

Report of: Deputy Director, Integrated Commissioning, Adults and Health
Report to: Director of Adults and Health
Date: 2nd December 2020
Subject: Specialist Dementia Beds at RecoveryHub@South:
Award of a two year contract for nursing and physiotherapy services to Leeds Community Healthcare NHS Trust.

Are specific electoral wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, name(s) of ward(s):		
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?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, access to information procedure rule number: 10.4 (3) Appendix number: 1		

Summary

Main issues

- Ten beds at Leeds City Council's RecoveryHub@South are to change use, from Community Care Beds, to specialist dementia beds. This will establish a new pathway for out of hospital care, principally for people to leave inpatient beds at The Mount.
- Leeds City Council will be the registered provider of this new specialist service, working in partnership with Leeds Community Healthcare NHS Trust, and Leeds and York Partnership NHS Foundation Trust. The arrangements for funding, governance and contracting were described in a report to Adults and Health Delegated Decision Panel on 2nd October 2020 (Decision Ref. D52312¹).
- The above decision included the following specific element, which is the subject of this report, to *approve the use of the negotiated procedure without prior publication of a notice under Regulation 32 (2) (b) (ii) of the Public Contracts Regulations 2015, for an initial period of 2 years at a total value of £465,000, resulting in the award of a contract to Leeds Community Healthcare Trust to deliver nursing and physiotherapy services.*

¹ <https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=52312>

- This negotiated procedure has now been completed, as described below under ‘Main issues’ and this leads to the recommendation detailed below, to award this contract to Leeds Community Healthcare NHS Trust.

Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

The award of a contract for nursing and physiotherapy services is an essential element of a partnership arrangement which:

- Supports a compassionate and caring city, and;
- tackles inequality with a service that seeks to provide a better experience for people living with dementia and for their families/carers

Resource Implications

- The resource implications for the ten specialist dementia beds were covered in the above decision ref. D52312.
- The funding element for the general nursing and physiotherapy service is unchanged from the existing provision in the Community Care Beds at RecoveryHub@South. What is changing for these ten beds is the way that the funding flows:
 - for Community Care Beds: NHS Leeds CCG contracts directly with LCH.
 - for these specialist dementia beds: NHS Leeds CCG will contract with Leeds City Council. LCH would, if the recommendation below is accepted, be funded via the pooled funding arrangement and the proposed contract. This means the funding would flow from the CCG, to the Council, to LCH.
- The contract proposed in this report is effectively a sub-contract for the general nursing and physiotherapy element of the new specialist dementia beds service.

Recommendation

That the Director of Adults and Health approves the award of a contract to Leeds Community Healthcare NHS Trust, for an initial period of 2 years at a total value of £465,000, to deliver general nursing and physiotherapy services.

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 Leeds Community Healthcare NHS Trust, to deliver general nursing and physiotherapy services to ten specialist dementia beds in the RecoveryHub@South. This is a Significant Operational Decision that follows the Key Decision Ref. D52312, which gave approval to use a negotiated procedure without prior publication.

2. Background information

- 2.1 The development of ten specialist dementia beds, by ‘repurposing’ ten Community Care Beds, was agreed in principle at Integrated Commissioning Executive in November 2019. The project was ‘paused’ in March 2020 because of the Covid crisis. Integrated Commissioning Executive considered the matter in June 2020 and agreed that the project should resume.

- 2.2 The rationale for the project is that, for small numbers of people with very complex needs related to dementia, there are delays leaving hospital and/or very high cost placements purchased for out-of-hospital care.
- 2.3 Further detail, including agreement of funding and contractual arrangements is provided in the report for decision ref. D52312, referenced above.

3. Main issues

- 3.1 The actions described below have been completed, to implement Key Decision D52312, for the completion of a negotiated procedure without prior publication of a notice under Regulation 32 (2) (b) (ii) of the Public Contracts Regulations 2015. The outcome of this process is the recommendation to award a contract to Leeds Community Healthcare NHS Trust (LCH).
- 3.2 The tender submission from LCH outlines how they will meet the required outcomes of the service specification for the delivery of general nursing and physiotherapy services, for people with dementia and complex needs, by responding to two outcomes focused questions. These covered the need to ensure staff have the skills and confidence to work in this specialist service, and that LCH as an organisation will provide the necessary support to staff. A minimum score threshold was set for the two questions, in order to manage the risks arising from engaging with just the one provider.
- 3.3 The LCH responses to these questions (the 'method statement') were assessed by a panel consisting of two members: Head Of Service, Integrated Commissioning; and the Commissioning Programme Lead, Dementia. This used the council's standard scoring mechanism for procurement exercises. For reference, the scores achieved by the provider are included in the Appendix 1 (marked confidential). The scores exceed the minimum requirements and there is no requirement for an improvement plan around the quality of care proposed, based on the submission scored.
- 3.4 A supplier vetting process has been undertaken in respect of LCH, which included checks to ensure they have the required levels of insurance in place; that they hold appropriate policies for Health and Safety and Safeguarding; and successful references. These have all been assessed as satisfactory.
- 3.5 Therefore, Leeds Community Healthcare NHS Trust have participated in the process and have successfully passed the evaluation. The contract is planned to commence on 16th December 2020 for a period of two years, subject to operational practicalities related to the change of provision from Community Care Beds to specialist beds for people living with dementia.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 For the provision of ten specialist dementia beds, this aspect was covered in the report² for the decision ref. 52312.
- 4.1.2 This specific sub-contract was limited to the negotiated procedure as stated above.

² <https://democracy.leeds.gov.uk/documents/s210265/Report.pdf>

4.2 Equality and diversity / cohesion and integration

- 4.2.1 The purpose of the sub-contract for general nursing and physiotherapy is to achieve “parity of esteem” and an integrated approach to meeting needs related to dementia, mental health and physical health.
- 4.2.2 The provision of ten specialist beds will contribute to more timely transfers of care for people living with dementia, and reduce the inequality experienced by people and carers.
- 4.2.3 The service, and this subcontracted element of provision, will be competent to meet diverse needs of people living with dementia, including younger people with dementia and people of diverse BAME origins.

4.3 Council policies and the Best Council Plan

- 4.3.1 The provision of ten specialist dementia beds contributes to the delivery of “Living with dementia in Leeds - our strategy 2020-25” agreed at Health and Wellbeing Board on 30th September 2020 and Council Executive Board on 21st October 2020. Specifically, the commissioning priority of “Care quality, complex needs and timely transfers”.
- 4.3.2 The award of a contract for nursing and physiotherapy services is an essential element of a partnership arrangement which:
 - Supports a compassionate and caring city, and;
 - tackles inequality with a service that seeks to provide a better experience for people living with dementia and for their families/carers

4.4 Resources, procurement and value for money

- 4.4.1 The resource implications for the ten specialist dementia beds were covered in the above decision ref. D52312.
- 4.4.2 The funding element for the general nursing and physiotherapy service is unchanged from the existing provision in the Community Care Beds at RecoveryHub@South. What is changing for these ten beds is the way that the funding flows:
 - Community Care Beds: NHS Leeds CCG contracts directly with LCH.
 - Specialist dementia beds: NHS Leeds CCG will contract with Leeds City Council. LCH would, if the recommendation below is accepted, be funded via the proposed contract.
- 4.4.3 The contract proposed in this report is therefore, in the context of the whole service provision for the ten dementia beds, a sub-contract for the nursing and physiotherapy element.

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

- 4.5.1 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.
- 4.5.2 The decision to award the contract to LCH is a Significant Operational Decision as it is a consequence of the previous Key Decision giving authority to utilise the

negotiated procedure without prior publication of a notice under Regulation 32 of the Public Contracts Regulations 2015, which was taken on 2nd October 2020.

- 4.5.3 The contents of the confidential Appendix 1, relate to commercially sensitive operational information from LCH 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 earlier report referenced above committed to the mitigation of risk of challenge to the negotiated procedure. This took the form of a Voluntary Transparency Notice (VTN) in the Official Journal of the European Union (OJEU) . This was published on 29th September 2020. No challenges were made within the ten day period prior to the start of negotiations with LCH.
- 4.6.2 The negotiated procedure with LCH has addressed risks relating to service provision, by testing out LCH's arrangements for supporting people with complex needs in dementia, by working in partnership, providing training and support for staff. A minimum score threshold was set, in order to mitigate risks arising from negotiating with a sole provider. This has led to LCH making contractually-binding commitments in its method statement.

5. Conclusions

- 5.1 The negotiated procedure with LCH to procure general nursing and physiotherapy services has concluded successfully, and will contribute to the overall service provision of ten specialist beds for people living with dementia and very complex needs.

6. Recommendations

- 6.1 That the Director of Adults and Health approves the award of a contract to Leeds Community Healthcare NHS Trust, for an initial period of 2 years at a total value of £465,000, to deliver general nursing and physiotherapy services.

7. Background documents³

- 7.1 None

³ 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.