

PROCUREMENT STRATEGY (P0995)

FRAMEWORK AGREEMENT FOR THE PROVISION OF HOME SUPPORT SENSORY LOSS

1 Background

1.1 The requirements and outcomes are set out in the accompanying report titled Regulated Adult Social Care Commissioning Strategy.

1.2 The existing service is delivered as part of a Framework Agreement which expires on 29 April 2023.

2 Service Requirements

The Council has a range of statutory duties and powers under the Care Act 2014 to assess the needs of citizens for care and support and commission a range of services that meet these needs.

Home Support is provided for those citizens who are over 18 years with sensory loss to provide support needed for people to live in their own home.

3 Procurement Options

The following options were considered:

- Option 1 - Do nothing. This was discounted on the basis that this is a statutory requirement and the current arrangements come to an end on 29 April 2023.
- Option 2 - Tender for a Birmingham City Council only contract. This option was discounted because Health has requested access to this framework agreement
- Option 3 - Use a collaborative framework agreement. There are no collaborative framework agreements in place that meets the Council's requirement, therefore this option was discounted.
- Option 4 - Tender the services using a Framework Agreement under the Light Touch Regime (LTR). This is the recommended option as it will allow the Council to respond efficiently to individual and specific client needs by closing the market to a number and range of providers with the appropriate Quality Ratings.

4 Procurement Approach

4.1 Duration and Advertising Route

In line with the Public Contract Regulations (PCR) 2015; the framework agreement will be for a period of 4 years; contracts called off may be for a shorter or longer periods and may run past the end of the framework duration. The opportunity will be advertised via Find a Tender, www.finditinbirmingham.com and Contracts Finder.

4.2 Sourcing Strategy

The number of providers on the Framework Agreement will be unlimited to allow maximum citizen choice and reduce the potential for citizens to opt out of engaging framework providers. Multiple providers are required to allow capacity for the required specialist provision. The framework will be awarded to those providers who meet the criteria

4.3 Procurement Route

The requirement will be tendered following the 'Open' Procedure. The procurement of these services will be subject to the Light Touch Regime of the Public Procurement pursuant to the Public Contracts Regulations 2015 ("PCR 2015"), which provides flexibility to respond to the needs of citizens as a priority.

4.4 Scope and Specification

This framework is primarily for the Council and will also be available for Health to use.

The Council has a range of statutory duties and powers under the Care Act 2014 to assess the needs of citizens for care and support and commission a range of services that meet these needs. The Council currently commissions a wide range of regulated care and support services under the 2017 Commissioning Strategy approved by Cabinet.

The provision of Sensory Loss Home Support services will be delivered in accordance with Health and Social Care policy to all adults with an identified adult social care need.

The Commissioners will expect the service to provide:

- care and support that enables the service user to do as much as possible for themselves
- a personalised and responsive service (with all staff delivering care being aware of service users' personal preferences & agreed outcomes)
- care and support that encourages autonomy and independence
- a range of stimulation to meet the individuals needs and wishes
- activities that are meaningful for service users
- equality of opportunity
- choice and the fulfilment of personal ambitions
- protection, dignity and respect
- relationship maintenance - supporting the service user to build and maintain relationships
- the meeting of religious, cultural and spiritual needs and wishes
- prevention of hospital admission and / or facilitation of safe discharge

In addition to the above, the Provider will need to be able to put specific arrangements into place with regards to:

- Communication – A Service User with a Single or Dual Sensory Loss uses a range of communication including clear speech, sign language, tactile communication based on the alphabet. A Service User born with Dual Sensory Loss may have little or no formal communication or may have very specific and skilled modes of communication.

- Access to information – this includes difficulty with correspondence and written information such as timetables, websites, bus numbers, use by dates on food; spoken information such as train platform announcements; environmental information such as the layout of a room, finding a seat on public transport, busy traffic, potholes, obstacles on pavements, etc.

- Mobility – this refers to the ability to safely move around the home and outside the home. A Service User with a Single or Dual Sensory Loss may appear to have no difficulty in moving around a familiar place or taking a regular journey but be unable to safely manage an unfamiliar journey or cope with a change such as a blocked pavement on a usual route. A Service User with Single or Dual Sensory Loss ability to move safely out of doors can also vary depending on light levels, for instance between daytime and at night.

Whilst fixed fee arrangements are in place, the following arrangements shall apply to Home Support packages commissioned under the service specification for Sensory Loss Service;

- an additional fee per hour will be paid on top of the Standard Home Support Fee (the 'Congenital Sensory Loss Premium') for packages of care for congenital sight and hearing loss including Usher Syndrome and any specialist communication need
- an additional fee per hour will be paid on top of the Standard Home Support (the 'Acquired Sensory Loss Premium') for packages of care for acquired sight and hearing loss (where there is a specialist communication need)
- an additional fee per hour will be paid on top of the Standard Home Support Fee to packages of care delivered for Single Sensory Loss where the level of complexity is on a par with Congenital and Acquired Sight and Hearing Loss
- the Congenital Sensory Loss Premium and the Acquired Sensory Loss Premium will not increase annually.

5 Market Analysis

Summary

The home support sensory impairment market is characterised by sufficient supply of good quality provision, although the current situation of high inflation is likely to further impact on provider and workforce sustainability. Commissioners require contracted services to be able to deliver against the sensory impairment service specification.

In Birmingham there are 139 home support locations whose CQC registration identifies a sensory impairment service user band type. The majority of these locations offer home support services to a people with a wide range of needs and the CQC registered sensory impairment service user band type is not necessarily an accurate indicator of service delivery specialism.

The main barrier to entry to the market is the availability of suitably qualified specialist staff and providers must draw on a smaller labour market than that for more general provision. There are risks associated with the current labour market, because of high inflation and the relatively low wages in the sector and these may impact sufficiency of supply in the short and medium term

The local market is well established and composed of small suppliers and is not dominated by large companies. While there is limited supply of services, this is matched by limited demand.

The majority of suppliers are rated Good or Outstanding although a proportion Require Improvement. Inadequate suppliers are supported to improve by the Council and CQC or proactively managed to exit the market. Quality of contracted provision has increased between 2017 and 2022.

6 Market engagement

Some targeted market engagement has been carried out.

7 Tender Structure (Including Evaluation and Selection Criteria)

The quality / social value / price balances below were established having due regard for the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided.

Tenders will be evaluated against the specification in accordance with a pre-determined evaluation model.

The evaluation of tenders will be assessed as detailed below:

The criteria below will be assessed on a pass / fail basis:

Criteria	Evaluation
STAGE ONE - Selection Stage	
Company Information	Pass / Fail
Financial Information (including Insurance)	Pass / Fail
Health and Safety	Pass / Fail
Compliance with Equalities	Pass / Fail
Quality Management	Pass / Fail
Grounds for Mandatory Exclusion	Pass / Fail
Grounds for Discretionary Exclusion	Pass / Fail
Modern Slavery Act 2015	Pass / Fail
Technical and Professional Ability	Pass / Fail
Third Party Data Protection Requirements	Pass / Fail
Cyber Security Requirements	Pass / Fail
CQC Registration Specialism/Service 'Sensory Impairments'	Pass / Fail
CQC Rating or Council Quality Assurance Rating	Pass / Fail
Commitment to Social Value Requirements	Pass / Fail
Declaration	Pass / Fail

Those organisations that pass all sections of Stage 1 will proceed to Stage 2.

STAGE 2 - QUALITY (80% Weighting)

Criteria	Sub-weighting
Service Delivery and Methodology	50%
Organisation and Resources	30%

Safeguarding	20%
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Tenderers who score more than the quality threshold of 60% i.e. a score of 60 out of a maximum quality score of 100 marks will proceed to the Social Value Assessment.

STAGE 3 - Social Value (20% Weighting)

Framework Agreement

A Qualitative Assessment will be applied for the framework agreement.

SV Qualitative Weighting 100%

Sub-Criteria	Theme Sub-Weighting
Partner in Communities	35%
Local Employment	35%
Green and Sustainable	30%
	TOTAL 100%

Social Value Quantitative will not be used as an evaluation criteria as there is no guarantee of spend at this stage. There is also the potential for unfair competition at the further competition stage between the small and large providers. Additionally the further competition process is automated due to the urgency to award for service delivery to start.

A Social Value Action Plan (SVAP) will be requested when the contract value threshold for a SVAP is achieved and will be part of the annual Quality Assurance process. .

Price (0%)

Price will not be used as an evaluation-criteria as a fixed pricing model for this tender will be used in line with the Adult Social Care Commissioning Strategy approved in December 2022. Suppliers will have to confirm their understanding and acceptance to the fixed pricing model during the pass/fail evaluation at Stage one.

Overall Evaluation

The evaluation process will result in comparative quality and social value scores for each tenderer. Every bidder who passes the threshold for Quality and Social Value will be awarded onto the framework agreement.

A Quality Rating based on the organisations Care Quality Commission (CQC) Rating* will be applied to each provider on the framework agreement.

*Where an organisation has not received a CQC Rating the Council will provide a Quality Score based on the Quality Monitoring Process.

Stage 2

The opportunity will be advertised to those providers on the framework agreement who will express an interest to deliver. A list of the providers who expressed an interest will be presented to the citizen with a recommendation of the provider with the Best Quality Rated Score.

If the citizen rejects all the providers that have submitted an expression of interest they will be given a personal budget to spend with a provider of their choice via a Direct Payment.

8 Evaluation Team

The evaluation of initial tenders for the framework agreement will be undertaken officers from Corporate Procurement Services, Adult Social Care, with representatives from Health and Finance as required.

The call-off process under this agreement will be undertaken by Adult Social Care and Health Commissioning Officers.

5 Indicative Implementation Plan

The indicative implementation plan below has been produced to meet the overall deadline for the project.

Cabinet Approval (Strategy)	13 th December 2022
ITT Issued	20 th December 2022
ITT Return	Noon on 27 th January 2023
Evaluation Period	January / February 2023
Framework Agreement Award	March 2023
Framework Agreement Letters Issued	March/April 2023
Call Off Contracts	April 2023
Contract Start	April 2023

6 Service Delivery Management

6.1 Contract Management

The contracts will be managed operationally by the Adults Social Care Team. The Head of Commissioning will work closely with both Directorate Finance and Assessment and Support Planning colleagues to manage the associated budget. The approach to contract management is set out within the Commissioning Strategy in the accompanying report. The key elements of the contract management approach are;

- Completion of an annual self-assessment by the provider against key contractual obligations and elements of the specification.

- Completion of an annual monitoring visit from either the Council, the CQC or the NHS.
- Quarterly collection of market intelligence information from all care providers.
- Regular analysis of customer feedback.
- Maintenance of a provider risk register to monitor complaints, safeguarding incidents, quality concerns, live credit alerts etc.
- Regular data sharing meetings with partners locally and regionally to ensure coordinated contract management of providers.
- A geographic commissioning presence to ensure better oversight of providers.
- Regular contract review meetings with providers with the largest market share; and
- Monitoring compliance with the BB4SCR, including reviewing action plans.

6.2 Performance Measurement

The framework agreement is responsive to service requirements and there are no SLAs, it is on a service need basis. Information on volumes and spend will be available.

The individual contract monitoring is included in the Quality Assurance process which ensures best quality with choice.

6.3 Data Protection

The 3rd Party Data Protection and Cyber Security requirements will be agreed with the relevant officers and included in the Invitation To Tender.

The Data Sharing Agreement will be agreed with Legal Services and included in the contract terms and conditions.

Social Value Rationale

<p>Providers will produce a Social Value Action Plan as part of the annual Quality Assurance programme in the contract management stage. Commissioners will be able to support providers in the development of this plan. Key elements will be seeking to utilise local community assets via the MatchMyProject Scheme, links with Neighbourhood Network Services and support in the Environmental and Sustainability assessment.</p> <p>Social Value Qualitative will be included in the evaluation process at the Framework Agreement stage, please refer to the Social Value section of the strategy for more information</p>
<p>The majority of the market is made up of small and medium size suppliers, many of which are local businesses with a smaller number of medium and large national suppliers operating in the area.</p> <p>Although mature in terms of service provision the market is immature in terms of social value. There are opportunities for the care homes to become community assets as there are a range of facilities including meeting rooms which could be used by local community groups subject to safeguarding requirements.</p>
Total Social Value Weighting: 20%
Qualitative / Quantitative split: 100% / 0%
Reasons for which themes are to be prioritised:
List the themes in order of priority (sub-weighting not applicable)
<p>Priority Theme 1: Local Employment</p> <p>Commissioners want more local employment on these contracts. There are a number of measures in the social value action plan where commitments could be made and achieved. One measure will be removed due to the vulnerability of the client group.</p>
<p>Priority Theme 2: Partners in Communities</p> <p>Commissioners want initiatives supporting disabled and vulnerable adults to build stronger community networks; e.g. befriending schemes, digital inclusion clubs</p>
<p>Priority Theme 3: Green and Sustainable</p> <p>Commissioners have developed an Environmental and Sustainability assessment which requires providers to reduce their adverse impacts on the environment.</p>