

Report of: Shona McFarlane, Chief Officer, Assessment and Care Delivery

Report to Director of Adult Social Services

Date: 8th October 2015

Subject: To approve permission to tender for the supply of Telecare equipment

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Tele Care service provides a range of Telecare equipment to disabled adults, older people and children within Leeds. There are currently 16,000 people connected to the service. The Telecare sensors are used to monitor the environment (for example to detect smoke or gas) or the person themselves (for example to detect a fall or to alert that the person has left their home).
2. Assessors across health and social care make recommendations for the provision of Telecare with each Telecare package designed to meet the need of the individual person. It can make a significant reduction in the risks for people at home and contributes to reducing and delaying the need for home care and residential services.
3. There is currently no suitable contract or arrangement in place that the Tele Care Service can utilise for the purchase of Telecare equipment, which meets the needs and requirements of both the Tele Care Service and the service users themselves.
4. Tele Care Services are currently procuring Telecare equipment 'off-contract'. The results of this are that there are no contracted prices or Ts and Cs by which to contract manage the service provision. In order to comply with the requirements of EU Procurement Regulations the requirement for the supply of Telecare equipment must be subjected to competition to establish a new framework agreement.

Recommendations

5. The Director of Adult Social Services is requested to approve the permission to procure four consecutive 12 month framework agreements for the supply of Telecare Equipment, of which the first framework will commence 1st June 2016 until 31st May 2017 and the fourth and final framework agreement will expire 31st May 2020.
6. Implementation discussions will take place with the suppliers once the contract is awarded
7. The proposed timescale for implementation is 1st June 2016.
8. The Service Delivery Manager- Assisted Living Leeds will be the officer responsible for the implementation.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval via delegated decision by the Director of Adult Social Services to approve the undertaking of a procurement exercise to procure four consecutive 12 month framework agreements for the supply of Telecare Equipment, of which the first framework will commence 1st June 2016 until 31st May 2017 and the fourth and final framework agreement will expire 31st May 2020.

2 Background information

- 2.1 The Preventative Telecare Grant was announced by the Department of Health in 2004 and was paid to Local Authorities in 2006. This provided the opportunity to develop Telecare services in Leeds. From 1st April 2009 the Leeds Tele Care Service has been a mainstream service funded by Adult Social Care.
- 2.2 Telecare is the continuous, automatic and remote monitoring of real time emergencies and lifestyle changes over time in order to support vulnerable people living independently. It is a development of the community alarm equipment which Leeds has provided for older and vulnerable people for over 25 years. Community alarms are considered as the “first generation” of monitoring equipment. Telecare is referred as the “second generation” equipment. Telecare sensors are placed around the home on ceilings, doors and walls or may be worn by the service user in the form of a pendant, watch or belt. Sensors include smoke detectors, flood detectors, fall sensors, medication dispensers and wandering alerts. Since October 2010 the Tele Care Service provided “3rd Generation” Telecare equipment consisting of lifestyle monitoring systems and GPS location systems. GPS location systems are aimed at improving safety and independence outside of the home and work through using satellite navigation to locate the whereabouts of the wearer.
- 2.3 When the Tele Care service was first established it was able to take advantage of being able to access the NHS Purchasing and Supply Agency (PASA) contract which had been made available to LA’s to support integration of health and social care equipment services.
- 2.4 The responsibility for this contract passed to “Buying Solutions Framework” in 2009.
- 2.5 A waiver report dated 12 February 2004 was agreed by Director of Social Services to allow the Leeds Community Equipment Service to access the PASA system following integration of community equipment service with the NHS. Leeds Community Equipment, Tele Care Services have continued to use the Buying Solution Framework, following the transfer from PASA to Buying Solutions. A further waiver was approved in November 2011. This contract expired in 2014 and no new contract was available.
- 2.6 There was an expectation that the Tele Care service would be able to obtain its equipment through a contract which Yorkshire Purchasing Organisation, YPO, procured in 2014. The Service was involved in the procurement exercise but

unfortunately the supplier who was awarded the contract cannot meet the need of the Leeds Tele Care Service. The supplier will only provide its own products and will only offer a wider range of products once this main supplier has “approved” them for use. This would have required Leeds Tele Care Service to move away from using products that it knows to be effective and reliable and would restrict choice and service ability to meet customer’s individual needs.

- 2.7 A contract is required which provide Tele Care with the flexibility to procure a range of products which meets the customers individual needs and circumstances and does not stifle innovation or flexibility around service user requirement and advancements with new technologies.
- 2.8 Leeds City Council aims to be seen as a leader in the field of Telecare with other Local Authorities and suppliers alike. Telecare is a fast moving market in terms of technological advancements, with new suppliers and products entering the market on an annual basis. Leeds Tele Care Service want to stay ahead of the game and reap the many benefits attributable from using the latest Telecare products on the market.
- 2.9 Tele Care Services are currently procuring Telecare equipment ‘off-contract’. The results of this are that there are no contracted prices or T’s and C’s by which to contract manage the service provision. This means that LCC is currently in breach of its own Contract Procedure Rules and EU procurement rules.
- 2.10 The commissioning of Telecare is an important way in which the Local Authority discharges a number of its obligations under the Care Act 2014. S1 of the Act places a general duty on the Local Authority to promote an individual’s wellbeing including promoting an individual’s ability to have control over their day to day life, domestic and family relationships and emotional wellbeing. These are often achieved by enabling a person to remain safe in their own home for as long as possible, and the use of Telecare arrangements is often key to this. The Local Authority is also called up to have particular regard to the need to ensure that any restriction on an individual’s rights or freedom of action that is involved in the exercise of the function is kept to a minimum necessary for achieving the purpose. In that regard, Telecare is often considered to be a less restrictive way of meeting some care needs and empowering individuals to remain as independent as possible for as long as possible. S9 of the Care Act 2014 places a duty on Local Authorities to assess adults within their areas who may have needs for care and support. S13 of the Act says that the Local Authority must consider what can be done to meet those needs and specifically the what can be done to prevent or delay the development of needs for care and support. The use of Telecare is one of the key ways in which the local authority discharges its obligation to prevent or delay the development of care needs and is often found to be low cost solution.

3 Main issues

- 3.1 This framework contract is for the supply of Telecare sensors to Leeds City Council. The estimated contract value is approx. £300,000 per year based on first quarter expenditure in 2015/16.

- 3.2 It is proposed that a 12 month framework is established, which will be re-tendered each subsequent year for a further three years. Re-tendering the framework every 12 months allows for:
- New entrants into the market to quickly get on the following years framework
 - An annual product specification refresh, allowing for any upgrades to the technology or changes to the equipment required
 - New innovations – allows the frameworks to keep up with current and new technologies
- 3.3 Service user need is the key driver for the Tele Care Service and the allocation of equipment. Customers are provided with a range of products purchased from a number of different suppliers. Some of these products will have very similar functionality, however by having access to a range of products the customer's individual needs and circumstances can be met. For example; there are currently, three different suppliers of fall detectors. Each of these products have very similar functionality, however a person's weight and height effects how well the fall detector works for that individual. If a person is less than five feet tall and weighs less than 6 stones, two of the current products on the market do not alert when that person falls.
- 3.4 Connectivity is also a key feature of the products purchased as there needs to be interdependencies between the equipment purchased and the call monitoring system. Case studies will be used in the specification, to illustrate that service user requirement is the key driver for the allocation of devices and not just price.
- 3.5 The Tele Care Service is often asked by suppliers to trial new products and give feedback before the products go out to the open market. Telecare is an area of assistive technology where there is a rapid development of products and systems.
- 3.6 A number of Telecare products will be specified in the framework. The framework will have 2 lots; Lot 1 will be for the frequently required Telecare products (framework items) and Lot 2 will be a discount from price list for less commonly required products. If the less commonly purchased item(s) become a frequent purchase over the framework period, on the anniversary of the contract the specification will include all frequently purchased items. Products tendered will be evaluated on a pass/fail basis against the specifications, and all products that meet the required minimum standards will be ranked by price.
- 3.7 A Suppliers Open Day will take place at Assisted Living Leeds prior to the tender being advertised. This will allow the Tele Care Service to engage with suppliers and get them 'market ready' for the tender exercise.
- 3.8 Consequences if the proposed action is not approved**
- 3.8.1 The Service would have to purchase all equipment "off contract". There would be no contract prices which would be very likely to result in higher costs for equipment.

- 3.8.2 The effect higher unit costs on the budget would have a direct impact on customer waiting times for equipment
- 3.8.3 The aim of the Service to provide the right equipment quickly to enable people to live independent and inclusive lives would be compromised.
- 3.8.4 If the Contracts were not awarded to the successful bidder following a proper procurement process, the Local Authority must provide justifiable reasons for abandoning the process or risk legal challenge.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Procurement process includes officers from Tele Care Services and Occupational Therapist services and ICT Services, who are all also involved in the development of the product specifications.
- 4.1.2 A detailed Communications and Engagement Plan has been developed to ensure that all relevant stakeholders are informed / consulted to appropriate levels of information at the appropriate times in the procurement process.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Impact Assessment screening tool has been undertaken for the purposes of this recommendation, and has indicated that an EIA does not need to be carried out. There will be no adverse effect on any particular groups of people within the city by the proposal.

4.3 Council policies and Best Council Plan

- 4.3.1 The service contributes to National Indicator 142: the percentage of vulnerable people supported to achieve independent living.
- 4.3.2 The service contributes to the City Priority Plan 2011 to 2015, Best City for health and wellbeing: Supporting more people to live safely in their own homes and give people choice and control over their health and social care services.
- 4.3.3 The service contributes to the Council Business plan 2011 to 2015, Adult Social Care Directorate Priorities and Performance Measures by making Leeds the best place to grow old and delivering the better lives programme.
- 4.3.4 The service supports adults whose circumstances make them vulnerable to live safe and independent lives.
- 4.3.5 The service provides easier access to joined-up health and social care services.

4.4 Resources and value for money

- 4.4.1 A full procurement process will be undertaken in order to ensure that the Council obtains best value for money, in terms of fit for purpose products at the best price.

4.4.2 The purchase of new equipment will be within existing capital budgets. The estimated annual spend is approx. £300,000.00, based on the first quarter expenditure in 2015/16.

4.4.2 Using a contract will ensure items of Telecare equipment are purchased at best value rates. The service will be able to purchase equipment in a more timely manner and plan the year's expenditure. Officer time will be saved by working to the framework rather than obtaining competitive quotes for individual items and orders.

4.5 Legal Implications, Access to Information and Call In

4.5.1 PPPU will advertise the tender in the Official Journal of the European Union (OJEU) to comply with the Procurement Regulations (2015), for each year of the four tender exercises. The frameworks will also be advertised on the Council's tendering website www.YORtender.co.uk and Contracts Finder.

4.5.2 This is a key decision and is subject to call-in. The report does not contain any exempt or confidential information under the Access to Information Rules.

4.6 Risk Management

4.6.1 Without the Framework contract in place, the service would not be able to meet the demand for Telecare equipment, and would have to rely on buying off contract and recycling used equipment. This would result in a waiting list for equipment and the service not being able to purchase up to date equipment particularly to meet the needs of customers with more individual and complex needs.

5 Conclusions

5.1 The Leeds Tele Care Service has a responsibility to provide a high quality Telecare equipment for the people of Leeds.

5.2 There is currently no suitable contract or arrangement in place that the Tele Care Service can utilise for the purchase of Telecare equipment, which meets the needs and requirements of both the service and the service users.

5.3 The proposed framework will provide contractual security for the Tele Care Service, whilst allowing the Service to purchase a range of products that meet service user requirements without stifling innovation or technological advancements.

6 Recommendations

6.1 The Director of Adult Social Services is requested to approve the permission to procure four consecutive 12 month framework agreements for the supply of Telecare Equipment, of which the first framework will commence 1st June 2016 until 31st May 2017 and the fourth and final framework agreement will expire 31st May 2020.

- 6.2 Implementation discussions will take place with the suppliers once the contract is awarded
- 6.3 The proposed timescale for implementation is 1st June 2016.
- 6.4 The Service Delivery Manager- Assisted Living Leeds will be the officer responsible for the implementation.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.