- 5.9 As this a flexible framework there is provision for the council to re-open the Framework with prior notice to the market. The council will review appropriate thresholds for the opening of the Framework to manage demand. The council will review this option at least annually thereby ensuring that demand is met. As noted in the Strategic Procurement Plan, approval to re-open the Framework is delegated to the Executive Director, People to enable the council to meet ongoing demand.

## **6 Consultation and Other Considerations**

### Legal Advice

- 6.1 The legal implications of this procurement have been considered in the Strategic Procurement Plan dated 18<sup>th</sup> July 2023.

Legal are satisfied that the proposals for appointing eligible Providers to the Framework as outlined in this report are in accordance with the Public Contract Regulations 2015 and the Council's Contract Standing Orders.

### Financial Advice

- 6.2 The anticipated financial implications were set out in the approved Strategic Procurement Plan. This is a high cost and potentially volatile contract, the cost of which will need to be considered each year as part of the budget setting process.

### Other Consultation Responses

- 6.3 Procurement

Corporate Procurement have been working closely with the working group and the commissioner through the delivery of this tender. Following a review of the award report, evaluation matrix and bids, I am satisfied that the tender process, evaluation process, scoring and moderation have been completed in accordance the Public Contract Regulations 2015, the Council's Contract Standing Orders and the approved Strategic Procurement Plan dated 18th July 2023. I am also satisfied that the bidders identified within the Confidential Annex of this report are all the successful bidders within this tender process and as such I recommend that they be awarded a place upon the Supported Living Framework.

Both the commissioner and the decision maker are reminded that due to the scope of the framework and volume of successful bidders, it is anticipated that formal award, mobilisation and transition are anticipated to take substantially longer than single

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provider contracts, therefore this need for ongoing support across multiple teams will continue for a number of months that need to be accounted for.

Alistair Little, Head of Corporate Procurement

### People with learning disabilities and autism and carers

The views of people with learning disabilities and autism and their carers have been sought during the development of the Independence Support and Supported Living Flexible Framework. A questionnaire was sent out to all people who live in supported living settings and their carers at the start of the process, the feedback was used to develop the service specification and performance management framework. A Support Worker Agreement was co-designed with people with learning disabilities and autism and included in the service specification. Providers were required to answer a method statement question in relation to how they will meet the standards set out in the Support Worker Agreement as part of their tender submission.

Further consideration will be made as to how people who use services are involved in the ongoing monitoring and review of the Independence Support & Supported Living Framework contract.

### Equalities Impact Assessment

- 6.4 An Equalities Impact Screening Assessment was completed at the outset of the procurement, as part of the Strategic Procurement Plan.

The screening determined that a full Equality Impact Assessment was not required.

### Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>. The reason the Council believes that this will have no impact on emissions is that this is not a new service, but the provision of an existing service under a new contract. The service specification requires providers to deliver support through strengths-based approaches and identify innovative approaches, including telecare and assistive technology.

#### Contact for further information

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