

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Meeting: CABINET

Date and Time: Tuesday, 16 August 2022 at 10.00 am

Venue: Council Chamber, Catmose, Oakham, LE15 6HP

Governance support Officer to contact: David Ebbage 01572 720972
email: governance@rutland.gov.uk

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A G E N D A

1) APOLOGIES FOR ABSENCE

2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) MINUTES

To confirm the Minutes and Decisions made at the meeting of the Cabinet held on 12th July 2022
(Pages 3 - 10)

5) ITEMS RAISED BY SCRUTINY

To receive items raised by members of scrutiny which have been submitted to the Leader and Chief Executive.

6) CARE TECHNOLOGY SERVICE PROCUREMENT

To receive Report No.140/2022 from the Portfolio Holder for Health, Wellbeing and Adult Care.
(Pages 11 - 20)

7) ANY ITEMS OF URGENT BUSINESS

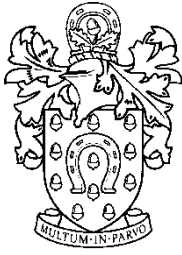
To receive items of urgent business which have previously been notified to the person presiding.

8) DATE OF NEXT MEETING

Tuesday 13th September 2022

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MEMBERS OF THE CABINET: Councillor L Stephenson (Chair)
Councillor R Powell (Vice-Chair)
Councillor S Harvey
Councillor M Oxley
Councillor K Payne
Councillor D Wilby



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Minutes of a **MEETING of the CABINET** held at Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 12th July, 2022 at 10.00 am

PRESENT: Councillor R Powell (Vice-Chair) Councillor S Harvey
Councillor M Oxley Councillor K Payne
Councillor D Wilby

APOLOGIES: Councillor L Stephenson

OFFICERS PRESENT:	Mark Andrews	Chief Executive
	Saverio Della Rocca	Strategic Director for Resources
	Dawn Godfrey	Strategic Director of Children's Services
	John Morley	Strategic Director for Adults and Health
	Angela Wakefield	Director of Legal & Governance, (Monitoring Officer)
	Mike Slater	Head of Sustainable Economy and Place
	David Ebbage	Governance Officer

IN ATTENDANCE: Councillor G Waller

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillor L Stephenson.

2 ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

Councillor R Powell had one announcement regarding the Levelling Up funding that was approved at the June Cabinet meeting.

Cabinet approved the submission of a joint application for the round two of levelling up funding. It was a condition of this funding that local authorities included in their application various pro formas obliging the Senior Responsible Officer (Project Lead) and the Chief Finance Officer to sign declarations giving several assurances required by the Department of Levelling Up, Housing and Communities.

Those pro forma's could not be altered, no additional conditions could be added even though the terms of the declarations did place unreasonable expectations on the signatories.

Officers had signed the declarations based on their current knowledge and with the intention of keeping the obligations under review. Should the Council believe that the

declared obligations could not be met at any point, the Council would have to decide whether it continues with the process or agrees to accept any funding offered. This approach was widely adopted by local authorities elsewhere in the Country in order to enable us to apply for that funding.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 RECORD OF DECISIONS

Consideration was given to the record of decisions made following the meeting of Cabinet on 14 June.

RESOLVED

- a) That the record of decisions made at the meeting of the Cabinet held on 14 June 2022 be **APPROVED**.

5 ITEMS RAISED BY SCRUTINY

Councillor R Powell received a comprehensive report from Councillor G Waller following the most recent Strategic Overview and Scrutiny Committee which was held on 7th July 2022. The report was attached to these minutes.

6 ANNUAL REPORT ON TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2021/22

Report No.125/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

The report set the Treasury Management Strategy for 2021/22 linked to the Council's Budget, Medium Term Financial Plan and Capital Plans. It was inextricably linked to delivering the Council's aims and objectives.

The Treasury Management report was approved by Full Council in February 2022. The Council continued to adopt a low-risk strategy and also confirmed that the Council did not undertake any new external borrowing or repay any external debt as there was not a business case to do so during 2021-22.

The Council had invested with institutions as determined by the revised creditworthiness criteria approved by the Section 151 Officer.

Councillor Payne also mentioned to Members that the Council made a positive return on investment of 0.38% compared to SONIA (Sterling Overnight Index Average) rate of 0.34%.

It was proposed by Councillor K Payne that the recommendations of report No. 125/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- a) **NOTED** the actual 2021/22 prudential indicators within the report
- b) **NOTED** the treasury management stewardship for 2021/22 was in compliance with the treasury management strategy.

7 UK SHARED PROSPERITY FUND INVESTMENT PLANS

Report No. 134/2022 was introduced by Councillor D Wilby, Portfolio Holder for Education and Children's Services.

Councillor Wilby explained to Members that the UK Shared Prosperity Fund (UKSPF) is the Government's domestic replacement for the European Structural and Investment Programme (ESIF). The Council had been allocated £1,000,000 over 3 years, this was the minimum level of UKSPF investment.

Accessing this funding was dependent on submitting an Investment Plan by 1 August 2022 to be approved by Government in the Autumn.

In addition to the Core UKSPF allocation, Rutland had been allocated £144,324 of 'multiply' funding over the 3 years of 2022/23 to 2024/25 with an anticipated allocation of a maximum of £43,000 in Year 1. This funding was intended to support the delivery of bespoke adult numeracy programmes within local areas.

It was made clear to Members that particular attention would be given to families who would move into Kendrew Barracks within the next couple of years to be included in the target group to help with their key skills.

It was proposed by Councillor D Wilby that the recommendations of report No. 134/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

That Cabinet:

- a) **NOTED** the UK Shared Prosperity Fund Prospectus and provisional funding allocation.
- b) **NOTED** the submission to Government of an investment plan for £144,326 of Multiply funding to support adult numeracy programmes by the deadline of 30th June 2022.
- c) **DELEGATED** authority to the Strategic Director of Places and Section 151 Officer, in consultation with the Leader of the Council and Portfolio Holder with responsibility for Finance, to develop and submit to Government an evidence-based investment plan to access the County's allocation of £1,000,000 allocation of Core UK Shared Prosperity Funding by the 1st August deadline.
- d) **NOTED** that Cabinet would be asked to approve any associated terms and conditions.

- e) **APPROVED** the use of the available £20,000 capacity funding to undertake initial preparatory work for the UK Shared Prosperity Fund, including developing the local investment plan for submission.
- f) **APPROVED** the use of the UK Shared Prosperity Fund 4% administration allocation to support the productive delivery and administration of the fund.

8 **PROCUREMENT OF NEW INSURANCE CONTRACT**

Report No.111/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

The Council currently had a contract with Zurich Municipal for all its insurance services which the contract was due to expire on 31 March 2023.

The original term was for 7 years, but the Council extended the original term by two years during the pandemic as resources were diverted.

It was currently anticipated that an insurance framework will be used as it includes the main local government insurers. The Tender term would be for a minimum of 5 years and a maximum of 10 years, with extensions from year 5 and for it to commence in April 2023.

As the new contract needed to be in place by 1st April 2023 and post-tender all of the insurance policy documents would need to be provided and reviewed for compliance, Cabinet was asked to recommend to Council to delegate authority to award the new contract(s) for the insurance cover to the Strategic Director of Resources in consultation with the Portfolio Holder.

It was proposed by Councillor K Payne that the recommendations of report No. 111/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet:

- a) **RECOMMENDED** to Council to delegate the award of the Insurance Services contract to the Strategic Director for Resources in consultation with the Portfolio Holder with responsibility for Finance.
- b) **RECOMMENDED** to Council to delegate the finalisation of the evaluation criteria to the Strategic Director of Resources in consultation with the Portfolio Holder with responsibility for Finance, based on the advice of the Insurance Broker to achieve best value, on the proviso that price was maintained at a minimum of 50%.

9 **EXCLUSION OF THE PRESS AND PUBLIC**

It was moved by the Chair that the meeting remain in a public session as it was felt Cabinet would be able to consider Report No.136/2022 without divulging the contents of the confidential appendices to the reports. This was seconded and upon being put to the vote the motion was unanimously carried.

RESOLVED

- a) That the meeting continue in a public session without exclusion of the press or public.

10 WASTE AND STREETSCENE SERVICES (INCLUDING WASTE COLLECTION AND DISPOSAL) - STRATEGY AND PROCUREMENT

Report No.136/2022 was introduced by Councillor M Oxley, Portfolio Holder for Communities, Environment and Climate Change.

The report asked for approval to re-procure the waste and streetscene services (including waste and recycling collection and disposal) as detailed in the pre-procurement business case. The report also requested approval of a new Waste and Recycling Strategy for Rutland 2022-2035, which was attached at Appendix B within the report.

The Councils existing waste collection and disposal contracts was due to end on 31st March 2024 and cannot be further extended.

The new collection service would introduce a separate weekly food waste collection and separate fortnightly collections of a mix of paper and cardboard and separate dry mixed recycling (glass, cans and plastic). Fortnightly garden waste collections would be continued in the present format.

Cabinet also approved a reduction in the capacity for residual waste, however, in addition to the proposed 140 litre bins to be collected fortnightly, required a variant bid of 240 litre bins to be collected 4-weekly to be explored in the procurement.

The Growth, Infrastructure and Resources (GIR) Scrutiny Committee considered the design of the waste and recycling collection service during a series of meetings from September 2021 to February 2022 as reported back to Cabinet in March 2022.

Members were aware of the potential cost risks associated with the new contract and would not know the total cost of the service delivery until it went to procurement.

It was proposed by Councillor M Oxley that the recommendations of report No. 136/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

- a) **APPROVED** the re-procurement of the integrated Waste and Streetscene services (including waste and recycling collection and disposal) contract as detailed in the Pre-Procurement Business Case attached at appendix A.
- b) **DELEGATED** authority to the Strategic Director of Places in consultation with the Leader and Portfolio Holder with responsibility for Environmental Services to finalise the tender and contract documentation.
- c) **APPROVED** the Municipal Waste Management and Streetscene Strategy 2022-2035.

d) **NOTED** that the Council has invoked a contractual option to extend (Biffa Contract) and an option to extend under Regulation 72 (1)(b) PCR 2015 (FCC Environment; Casepak and Mid-UK contracts), so that all contracts have a co-terminus end date and expire on the 31 March 2024. There was no further extension options available.

e) **NOTED** that the Clinical waste service would be procured in a stand-alone contract in advance of the main consolidated waste contract re-procurement.

11 EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by the Chair that the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 as the following item of business as was likely to lead to disclosure of information relating to the financial or business affairs of any particular person. This was seconded and upon being put to the vote the motion was unanimously carried.

RESOLVED

That the press and public be excluded from the meeting.

12 PUBLIC TRANSPORT SERVICE PROPOSALS

Consideration was given to Report No.126/2022 from the Portfolio Holder for Planning, Highways and Transport, following consideration it was moved by Councillor R Powell and seconded that the recommendations be approved. This was seconded and being put to vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

APPROVED the recommendations of Report No. 126/2022.

13 ANY ITEMS OF URGENT BUSINESS

There were no items of urgent business.

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The Chairman declared the meeting closed at 10.58am.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET

16 August 2022

CARE TECHNOLOGY SERVICE PROCUREMENT

Report of the Portfolio Holder for Health, Wellbeing and Adult Care

Strategic Aim:	Healthy and Well	
Key Decision: No	Forward Plan Reference: FP/140422	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Samantha Harvey, Portfolio Holder for Health, Wellbeing and Adult Care	
Contact Officer(s):	John Morley, Strategic Director for Adult Services and Health	01572 758442 jnmorley@rutland.gov.uk
	Mat Wise, Hospital & Clinical Integration Lead	01572 758287 mwise@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the procurement and overarching award criteria for the Care Technology contract.
2. Authorises the Strategic Director for Adult Services and Health, in consultation with the Portfolio Holder with responsibility for adult care to award the contract resulting from this procurement.

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the proposed re-tendering of the current Assistive Technology contract.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Care Act 2014 places a statutory duty on Local Authorities to support vulnerable adults with eligible needs and to prevent or delay them developing needs for formal or informal care and support, and to reduce needs that already exist. Care technology is key to successfully meeting our statutory obligations.

- 2.2 Care Technology is the overall term that describes the provision of services such as Telecare and Assistive Technology. Telecare is the continuous, automatic, and remote monitoring of real time emergencies and lifestyle changes over time in order to manage the risks associated with independent living. Assistive technology is provision of digital solutions to increase independence and confidence supporting people to live safely in the community.
- 2.3 Through the assessment of individuals' needs and subsequent provision of Care Technology to support those needs, the Service will help prevent admissions to hospital and residential care and reduce the level of domiciliary support required.

3. DIGITAL SWITCHOVER

- 3.1 The process of digital transformation will have a significant impact. By 2025 analogue telephone services will be switched off as the UK's telecoms infrastructure is upgraded to digital connectivity. The shift has urgent implications for the technology enabled care sector, however there is opportunity to embrace this transformation and upgrade services so people can choose technology enabled care to enrich and enhance their everyday lives. This agenda is supported by the TSA: The Voice of Technology Enabled Care www.tsa-voice.org.uk.
- 3.2 RCC commissioners acknowledge that the national digital switchover will make existing analogue solutions obsolete. For the safety of service users, it is therefore important a new contract will ensure any telecare and social alarm service reliability are not compromised.
- 3.3 In addition, the contract requires delivery of an efficient and person-centred service providing referral triage, assessment, and provision of all care technology. The new service will have to carry out continuous research and development to ensure RCC delivers innovative care technology solutions across the life of the contract.

4. CURRENT PROVISION OF SERVICE

- 4.1 The contract currently in place is due to expire on 31st March 2023, and the Council should consider continuation of this service in some form to ensure vulnerable residents continue to be supported to live their lives safely and as independently as possible.

5. PROCUREMENT MODEL

- 5.1 The service will be commissioned as a single lot. The nature and size of the service and contract dictates that it could only work as one lot. Separating the staffing and equipment elements would not be viable.
- 5.2 The service will consist of two elements - service delivery and provision of equipment. The service will receive referrals for Care Technology and undertake individual assessments to identify appropriate solutions to meet the individuals' need. It will promote Care Technology locally, including providing advice to enable people to purchase assistive technology privately. The service will provide a suite of training opportunities for staff, informal support, tech huddles, tech events and formal training. It will provide, store, install, maintain, and PAT test Care Technology equipment, and remove and recycle equipment that is no longer needed.
- 5.3 We need to ensure stability of delivery across the analogue to digital transition. We

do not know exactly when this is going to take place, apart from the target date of the end of 2025. The initial contract period is for three (3) years with the option to extend for a further three (3) years. Where the provider is delivering effectively during that initial period a three (3) year extension will provide that stability. We have built in the option to extend for a final period of three (3) years. This takes the total length of the contract to nine (9) years which makes the contract more attractive for prospective bidders.

5.4 The contract value will be set at up to £83,000 per year, £747,000 over the lifetime of the contract where all extensions are utilised.

5.5 Procurement Process

5.5.1 The procurement will follow a single stage open tender process in line with the requirements of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

5.5.2 The value of the contract is above the UK Find a Tender Service Thresholds.

5.5.3 The timetable for the process is set out in Appendix A and the award criteria are set out in Appendix B.

6. CONSULTATION

6.1 As part of an end-to-end review of the service, consultation with staff members representing Adult and Community Care services who access the contract has been sought. The current provider has provided their latest customer feedback information.

6.2 A soft market testing exercise has been completed which has shown there is interest beyond that of the existing provider. Feedback from providers has also helped shape the new specification.

6.3 The Portfolio Holder has been consulted.

7. ALTERNATIVE OPTIONS

7.1 Under the Public Contract Regulations 2015, Award Criteria must be set prior to procurement starting. There is no alternative to setting these in advance.

7.2 The approval of award of the contracts could be brought back to Cabinet for approval rather than delegated to the Portfolio Holder and Strategic Director of Adult Services and Health, however the award will be made in line with the award criteria Cabinet approve and therefore the only alternative to not approving the award would be if there was reasonable grounds to not award at all.

7.3 No longer commission the service

7.3.1 To not recommission the service would result in the termination of telecare monitoring, an essential service that keep people safe at home and is potentially lifesaving.

7.3.2 It would also mean the termination of digital technology developments, without which our residents have limited solutions to their care needs in the future. Rutland

residents would be left behind in digital enhancement within Social Care delivery.

- 7.3.3 Having no Care Technology service would undoubtedly lead to an increase in the size and number of care packages, at a time when we struggle to commission sufficient care at current levels.

7.4 Bring the service in-house

- 7.4.1 There would be significant cost to the Council to set up as there are no current resources to support this. Recruitment cycles, staff salary plus on-costs, and staff support services increases would all present significant upfront cost to the Council. There would be a potential risk to business should recruitment be unsuccessful and/or take protracted timescales.

7.5 Partner with another Local Authority

- 7.5.1 Joining a service already in operation would result in a lack of Rutland-specific focus and would not support the Place-Led Plan objectives on local delivery.
- 7.5.2 This option has been explored with Leicestershire County Council. However, the way in which they deliver and pay for their Assistive Technology service would almost certainly present a risk to the proposed budget for this contract.

8. FINANCIAL IMPLICATIONS

- 8.1 The total cost of the current contract per year is £67,662 and is all funded from the Councils revenue budget.
- 8.2 This is split between staffing and equipment costs:
Staffing: £29,300;
Equipment: £38,400.
- 8.3 Feedback from the soft market testing exercise indicated that several providers felt that neither element of the contract was sufficient for them to tender at the existing contract value.
- 8.4 Given that the current contract value was fixed four years ago, it is proposed to increase the annual value to £33k for staffing and £50k for equipment.
- 8.5 To ensure the new contract doesn't create a revenue pressure the funding will now be split with the staffing costs (£33k) continuing to be funded from the revenue budget and the equipment costs (£50k) will be funded from the Councils existing Disabled Facility Grant (DFG) Capital Budget.
- 8.6 The DFG budget does have capacity to take these costs and underspent in both of the last two years.
- 8.7 The DFG does accommodate preventative initiatives and this is equipment is preventative and forms part of the housing MOT so does meet the criteria of DFG funding.

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 The procurement process will be drawn up by Welland Procurement Unit and Commissioning Team, in line with the requirements of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

9.2 Legal advice on the process has been sought.

10. DATA PROTECTION IMPLICATIONS

10.1 A Data Protection Impact Assessments (DPIA) has been completed. No adverse or other significant risks/issues were found. A copy of the DPIA can be obtained from Mat Wise – contact details above.

11. EQUALITY IMPACT ASSESSMENT

11.1 Equality Impact Screening (EIS) has been completed. No adverse or other significant risks/issues were found. A copy of the EIS can be obtained from Mat Wise – contact details above.

12. COMMUNITY SAFETY IMPLICATIONS

12.1 The Council is required by Section 17 of the Crime & Disorder Act 1998 to take into account community safety implications.

12.2 There are no specific community safety implications from the procurement.

13. HEALTH AND WELLBEING IMPLICATIONS

13.1 This contract would support Corporate Strategy Priority 3 - Healthy and Well: Promoting health, happiness, and well-being for people of all ages and backgrounds.

13.2 This contract would support the Adult Social Care priorities of:

13.2.1 Prevention & Early Intervention - Improving early multi-agency responses to people to prevent the need for care and support and to prevent escalation of needs.

13.2.2 Supporting older people to live independently for longer - Delivering services to older people where they live, providing care and support that maintains independence and reduces social isolation.

13.2.3 Helping people to help themselves - Providing easy to access advice and information so that people can make decisions about their eligibility, care and support for themselves.

13.3 This contract would support the Council's Health and Wellbeing Strategy by assisting Rutland residents to remain healthy and independent, promoting healthy ageing and living well with long term conditions and providing equitable access to health and wellbeing services.

14. SOCIAL VALUE IMPLICATIONS

13.1 Under the provisions of the Public Services (Social Value) Act 2012 local authorities are required to consider how economic, social, and environmental well-being may

be improved by services that are to be procured, and how procurement may secure those improvements.

- 13.2 The award criteria will include specific reference to Social Value. The tender will require bidders to review each section of the Future Rutland Vision and shape their social value offer around these priorities by answering a specific social value method statement.

15. ORGANISATIONAL IMPLICATIONS

- 15.1 TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) and subsequent amendments will apply to the procurement. The existing provider will be required to submit a TUPE spreadsheet as part of the procurement exercise. Bidders will use this information to develop their service and shape their bid. The TUPE process will then be managed by the provider as part of the implementation period.

16. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 16.1 The provision of care technology plays a key role in supporting vulnerable people to remain in their own homes and to prevent and delay hospital admissions.
- 16.2 It is recommended that a procurement to be undertaken to award the Care Technology contract for Rutland County Council to one provider for an initial three year period, commencing on 1st April 2023.
- 16.3 It is recommended that Cabinet approve the procurement model and over-arching award criteria, which have been carefully considered to ensure that the successful provider is capable of meeting the requirements and can deliver appropriate quality services in Rutland.
- 16.4 It is recommended that Cabinet delegate approval of the award of the contract to the Strategic Director for Adult Services and Health in consultation with the Portfolio Holder with responsibility for adult care.

17. BACKGROUND PAPERS

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

18. APPENDICES

- 18.1 Appendix A – Procurement Timetable
- 18.2 Appendix B – Award Criteria

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A. Procurement Timetable

Action	By When
Cabinet Approval for Award Criteria	16/08/22
Invitation to Tender published	23/08/22
Deadline for questions from bidders	19/09/22
Deadline for responses to questions	26/09/22
Tender submissions deadline	03/10/22
Evaluation of Tenders	14/11/22
Approval of Contract Awards	02/01/23
Notification of award/start of standstill	02/01/23
End of standstill	30/12/22
Contract award	31/01/23
Contract start date	01/04/23

Appendix B. Award Criteria

Section Title and Weighting %	Question	Question Weighting %
Quality 80%	Service Model	20%
	Service User Needs	15%
	Digital Switchover and Delivery	10%
	Platform for Transformation	15%
	Outcomes	10%
	Partnership Working	10%
	Skills, Competencies and Continuous Professional Development	5%
	Safeguarding	5%
	Social Value	5%
	Implementation Plan	5%
Price 20%		100%