

Agenda Item 11

Home Support and Supported Living Contract



Falkirk Integration Joint Board

19 November 2021

Home Support and Supported Living Contract For Consideration and Comment

1. Executive Summary

- 1.1 In June 2021, the Integration Joint Board (IJB) were advised that the Support at Home Services (Home Support and Supported Living) framework contract was scheduled to end on 31 March 2022. A contract timetable was provided to facilitate a new contract commencement on 1 April 2022.
- 1.2 In September 2021, the IJB agreed the original timetable be amended with the new contract anticipated to start at the end of September 2022.
- 1.3 The purpose of this report is to provide an update on the new contract timetable, the development of the contract strategy and the mitigation plans to bridge the short gap between the current contract ending and the new contract commencing.

2. Recommendations

The Integration Joint Board is asked to consider and comment on :

- 2.1 the new contract timetable
- 2.2 the continued work to finalise the contract strategy
- 2.3 the mitigation plan to bridge the gap between current contract ending and new contract commencing.
- 2.4 a further report will be submitted to the IJB to agree the finalised contract strategy.

3. Background

- 3.1 The IJB meeting on 3 September 2021, considered a report on the current Support at Home Services framework contract (2018 to 2022). The report noted the significant challenges that have impacted on our ability to fully conclude the consultation stage of the procurement timeline in line with the original timetable previously reported to the IJB including:
 - The sustained and enduring impact of the pandemic has limited the capacity for officers to devote the required time to the new commissioning process.
 - Unprecedented increases in demand and pressures across the whole system requiring resources to be targeted at building capacity in current contracts to help reduce unmet need.
 - Providers have also been working to meet challenges with staff absences, recruitment of new staff and the retention of existing carers.

- Absolute clarity around the full impact the review of in-house home care will have on externally commissioned services.

3.2 The report also included the key stages of the original timetable below:

CONTRACT ACTIVITY	ACTION DATES
Finalise Consultations, the Contract Strategy and Contract Documentation:	completed by September 2021
Issue, Return and evaluation of Tenders:	completed by January 2022
Complete Award Process (Falkirk Council Contract Standing Orders):	completed by February 2022
Mobilisation Meetings with Successful Providers and support continuity of care:	February 2022 to April 2022
New Contract Starts:	April 2022

4. Contract Strategy

4.1 A User Intelligence Group (UIG) has been established with five named members from the Health & Social Care Partnership (HSCP) and the possibility of a sixth member being added.

4.2 The purpose of the UIG is to finalise the consultations, contract strategy and tender documentation. Some of the key action include:

- Risk analysis and mitigating actions
- Specification development
- Quality Method Statement questions
- Review Terms and Conditions
- Stakeholder engagement
- Sustainability assessment
- Review of Scotland Excel's Framework for Care & Support Services

4.3 Good progress has been made with Stakeholder engagement. For example:

- A service user and carers consultation has concluded with a Feedback Report produced which will be discussed by the UIG and agree inclusion in the Specification.
- Consultation and support program agreed, with assistance from the Scottish Government, to engage providers around how sustainability can be built into the new contract. This work with providers will assist both the partnership and our providers develop and deliver their Net Zero Strategies.
- The Partnership's Independent Sector Lead has weekly Provider sessions in place for HSCP staff to engage with providers around the new contract.

5. Contract Timetable

- 5.1 The contract timetable contains a number of fixed time constraints set by procurement rules and the need to follow prescribed internal processes and allow 10 to 12 weeks for contract mobilisation.
- 5.2 These fixed timelines will be determined and shall be confirmed by the date the contract strategy is finalised and the tenders issued.
- 5.3 The new contract timetable is set out below:

CONTRACT ACTIVITY	ACTION DATES
Finalise Consultations, the Contract Strategy and Contract Documentation:	completed by February 2022
Issue, Return and evaluation of Tenders:	completed by May 2022
Complete Award Process (Falkirk Council Contract Standing Orders):	completed by June 2022
Mobilisation Meetings with Successful Providers and support continuity of care:	July 2022 to September 2022
New Contract Starts:	End of September 2022

6. Mitigation Plan

- 6.1 The route to market will be developed as part of the Contract Strategy for the new tender which will require an assessment of Scotland Excel's (SXL) Framework Agreement for Care and Support Services. Currently 75% of Providers on our Framework are also on the SXL Framework which can be opened up to new entrants providing scope for the remaining 25% to join. If the SXL Framework met the requirements of the HSCP, there may not be a requirement to extend the current Framework.
- 6.2 If the SXL Framework does not meet the needs of the HSCP, a new tender will be required. That said, as the current Framework was established under the Light Touch Regime within Public Contracts (Scotland) Regulations 2015, there is a degree of flexibility and it would be permissible to extend the current arrangement with a notice published on Public Contracts Scotland giving the reasons for the extension which will be linked to resources being diverted to deal with the pandemic.

7. Conclusions

- 7.1 Work is progressing to have a new Support at Home contract in place by the end of September 2022 at the latest. A UIG has been established with clear

workstreams to finalise the Contract Strategy and Stakeholder consultation has commenced. A further report will be taken to the IJB with the finalised Contract Strategy.

Resource Implications

The total annual spend across the contracted services is estimated at £30,000,000.

Impact on IJB Outcomes and Priorities

The contracts will be structured to support the Partnership's agreed vision and priorities.

Directions

A new Direction or amendment to an existing Direction is not required as a result of the recommendations of this report.

Legal & Risk Implications

Compliance with Falkirk Council's Contract Standing Orders will minimise risks inherent with high value complex public procurement projects. Other risks will be managed through the development and maintenance of an appropriate risk register.

Consultation

Scottish Care have been consulted on the change to the contract timetable and have confirmed their support to the proposed changes. Consultation will be undertaken across teams in Social Work Adult Services, with Scottish Care and the private, independent and voluntary sectors. Consultation with these groups and with service users and carers will be central to the development of the contract strategy.

Equalities Assessment

For the purposes of the Equality Act 2010, an Equalities Impact Assessment will be completed prior to the contract strategy being finalised.

8. Report Author

- 8.1 Iain Henderson, Falkirk Council Legal Services Manager
James King, Falkirk Council Procurement Coordinator

9. List of Background Papers

- 9.1 n/a

10. Appendices

- 10.1 n/a