

CABINET

30 January 2018

OLDER PEOPLE'S COMPLEX DAY CARE PROCUREMENT**Report of the Director for People**

Strategic Aim:	Meeting the health and wellbeing needs of the community	
Key Decision: Yes	Forward Plan Reference: FP/261017	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr A Walters, Portfolio Holder for Adult Social Care and Health	
Contact Officer(s):	John Morley, Head of Adult Services	01572 758442 jmorley@rutland.gov.uk
	Mark Andrews, Deputy Director for People	01572 758339 mandrews@rutland.gov.uk

DECISION RECOMMENDATIONS

That Cabinet approves the direct award of a contract for Older People's Complex Day Care services to the existing provider.

1 PURPOSE OF THE REPORT

- 1.1 To present the options for the future provision of Older People's Complex Day Care services.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Day services play a vital role in enabling older people with very complex needs such as advanced dementia to gain some stability.
- 2.2 Day services for older people with complex needs often negate the need for much more expensive care packages, including, on occasions the need for a live-in carer, to enable them to stay in their own home or a move to an expensive care home.
- 2.3 Day services can also provide respite day care and is effective in reducing carer stress, enabling them to continue caring for their loved ones longer in their own home.
- 2.4 Adult social care has had great success in reducing placement into residential homes over the last two years. Day services are one way this has been achieved in providing care for those with complex needs and respite for those that care for them.

3 CURRENT PROVISION

- 3.1 Rutland has two providers of older people's day care:
 - 3.1.1 The Community Wellbeing Service's day service provision, which promotes wellbeing and social contact. This provides low level support by way of attending a venue or - if the person chooses - by outreach enabling them to access the community and participate in activities. This service prevents social isolation, a major contributor to poor mental health in older people. It is open access and designed for those who are able to engage with activities either independently or with minimal support. It is not appropriate for those with complex physical or behavioural needs.
 - 3.1.2 The Brambles high dependency day centre based at Rutland Care Village (RCV), which provides day care for people requiring a very high level of care and support. It has specialist equipment and staff, enabling older people with complex health problems to remain at home longer and giving their carers valuable respite.
- 3.2 In addition, all individuals accessing funded adult social care provision have the option of receiving a direct payment to purchase their own provision. There is however currently a lack of choice of provider locally able to meet needs of those individuals with this level of complexity, and therefore the majority of service users chose to access the commissioned service.
- 3.3 It is the older people's complex day care that requires recommissioning, currently being delivered from the Brambles at RCV until the contract terminates 30th June 2018. The average service user uptake is between 14 and 16 with very complex needs all who rely on carers to keep them at home. In addition the service provides urgent respite care to service users giving relief to their carers at times of need.

4 CONSULTATION

4.1 Service User Consultation

- 4.1.1 Consultation of existing service users has taken place to ascertain their views and wishes. All of the service users who were able and their carers indicated a desire to continue the service at the Brambles.

4.2 Soft Market Testing

- 4.2.1 Soft Market Testing was undertaken to assess how many suppliers were interested in participating in a tender exercise. To encourage response the Soft market test was sent directly to local potential providers (including the current provider) as well as being advertised nationally on the web-based procurement portal. The exercise was extended for a further month and reminders sent to known potential providers.
- 4.2.2 There were no responses from providers indicating that they could or would wish to deliver this service for Rutland residents.

5 PROPOSED MODEL

- 5.1 It is proposed that the current model of service delivery is continued as is, and with the current provider by means of a direct award contract.
- 5.2 The service has demonstrated that it is able to meet the needs of service users requiring complex care in appropriate premises.
- 5.3 This would give continuity of service for current service users. Service users (those able) and their carers have all been consulted as to what provision they would like. All reported to remain at The Brambles operating on a five day a week basis. This is the preferred option promoting the voice of vulnerable people.
- 5.4 A contract would be directly awarded for a period of three years with the option to extend for a further two years on an annual basis.

6 ALTERNATIVE OPTIONS

Full open procurement process.

- 6.1 Future provision of the service could be sought under a full open procurement process which would take up to 9 months including sign off.
- 6.2 The lack of response to the Soft Market Test, along with the lack of uptake of Direct Payments for individuals to purchase their own provision is indicative of the lack of market for this type of service. It is highly unlikely therefore that any procurement process would result in bids from any other providers. This option was therefore rejected.

7 FINANCIAL IMPLICATIONS

- 7.1 The service is funded on a block contract basis at £119,392 per annum; this includes the emergency respite provision as out lined above. There is sufficient monies set aside in the budget if the block purchase were exceeded to spot

purchase if required, the likely scenario for this would be for additional respite in a carer crisis.

- 7.2 The proposal would retain the charges at the current level for the duration of the initial term of the contract, with the ability to review the charges for year 4 and 5 should the contract be extended. The current proposed contract value is therefore £596,960 which is below the OJEU light touch threshold presently set at £615,278.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The direct award authorised by Cabinet is permitted under the Council's Contract Procedure Rules.
- 8.2 The direct award is compliant with Regulation 32(2) (b) (ii) of the Public Contracts Regulations 2015 which allow a negotiated procedure in specific circumstances, whereby competition is absent for technical reasons. Officers were unable to identify any providers either via soft market testing or by direct contact with potential providers who would be able to provide the service:
- a) In a local provision in Rutland and which is accessible to service users;
 - b) In an appropriate environment with sufficient access to the equipment and facilities needed;
 - c) With sufficient appropriately trained staff to meet the complex behavioural and physical needs of the service users.
- 8.3 Whilst other providers might be able to establish the service in Rutland, the requirement for specialist equipment and facilities, along with the appropriately trained staff would make the cost of establishing such provision prohibitive and exceeds available budget.
- 8.4 It is intended to work with potential providers over the duration of the contract lifetime in order to encourage alternative availability of provision.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Screening Form has been completed and no adverse or other significant issues were found.
- 9.2 The provision of the service as set out in this paper supports the health and social care needs of vulnerable individuals. The service is available to anyone within Rutland who meets the statutory Care Act eligibility criteria.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 The Council is required by Section 17 of the Crime & Disorder Act 1998 to take into account community safety implications. The service will contribute to the safety and reduction of risk to vulnerable people through the support provided to them.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 Day services play a vital role in the wellbeing of older people with very complex needs such as advanced dementia with support and social contact.

- 11.2 Time spent at Day services for a cared for service user is effective in reducing carer stress

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 That Cabinet approves continued support for people with complex needs to access day care provision at the Brambles on a direct award basis. This is in line with the wishes indicated by the current service users and their families.

13 BACKGROUND PAPERS

- 13.1 There are no additional background papers to the report.

14 APPENDICES

- 14.1 None

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