

SURREY COUNTY COUNCIL

CABINET

DATE: 27 OCTOBER 2015



REPORT OF: MR MEL FEW, CABINET MEMBER FOR ADULT SOCIAL CARE, WELLBEING AND INDEPENDENCE

LEAD OFFICER: DAVE SARGEANT, STRATEGIC DIRECTOR ADULT SOCIAL CARE

SUBJECT: APPROVAL TO AWARD A FRAMEWORK AGREEMENT FOR COMMUNITY OPPORTUNITIES FOR OLDER PEOPLE AND PEOPLE LIVING WITH DEMENTIA.

SUMMARY OF ISSUE:

This Cabinet report seeks approval to award a framework agreement to the recommended tenderers for the provision of Community Opportunities for Older People and People Living with Dementia to commence on 1 December 2015. The report provides details of the procurement process, including the results of the evaluation, and, in conjunction with the Part 2 report demonstrates why the recommended award delivers value for money and meets the needs of individuals in Surrey.

In line with the general principles of the Care Act 2014 Surrey County Council must promote wellbeing of individuals, empowering people to remain active in their local communities with support to access services and activities that help them sustain their independence. The Friends Family and Community agenda supports this. Key to this is the provision of appropriately commissioned services and access to information, advice and support to help individuals receive a timely diagnosis and community based support thereafter.

The model of delivery for these services has traditionally been via block contracting: however there is a need for more flexibility of choice and delivery both in meeting individual and carers needs as well as developing a more suitable market to provide this flexible range of services. This framework agreement will enable the start of the required shift in this new market and allow ongoing development to engage further providers.

Due to the commercial sensitivity involved in the agreement award process, the Value for Money details have been included as a Part 2 report.

RECOMMENDATIONS:

It is recommended that a Framework Agreement for the provision of Community Opportunities for Older People and People Living with Dementia is awarded to the following providers for a period of three years with an option to extend for one year commencing from 1 December 2015.

To ensure there is sufficient support to cover the spectrum of needs for older people the following lots were set out.

<p>Lot 1 – Low Level Needs For older people who are socially isolated or need a little bit of support to get out and about. It could also include people in the early stages of dementia.</p>	<p>Bright Shadow Limited Cameo Spelthorne Borough Council Surrey Choices Surrey Crossroads</p>
<p>Lot 2 – Moderate Needs For individuals in the middle stages of dementia. Individuals accessing this service should be able to continue with activities of daily living but will need help and support.</p>	<p>Alzheimer's Society Bright Shadow Limited Cameo Spelthorne Borough Council Surrey Crossroads</p>
<p>Lot 3 – High Needs For individuals with high needs or end stage dementia likely to have significant memory loss. They may be prone to wandering and will need to be supported in a safe and secure environment.</p>	<p>Alzheimer's Society Avenues Group South East Spelthorne Borough Council</p>

The value of the current block contracts and grants will be devolved to locality teams and spot contracts from the Framework Agreement raised according to an individual's assessed needs and preferences.

REASON FOR RECOMMENDATIONS:

The recommended framework agreement providers will deliver older people's community opportunity services, including those living with dementia, which will keep people active and involved in the local community and cared for in a safe environment. It also provides support for carers, giving them an opportunity to have time away from their caring duties.

The recommendation to replace the current block contracts and grants with a new framework will help deliver better quality services and more choice within the same budget and will also enable the transition to the new model of services. For many of these providers it is the beginning of a shift to working in more flexible ways. There will also be ongoing work with the market to develop a fuller range of flexible services.

The existing block arrangements expired on 30 September 2015. Contract extensions based on existing arrangements were put in place until 1 December 2015. A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders has been completed, and the recommendations provide value for money for the Council following a thorough evaluation process.

DETAILS:

Background and options considered

1. The Council's vision, in accordance with the Care Act and Surrey's Living and Ageing Well and Family Friends and Communities programmes is to empower people to remain active in their local communities with support to access services and activities that help them sustain their independence. This has been influenced by the National Dementia Strategy, Surrey's Joint

Dementia and Older People's Mental Health Strategy 2010-2015 and the Prime Minister's Challenge on Dementia through the Dementia Friendly Surrey Project. (Dementia Friendly Surrey promoted community awareness and supports individuals, organisations and whole communities to work towards a dementia friendly future for Surrey).

2. The Council's current day care options for older people present challenges going forward in terms of appropriately meeting needs. Based on co-design, there is a shift of focus to ensuring quality outcomes, choice and flexibility for people living with dementia and their carers, and ensuring equitable and consistently good quality day support across Surrey.
3. Care and support in the community helps to reduce the number of delayed admissions to residential care as well as preventing avoidable admissions to hospitals from carer breakdown. A shifting model of meeting needs during the day enables progress of key aims of the Better Care Fund.
 - a) enabling people to stay well: Maximising independence and wellbeing through transformed prevention and early intervention for people at risk of being unable to manage their physical health, mental health and social care needs
 - b) enabling people to stay at home: Integrated care delivered seven days a week through enhanced primary and community services which are safe and effective and increase public confidence to remain out of hospital or residential/nursing care
 - c) enabling people to return home sooner from hospital: Excellent hospital care and post-hospital support for people with acute, specialist or complex needs supported by a proactive discharge system which enables a prompt return home.

Benefits of the chosen option

4. Community opportunities differ from traditional day care, and represent a significant shift towards personalisation and control. A menu of options for activities and support will be available to individuals in their local community. This could be, for example, accessing a local sports club, help to go shopping, physical activities, befriending and peer support or social groups where individuals can choose what they do. The location for the activity could be anywhere in the local community such as a village hall or community centre or not building based at all – as long as it is safe for the people accessing the service. Traditional day centres as well as residential care homes will still have a role to play representing one element of a much wider offer. If support is provided in a day centre, the centre will support the individual to access a range of activities and support suited to meet their needs. It will represent a continuum of options to fit the range of needs of the active elderly and young onset dementia to people with mild cognitive impairments and those with high needs dementia.
5. Providers recommended to be included on the framework through this tender process have identified how they will support people to remain living in their communities. For some providers this is through an existing day care provision, but with plans in place to develop into a more flexible offering (including evening and weekend sessions) in the coming months, allowing time for staff and culture changes to support this journey.

6. Providers will also be encouraged to engage with social care teams sharing their offer and new developments. Social Workers will offer individuals the options available in their locality when their support plan is being developed.
7. Providers recommended for inclusion on the framework have identified how they will link into and make use of local networks and community resources, including the Wellbeing Centres. In some cases activities will run in these locations.

Procurement Strategy

8. Several options were considered prior to commencing the procurement activity. After a full and detailed options analysis it was decided to progress under a two stage process as this demonstrated best value from the options appraisal completed :

Stage one: re-tender for all day care (excluding existing day care provided by district and borough councils) and invite tenders for a Framework Agreement. The benefits include:

- a) providing the opportunity to align all providers to the same framework and enable equitable access to good dementia day care across the county
- b) providing an opportunity to offer flexible support to individuals and their carers
- c) creating an opportunity for smaller organisations to be included on the framework.

Stage two: engage and work with additional providers and Districts and Boroughs on delivering day care to the specification.

9. The framework agreement for this service enables local services and small organisations the opportunity to take part. After market engagement (detailed in paragraph 21 and 22), bids were invited according to the level of need (low, moderate and high level) and based on the Clinical Commissioning Group (CCG) areas in Surrey:
 - a) East Surrey
 - b) Guildford & Waverley
 - c) North West Surrey
 - d) Surrey Heath - including Farnham
 - e) Surrey Downs.

Providers have identified which areas they can cover and, in some cases, where they may be able to expand should demand exist.

Market management activities and competitive tendering process

10. A competitive tendering exercise to award a framework agreement was carried out. It was decided that the open procedure was appropriate and bidders were given 40 days to complete and submit their tender. Seven tenders, including existing providers, were received and evaluated against quality criteria. A summary is provided in the Part 2 report.

11. The tender evaluation panel for the service included representatives from Adults Social Care, Procurement and the Surrey Coalition of Disabled People.
12. The initial framework agreement is a starting point. Requirements of the service are changing and the local market is developing in response, but is in a transition stage. Commissioners are aware of other local providers and ongoing market engagement will be carried out to enable SCC to commission other providers and widen the range of options available to individuals.
13. As this is a transition stage in moving to a new provision the market is still developing and the framework enables a process for new providers to enter the market when they feel it is appropriate. Surrey County Council will put a process in place that will support new entrants to provide opportunities in line with our specification over the next few months.

Key Implications

14. By awarding a Framework Agreement to the providers recommended for the provision of community opportunities to commence on 1 December 2015, and developing a process allowing for new providers, Surrey County Council will be meeting its duties and ensuring delivery of personalised services.
15. A key agenda for Adult Social Care is Family, Friends and Community which seeks to support individuals to remain as independent as possible within their communities. The specification for these services has been drawn up with this in mind and a focus on supporting individuals to remain in their communities, supported with flexible services meeting their and their carer's needs.
16. The service specification is outcomes based. Providers must:
 - a) focus on outcomes for individuals
 - b) play an active role in the co-ordination and access to community services
 - c) be aware of, and take account of, Family, Friends and Community programmes
 - d) include linking individuals with their Family, Friends and Community, including relevant community resources such as Wellbeing Centres
 - e) promote and maximise independence to enable individuals to stay in their own homes for as long as they choose to do so
 - f) support carers to continue in their role and to have a life outside of caring for the individual
 - g) ensure dignity, and respect the individual's personal, physical, cultural and religious needs
 - h) reduce inappropriate hospital admissions
 - i) offer services that are appropriate for a person's age and level of need.
17. Locality teams will have a menu of options for each area. Based on their assessment the social worker will support the Individual to identify the service(s) that best suit their needs and personal budget. Spot placements will be made, with payment for services on an hourly basis dependent on the offering and identified preferences. It may include a range of the services available.

18. Performance will be monitored through a series of Key Performance Indicators (KPIs) as detailed in the agreement and reviewed at monthly operational meetings and quarterly performance reviews. The main performance indicators will be as follows:
- a) number of people using this service
 - b) number of people referred to this service and the referral source
 - c) compliments and complaints, including feedback from individuals and carers
 - d) description of service(s) provided including links with community resources and service changes and innovations (evidencing the shift to meeting the new specification)
 - e) safeguarding
 - f) case studies (evidencing outcomes and a shift in meeting new specification).
19. The operational management responsibility for the providers' performance under the framework lies with Adult Social Care area teams, with oversight from the lead on Dementia (currently Area Director for Surrey Heath). The framework will be managed in line with the contract management strategy and plan as laid out in the agreement documentation which also provides for review of performance and costs and identified continuous improvements.

<u>CONSULTATION:</u>

20. The consultation process for this work has been ongoing since August 2014 and multiple conversations have taken place with stakeholders from health, voluntary organisations, boroughs and districts, independent representatives, people with dementia and carers at area meetings. Feedback from the consultation influenced the new specification as outlined in paragraph 16, and focused on a number of areas:
- a) more flexibility for people with dementia and carers
 - b) more support for carers at evenings and weekends
 - c) increase in sitting services
 - d) more informal groups rather than day centres
 - e) services available in community settings
 - f) access is difficult and transport is a blocker
 - g) more high needs care and support
 - h) more support for people with young onset dementia.
21. In January 2015 a market shaping event was held to share the vision and strategy with current and prospective providers. This was followed up with local groups to shape the specification and then in March 2015 with commissioning surgeries held across the county where providers were invited to come along and discuss any queries with staff from both adult social care commissioning and procurement.
22. The specification was shared with the Dementia Partnership Board and the Living and Ageing Well Steering Group.
23. Social Care Services Board (previously Adult Social Care Select Committee) was briefed on 14 May 2015, where the direction of change was supported.

RISK MANAGEMENT AND IMPLICATIONS:

24. The agreement includes a termination clause (Condition 17). This will allow Surrey County Council to terminate the entire framework or individual agreements with three months' notice should priorities change. If the provider commits a breach of the terms of the agreement then the agreement can be terminated within a shorter time frame.
25. All recommended providers passed financial checks as well as checks on competency in delivery of similar agreements.
26. The following key risks associated with the agreement have been identified, along with mitigation activities:

Category	Risk Description	Mitigation Activity
Finance	Potential risk that during the life of the agreement the provider will request an inflationary increase against the annual service delivery cost.	The rates are fixed for the duration of the agreement.
Reputational	Quality of service delivered does not meet objectives and needs.	Strong contract management and quarterly performance review meetings which will enable us to influence, closely monitor and understand performance delivery.
		Successful providers will be expected to participate in a targeted Quality Standards bench marking exercise and this will be built into ongoing performance monitoring as detailed in paragraph 19
Service	Ability to offer a universal range of service choice across the county	The tender responses highlight some risk in this area. Ongoing market development will enable additional providers to be commissioned.

Financial and Value for Money Implications

27. Full details of the agreement value and financial implications are set out in the Part 2 report.
28. The new agreement will mean an improvement in the reporting of Key Performance Indicators (KPIs) and the enhanced service levels being delivered under the agreement. Contract monitoring will ensure outcomes are being met.
29. Regional and national benchmarking information shows that the rates submitted as part of this tender are competitive and deliver value for money.

Section 151 Officer Commentary

30. The Section 151 Officer supports the recommendation to replace the current block contracts and grants with a new framework as it will deliver better quality services and more choice within the same financial envelope.

Legal Implications – Monitoring Officer

31. As set out in this report above, the procurement process for the provision of this service was undertaken using an EU compliant procedure and also complied with Surrey County Council's Procurement Standing Orders.
32. The Care Act imposes responsibility on local authorities to provide services to promote well-being and identify services to prevent the need for care and support. This framework agreement will assist in discharging Surrey County Council's statutory responsibility.

Equalities and Diversity

33. Under section 149 of the Equality Act 2010, Cabinet must comply with the public sector equality duty, which requires it to have due regard to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
 - b) advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
34. An equalities impact assessment has been written and is attached as Annex 1. It sets out the impacts of the recommendation on each of the protected group for each service. A range of positive impacts have been identified for all groups, including increased flexibility of provision for individuals and carers.
35. The agreement will be managed and monitored in line with Surrey's obligations under the equalities monitoring framework.

Safeguarding responsibilities for vulnerable children and adults implications

36. The terms and conditions of agreement stipulate that the provider will comply with Surrey County Council's Safeguarding Adults and Children's Multi-Agency procedures, any legislative requirements, guidelines and good practice as recommended by the Council. This will be monitored and measured through the contractual arrangements.
37. The service will operate a client centred approach, working collaboratively with other Health and Social Care Services.

WHAT HAPPENS NEXT:

38. The timetable for implementation is as follows:

Action	Date
Cabinet decision to award	27 October 2015
'Alcatel' Standstill Period	6 November 2015
Agreement Signature	16 November 2015
Agreement Commencement Date	1 December 2015

39. Surrey County Council has an obligation to allow unsuccessful providers the opportunity to challenge the proposed agreement award. This period is referred to as the 'Alcatel' standstill period.

40. Surrey County Council will work closely with the successful providers to ensure a smooth transfer from the current provisions to the new services.

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Consulted:

Dementia Partnership Board

Living and Ageing Well Steering Group

Social Care Services Board

Laura Langstaff, Head of Procurement and Commissioning

Anna Tobiasz, Category Manager – Adults

Jean Boddy, Area Director Farnham and Surrey Heath

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Annexes:

Annex 1 - Equality Impact Assessment

Part 2 Report – Commercial details and agreement award – item 26.

Sources/background papers:

None

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