

Report to:	Cabinet	Date of Meeting:	7th November 2019
Subject:	Supported Living and Community Support Services		
Report of:	Interim Director for Adult Social Care	Wards Affected:	All
Portfolio:	Cabinet Member - Adult Social Care		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To seek approval to commence procurement exercises to establish new Pseudo Dynamic Purchasing Systems (PDPS) for both supported living and community support services. The PDPS's will be open for a period of 5 years.

Recommendation(s):

Cabinet is recommended to approve;

- (1) The Interim Director for Adult Social Care to commence a two-stage procurement exercise for supported living and community support services (including floating support), which will create two separate PDPS mechanisms. Commencing with an exercise for supported living which will enable new contracts from September 2020 and then following this with an exercise to procure services for community support (floating support), which will establish an individual PDPS for each.
- (2) Delegation of decisions regarding the tender evaluation and the development of a new outcome-based service specification to the Interim Director for Social Care in consultation with the Cabinet Member - Adult Social Care. Such decisions will be made in advance of the procurement exercise commencing; and
- (3) Delegation of decisions regarding the awarding of contracts from each of the individual PDPS's to the Interim Director for Adult Social Care in consultation with Cabinet Member - Adult Social Care. The PDPS's as an overarching mechanism will be in place for 5 years, and used to award contracts either through a direct call off or by undertaking mini competitions. Initial contracts and any subsequent contracts would then be awarded using the PDPS's. These contracts would be awarded for a five-year period comprising an initial three-year period with an option to extend for up to two periods of twelve months either as a whole or as two separate twelve-month extension periods.

Reasons for the Recommendation(s):

To establish new commissioning and contractual arrangements for the provision of supported living and community support services, which will encompass a new model of service delivery, improved market sustainability, updated processes for the commissioning of new services and to support people to live the lives they want to lead

Alternative Options Considered and Rejected: (including any Risk Implications)

The following options were considered and rejected;

- 1. Maintaining the status quo** – this was not considered a viable option as there is a need to establish updated contracts with Providers which also reflect the implementation of a new service specification which is more outcome focussed.
- 2. Conducting a procurement exercise solely utilising the Liverpool City Region framework** – Members will recall Cabinet has previously approved Sefton joining an LCR framework that provides a route to market for a larger number of Providers who provide support across the LCR for people with complex support needs. This route to market is still being put in place and it is anticipated that Sefton will be able to take advantage of the framework where this would offer some benefit and enhancement of local arrangements where these were not able to meet needs. The LCR framework is seeking to establish a larger range of provision which could be used by all the LCR Authorities. The option to develop a local PDPS would enable Sefton to utilise and develop its local market and where needed have access to the broader range of provision through the LCR framework. This would ensure that Sefton makes best use of the local market to secure effective and sustainable placements for local people.

What will it cost and how will it be financed?

(A) Revenue Costs

Revenue costs with respect to new contracts will be met from existing Supported Living and Community Support budgets it is anticipated that the PDPS will enable efficiencies through the embedding of the model of support which is based on the council approved model of accommodation and development of the specification.

(B) Capital Costs

None.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
All resource implications are addressed within the report.
Legal Implications:

Care Act 2014
Registering the Right Support 2019
Building the Right Support 2015
Care and Support Statutory Guidance
Public Contract Regulations 2015
Humans Rights Act 1998
Mental Capacity Act 2005

Equality Implications:

The equality Implications will be assessed as the procurement progresses and any changes are made to provision. Cabinet Member ASC will be kept informed of all equality implications, risks and mitigations.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

450 people currently live in supported living where they benefit from personalised care and support. A further 150 people are in receipt of community support services which supports them to access their community and live the lives they want to lead. The personalised support that they all receive is based upon their assessed need under the Care Act 2014 thus ensuring that the council meets its statutory obligations.

Facilitate confident and resilient communities:

Supported Living and Community Support services help local people to maintain independent living, encourage them to access opportunities within the community and so remain part of their local communities, building their friendship and social networks. This support is key in supporting families to build their resilience

Commission, broker and provide core services:

The adoption of the recommendations will ensure that statutory services will continue to be delivered to people who use services in a personalised way. The procurement method will adopt any learning and ongoing delivery of the pilot for individual service funds which offer people greater choice and control.

The proposed method of awarding new contracts will ensure that we have a strategic approach to the commissioning of supported living and community support and that all Providers comply with service specifications as a condition of their contract. The procurement will also ensure that there is a sufficient supply across the whole of Sefton.

Place – leadership and influencer:

The Council will engage with the market place to develop new ways of working and supporting people at a local level.

The Clinical Commissioning Group could benefit from the rates, quality standards, and framework of Providers established by the Council after undertaking this procurement
<p>Drivers of change and reform:</p> <p>The Council wants people to live the lives they want to lead and is looking to work with Providers to develop new models which will be fit for the future and can support young people in transition to Adult Services. The Council will be looking for innovation and flexibility within the market place in order to ensure sustainability, increased independence and reduce dependency on residential models of care.</p>
<p>Facilitate sustainable economic prosperity:</p> <p>The new model of service will enable Providers to encourage greater independence and innovation, supporting people to gain new skills in a way that is right for them. In turn, this will produce better individual outcomes.</p>
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5826/19.) and the Chief Legal and Democratic Officer (LD4060/19) have been consulted and any comments have been incorporated into the report

(B) External Consultations

Conversations have been undertaken with the market as services have been subject to review. Formal consultations will be undertaken with the market to enable development of the specification and model of support.

As the procurement progresses people who use services will be supported to understand any changes that affect them. We will engage with appropriate advocacy services to support people who use services.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer:	Deborah Butcher
Telephone Number:	Tel: 0151 934 3329
Email Address:	Deborah.Butcher@sefton.gov.uk

Appendices:

There are no appendices to this report.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 Both supported living and community support services enable local people to live the lives they want to lead and retain their independence. There are approximately 626 people receiving Supported Living and Community Support services in Sefton, with approximately 450 people currently living in 125 supported tenancy settings and approximately 176 people receiving support to access the community. In Sefton this support is currently delivered by approximately 24 care providers and are a mix of local, national and charitable providers.
- 1.2 Supported Living Provision is delivered in the persons own tenancy normally on a 24-hour basis. Community Support provides support for people to access services in the community or via a floating support type provision, often for people who live at home with elderly parents or people with mental health issues who don't require 24 hour type provision.
- 1.3 Members will recall a review of the Supported Living Service and Community Support was approved in February 2016. Over the past three years this review was undertaken, utilising the model of accommodation approved by Cabinet which detailed the usage of larger types of accommodation This review included aligning funding streams that were previously utilised to fund these services, for example, Supporting People grants, Legacy funding and Adult Social Care Community Care budget.
- 1.4 Current contractual arrangements subsequently require updating to ensure that the new model is successfully embedded across Sefton and that the needs of local people are met now and in the future.
- 1.5 In order to make the most of all resources available in Sefton we will be exploring joint commissioning with the North and South Clinical Commissioning Groups. This is because services which support complex individuals can be joint funded or have eligibility for Continuing Health Care, and a joint agreement on price and quality could support more efficient use of joined up resources.
- 1.6 The Council is currently conducting a Pilot of Individual Service Funds (ISF's) which afford people with assessed need with greater choice and control when selecting a care provider to support them. These developments will be reflected in the procurement process.

2. The proposed procurement exercise to develop a Pseudo Dynamic Purchasing System (PDPS) for both Supported Living and Community Support.

2.1 It is proposed that the Council commences two separate procurement exercises. The first exercise will be the development of a PDPS for Supported Living services. The second exercise would be to develop a PDPS for Community Support/ Floating Support Services using the following stages:

- Establishment initially of a PDPS mechanism for Supported Living followed by a further PDPS being developed shortly after this for the purchasing of Community Support (floating support) Services.
- This PDPS mechanism will allow existing Providers to apply alongside the encouragement of new Providers to register onto the PDPS. Any existing Providers who meet the criteria (as referenced in section 3 of this report) would retain their existing business.
- Existing Providers who are not successful in registering onto the PDPS will have their current services re-procured via mini competition exercises conducted via the new PDPS commissioning arrangements.
- The PDPS being used as the mechanism for both conducting any future procurement exercises for new supported living services identified following Adult Social Care needs analysis work, and potentially any joint commissioning of services with Health.

3. The proposed procurement exercise to establish a PDPS

3.1 The procurement will be conducted under OJEU light-touch procurement arrangements. Timelines for each PDPS will be agreed by the Interim Director for Adult Social Care in consultation with the Cabinet Member - Adult Social Care.

3.2 The first stage would be to develop the PDPS for each service (Supported Living initially followed by Community Support/Floating Support) for the whole market. Each PDPS will be in operation for a period of 5 years from when it is set up. The indicative timeline for both of the PDPS's would seek to have these established for use from the end of 2020.

3.3 There will be the ability to undertake an immediate call off from each PDPS to award contracts to current Providers who meet the criteria and join the PDPS and which will replace the current agreements that are in place. Contracts will be awarded for an initial period of 3 years plus the option to extend for a further period of two years either as a whole or as two separate twelve-month extension periods.

3.4 The second stage would be for any current services being delivered by unsuccessful bidders to be re-procured using mini competitions from the PDPS. These Providers would be unable to deliver services under any existing contracts as these would cease once the PDPS was established.

3.5 Each new PDPS will be used for the future commissioning of new services.

3.6 Applications to join each of the PDPS's will be compliant with Contract Procedure Rules and will need to reflect Adult Social Care budget resources.

- 3.7 The tender will encompass evaluating bids based on the most economically advantageous tender and it is proposed that the evaluation will be based on an assessment of Quality and Social Value (for example 95% Quality and 5% Social Value), with price not being a contributory factor in evaluations as the price (typically the hourly rate paid) will be set by Sefton. Therefore, contracts will be awarded to the bidder/s who demonstrate the highest quality/social value submission. This will benefit Sefton by ensuring that there is a primary focus on commissioning the highest quality services which in turn will benefit service users. It is recommended that decisions on the evaluation criteria be designated to the Interim Director for Adult Social Care in consultation with the Cabinet Member – Adult Social Care to also ensure that the quality criteria and questions tenderers are asked to respond to, are based on ensuring that future services meet Adult Social Care requirements.
- 3.8 Following Cabinet approval to commence the procurement exercise, the next stage will be to formulate the strategy for the market and associated procurement documents, principally the Invitation to Tender (ITT) document outlining how each PDPS will operate and the new contract and service specification that Providers will deliver services under.
- 3.9 It is recommended that decisions regarding the ITT will be delegated to the Interim Director for Adult Social Care in consultation with the Cabinet Member – Adult Social Care in order to ensure that they reflect potential future developments such as joint commissioning with Health.