



**Report of Deputy Director, Integrated Commissioning, Adults and Health**

**Report to Director of Adults & Health**

**Date: 10<sup>th</sup> July 2019**

**Subject: Award of Contract – Community Based Short Breaks**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: 10.4(3) Appendix number: Two	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary**

**1. Main issues**

- In January 2019, the Director of Adults and Health gave authority to proceed with a procurement process to appoint a suitable provider or providers to deliver community based short break services from 1<sup>st</sup> November 2019.
- A procurement process has been undertaken in accordance with the Public Contracts Regulations 2015 and, following evaluation, there are no grounds indicating that the contract should not be awarded.
- The decision to award the contract to the organisations listed in paragraph 6.1 of this report is a Significant Operational Decision as it is a consequence of the previous Key Decision giving authority to procure which was taken on 17<sup>th</sup> January 2019.
- Appendix Two of this report is confidential and exempt under Access to Information Procedure Rule 10.4(3) as it contains information relating to the business affairs of organisations involved in the process. It is felt that if this is disclosed this would, or would be likely to, prejudice the commercial interest of the council.

**2. Best Council Plan Implications**

- Community based short break services support the Best Council Plan priority on Health and Wellbeing by promoting carers' well-being through the provision of a regular and planned short break from caring.

### 3. Resource Implications

- The annual funding of £1,201,230 is included in the adult carer's budget and includes an additional £170k per annum that the Adults and Health Directorate has allocated to increase the provision of community short breaks services.

### Recommendations

- a) This report recommends that the Director of Adults and Health award a contract to deliver community based short break services from 1st November 2019 to:

Organisation	Area	Contract Value	
		Per annum	Total
Carers Trust Mid Yorkshire	North East	£194,533	£664,654
Springfield Home Care Services Ltd	East	£276,313	£944,069
Springfield Home Care Services Ltd	South	£246,108	£840,869
Sevacare (UK) Ltd T/A Synergy Homecare	West	£176,000	£601,333
Allied Health-Services Ltd T/A Allied Healthcare	North West	£209,175	£714,681
Allied Health-Services Ltd T/A Allied Healthcare	Citywide BAME	£99,101	£338,595

**Note: Total contract value includes extension periods**

- b) The contract will commence on 1st November 2019 for a period of three years and five months with options to extend the contract up to a further two years.
- c) The Director of Adults and Health to note that the Head of Commissioning (Integration) is responsible for the implementation of this decision which will be done in consultation with Procurement and Commercial Services (PACS).
- d) These are indicative contract sums based upon the estimated usage of this service and the available budget. The contracts will be awarded on the basis of the hourly rates tendered by the successful providers.
- e) The hourly rates tendered by the successful providers are:

Springfield Home Care Services Ltd	£15.90
Sevacare (UK) Ltd T/A Synergy Homecare	£16.00
Allied Health-Services Ltd T/A Allied Healthcare	£16.20
Carers Trust Mid Yorkshire	£17.30

## **1. Purpose of this report**

- 1.1 The purpose of this report is to seek approval from the Director of Adults and Health to award a contract to deliver community based short break services from 1<sup>st</sup> November 2019. The contract will commence on 1<sup>st</sup> November 2019 for a period of three years and five months with options to extend the contract up to a further two years.

## **2. Background information**

- 2.1 In January 2019, the Director of Adults and Health took a Key Decision (Ref D48305) giving authority to proceed with a procurement process to appoint a suitable provider or providers to deliver community based short break services from 1<sup>st</sup> November 2019.
- 2.2 The key features of a Community based short breaks service are:
- It should provide the carer with an actual break from caring
  - It should provide a positive experience for the cared-for person
  - The carer and the cared-for person with care needs should have choice and control over their short break
- 2.3 A new service specification has been produced which takes into account changes to eligibility criteria and referral pathways as well as feedback gathered via consultation and market engagement. The specification will enable adult carers to have a regular and planned short break from caring, achieved through a paid care-worker taking over the caring role while the carer has a break and may include:
- Sitting with the cared-for person in their own home
  - Accompanying the cared-for person on a short trip or outing
  - Supporting the cared-for person to access local activities that they enjoy but are unable to access themselves using their own resources and networks and/or other commissioned or non-commissioned services

## **3. Main issues**

- 3.1 The service was placed out to tender via an open procurement process. The procurement opportunity was advertised in the Official Journal of the European Union (OJEU) as well as on the council's electronic tendering system, YORtender and the government's Contracts Finder system
- 3.2 The procurement process consisted of three parts:
- Standard Selection Questionnaire (SSQ)
  - Quality evaluation
  - Price evaluation
- 3.3 The SSQ required tenderers to declare that they have not breached any of the grounds for exclusion and to complete a number of scorable questions. In order to go through to the next stage of the evaluation process, tenderers were required to score a minimum of 60% for each scorable question. A total of 6 tenderers exceeded all of the standards required to proceed to the next stage.
- 3.4 The quality evaluation accounted for 600 of the total points available and consisted of a method statement where tenderers were required to submit clear, concise and unambiguous statements that provided sufficient evidence as to how they will

deliver the requirements of the council's specification and associated contract terms and conditions.

- 3.5 The method statement was evaluated by an evaluation panel using a consensus approach to scoring. Two carers acted as consultees to the evaluation panel. Tenderers were required to achieve a minimum of 60% of the overall quality points available (i.e. 360 points out of the 600 points available). Tenderers who did not meet this minimum overall quality threshold were automatically eliminated from the evaluation process and not considered for the contract.
- 3.6 The criteria used in the quality evaluation and the quality evaluation booklet is set out in Appendix 1
- 3.7 The price evaluation accounted for 400 of the total points available. Tenderers bidding outside of a set pricing range would have been automatically eliminated from the process and not considered for the contract.
- 3.8 Appendix 2 that provides a breakdown of both the quality and the price score for each tenderer.
- 3.9 The tender was advertised as six different lots, as detailed in paragraph 3(a). The maximum number of lots that a provider can be awarded is two. The allocation of the lots has been undertaken on a preference basis, with the highest ranked provider being awarded their highest preferences, with the remaining lots being awarded on a cascading basis until all of the lots have been allocated.
- 3.10 The outcome of the procurement process means that 139 (92.7%) of people who are currently receiving a community short breaks service will be faced with a change of provider, though not necessarily of care workers if TUPE processes are undertaken. It is also likely that staff who deliver these services are delivering home care for the same provider and so the provider may take the view that those staff are not subject to TUPE.

#### **4. Corporate considerations**

##### **4.1 Consultation and engagement**

- 4.1.1 Two carers have been involved in the procurement process in line with the councils Service User Guide which explains the importance of involving service users in the procurement of goods, works and services, how service users can be involved and confidentiality issues. Prior to their involvement, carers completed a confidentiality agreement
- 4.1.2 The Executive Member for Health, Wellbeing and Adults has been briefed on the outcome of the tender evaluation

##### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 An Equality, Diversity, Cohesion and Integration Screening Tool has been completed (attached at Appendix 3).

##### **4.3 Council policies and the Best Council Plan**

- 4.3.1 Community based short break services supports the Best Council Plan priority on Health and Wellbeing and Leeds' Best City Ambition of a Strong Economy and a Compassionate City, by setting out how the council will meet the needs of carers. It

also contributes to delivering the vision of the Health and Well-being Strategy including such key elements as:

- An age friendly city where people age well
- Strong, engaged and well connected communities
- Maximise the benefits from information and technology
- Promote mental and physical equality
- The best care, in the right place and the right time

4.3.2 The service also supports the Council's Breakthrough projects, notably Making Leeds the Best City to Grow Old In and Reducing Health Inequalities but the approach can have a positive impact across all the projects.

### **Climate Emergency**

4.3.3 At Full Council on 27 March 2019, Leeds City Council passed a motion declaring a Climate Emergency. In addition, the Leeds Climate Commission have proposed a series of science based carbon reduction targets for the city so that Leeds can play its part in keeping global average surface temperatures to no more than 1.5°C. A 'City Conversation' is planned for the summer of 2019, to raise awareness, review and refine the options and to start to build public, business and political support for transformative action.

4.3.4 For the purposes of this contract, the city has been divided into 5 geographical lots to increase the likelihood that service providers:

- Limit the use of transport
- Can build on the expertise and knowledge the provider has with the local communities and community groups
- Recruit staff from local communities to work in those local communities

4.3.5 We know that health and care is a significant contributor to the Leeds public sector carbon footprint and Leeds Teaching Hospitals NHS Trust is one of the top ten carbon emitters in the city as well as being a major employer so able to promote the city conversation through its workforce. The Director of Adults and Health will ensure that the selected providers are engaged with so as to encourage the use of public transport and active travel where appropriate for the short breaks. The introduction of monitoring to gauge the carbon impact of short breaks will be developed.

## **4.4 Resources, procurement and value for money**

4.4.1 The annual funding of £1,201,230 is included in the adult carer's budget and includes an additional £170k per annum that the Adults and Health Directorate has allocated to increase the provision of community short breaks services.

4.4.2 The procurement has been undertaken in accordance with the Public Contracts Regulations 2015 and, following evaluation, there are no grounds indicating that the contract should not be awarded

4.4.3 Unpaid carers help to maintain the health and wellbeing of the person they care for, support that person's independence and enable them to stay in their own homes for longer. Research undertaken by the University of Leeds estimates the cost of replacing unpaid care with paid care to be around £1.4billion per year in Leeds. Effective support for carers which promotes their wellbeing and enables them to continue caring therefore makes economic sense as it helps to manage demand on health and care services.

4.4.4 Planned contract monitoring and management for the contract will help the Council to achieve value for money as well as supporting a positive working relationship with the Provider.

#### **4.5 Legal implications, access to information, and call-in**

4.5.1 The decision highlighted in this report will be taken by the Director of Adults and Health in line with the officer delegation scheme as detailed in Part 3 of the Council's Constitution.

4.5.2 This decision to award the contract is a Significant Operational Decision as it is a consequence of the previous Key Decision giving authority to procure which was taken on 17<sup>th</sup> January 2019. Therefore, this decision is not subject to call-in.

4.5.3 The contents of the confidential Appendix 2 relate to commercially sensitive operational information from the tenderers and it is therefore considered that this element of the report should be treated as exempt under rule 10.4(3) of the Access to Information Procedure Rules.

#### **4.6 Risk management**

4.6.1 The required checks will be undertaken by Procurement and Commercial Services in relation to successful tenderers, with the contracts not being awarded until the process has been satisfactorily concluded. These include the uptake of references from existing contracts, ensuring that the appropriate levels of insurance are in place, an inspection of their audited accounts, health and safety policy and safeguarding policy.

4.6.2 A three month mobilisation period will ensure that the new service can be fully mobilised before the contract start date as it is considered that TUPE will apply to this procurement and will involve contractor to contractor negotiations.

4.6.3 Leeds City Council will work with both the existing and the new providers to ensure that any changes for carers and the person they care for are as smooth as possible.

4.6.4 Community based short break services will be monitored against Leeds City Council's Quality Management Framework (QMF). The QMF aims to enable organisations to demonstrate that quality services are being delivered, to identify areas where improvements need to be made and to demonstrate that there is a culture of continual improvement. The framework is not a static document and will be reviewed and revised throughout the life of the contract to ensure that it is meeting the requirements of both the service providers and Leeds City Council.

### **5. Conclusions**

5.1 The procurement has been undertaken in accordance with relevant procurement processes. The recommendation to award the contract follows the evaluation of the tenders submitted.

5.2 The tenderers listed in paragraph 6.1 of this report have exceeded the necessary quality and price criteria, reflecting the desired outcomes that Adults and Health would hope to achieve through the delivery of the contract within the funding envelope.

5.3 The contract will commence on 1<sup>st</sup> November 2019.

## 6. Recommendations

- 6.1 This report recommends that the Director of Adults and Health award a contract to deliver community based short break services from 1st November 2019 to:

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- 6.2 The contract will commence on 1st November 2019 for a period of three years and five months with options to extend the contract up to a further two years.
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Carers Trust Mid Yorkshire	£17.30

- 6.5 The Director of Adults and Health to note that the Head of Commissioning (Integration) is responsible for the implementation of this decision which will be done in consultation with Procurement and Commercial Services (PACS).

## 7. Background documents<sup>1</sup>

- 7.1 None

## Appendices

Appendix 1: Quality Evaluation Criteria

Appendix 2: **Confidential** - Summary of quality and price scores

Appendix 3: Equality, Diversity, Cohesion and Integration Screening

<sup>1</sup> 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.