

20 September 2021

Agenda Item: 9

**REPORT OF THE SERVICE DIRECTOR, INTEGRATED STRATEGIC
COMMISSIONING AND SERVICE IMPROVEMENT**

HOME FIRST SERVICES FRAMEWORK AGREEMENT TENDER 2021

Purpose of the Report

1. To seek approval to proceed with the tender for a provider for county-wide Home First Services (home-based care) through a framework agreement for a single provider. This will allow for different contracts (Call-Off Contracts) to be awarded under the framework, which will allow for the provision of different services and provide flexibility for future developments within the overall agreement.
2. The report proposes that Committee will receive an update report to seek further approval if there are any changes to the service scope, scale and contract value that may be recommended as a result of the dialogue stage of the tender and a forthcoming options review of short-term reablement services.
3. The report also seeks approval to award the contract to the successful bidder for a maximum term of eight years (initial contract term of four years, with an option to extend for two additional years and then a further two years if required).

Information

Background

4. In November 2017 the first framework agreement was awarded for a county-wide Rapid Response and Hospital Discharge Service and in December the service was launched which became known as the Home First Response Service. The service remit was initially to deliver the Home First Response Service but over time it developed and under the terms of the framework agreement expanded to incorporate the 24 Hour Response Service and has latterly included a Carers Respite at Home Service as a small scale trial. The county-wide service is currently delivered by one provider (TuVida, formerly known as East Midlands Crossroads). The single provider approach ensures consistency, flexibility and economy of scale.
5. The three services which are procured under the current framework agreement are all delivered in people's own homes, require a quick response and are focused on supporting people to remain as independent as possible.

- the Home First Response Service is a short-term, rapid response service providing home-based care for up to a maximum of 14 days. The service facilitates timely discharges from hospital or serves to prevent unnecessary admission to short-term care or hospital due to a temporary crisis at home.
 - the 24 Hour Response Service is an emergency home care service which aims to be at a service user's home within 45 minutes of being requested by a lifeline/telecare monitoring centre to attend following an unforeseen home care emergency.
 - the Carers Respite at Home Service is to enable unpaid carers of individuals needing care and support to get a break from their caring role. The Service is specifically for carers who are providing all the care needs for their loved one and do not receive any regular home-based care services or carers of people supporting someone with an existing package of care support but who have been unable to access short breaks/respites/day services, or other opportunities to enable carers to get a break from caring, due to the current restrictions. This is currently a temporary arrangement to test out the effectiveness of this type of service. It will be reviewed and at that stage a decision will be made on whether the service will become part of this suite of services or would be better as a stand-alone or sited within the wider carers services.
6. The existing framework agreement ends in November 2021. Any individual contracts (often referred to as Call-off contracts) which fall under the scope of the framework agreement can be awarded until this time with the end date for these individual contracts extending beyond the cease date of the framework agreement. This means that although the framework agreement ends in November 2021 the services will continue until April 2023, when the new Home First Framework Agreement is planned to start.
7. The current budgets for the services are as follows:
- the Home First Response Service is £3.6 million per year comprising £3.2m permanent plus an additional £400,000 temporary funding. It is delivered under a block contract, with the provider receiving a proportion of the contract value on a monthly basis.
 - 24 Hour Response Service is £346,000 per annum which is permanent and again a block contract.
8. The Carers Respite at Home Service is temporary pending the review of the trial.

Nottinghamshire's model of Home-Based Care and Support Services

9. The Home First Services are part of the suite of services that make up an overarching model of home-based care and support for adults in Nottinghamshire. The model was created in collaboration with a range of stakeholders, providers, staff and a group of carers and people who use services. The 'Experts by Experience' group defined a vision for services, which is included in the 'Experts by Experience Home Base Care Charter'. The Charter continues to inform service specifications for Home Based Care services. The full Charter is attached as **Appendix A**.
10. The Council's overarching home care model has two main components, short-term reablement services and longer term services. Within each component there are different

service offers and providers, but all the elements are intended to complement one another, and to provide the right type of service at the right time, according to the individual circumstances of people who need them.

Short Term Reablement Services

11. Reablement services focus on avoidance or delay of the need for longer term home-based care and support services through targeted interventions aimed at:
 - maximising independence
 - supporting people through short-term crisis
 - providing more accurate assessments of need to inform any care planning for longer term services.

12. There are three main types of reablement services:
 - **Maximising Independence Service Reablement Team:** a short-term (up to six weeks) reablement service provided by Nottinghamshire County Council. As with the Home First Response Service, it is aimed at people who need a period of reablement following a hospital discharge or a crisis at home, but predominantly at those people who are expected to regain skills and confidence to the extent that ongoing support will not be needed. Historically, the Maximising Independence Service Reablement Team has not provided such a rapid response as the Home First Response Service.
 - **Home First Response Service:** a short-term (7-14 day) service for people who need a period of reablement following a hospital discharge or a crisis at home. The service is designed to provide a very rapid response, on either the same day or the day following referral. The service helps people to regain as much independence as possible and, once this has been achieved, allows a meaningful assessment of their on-going needs to be carried out. The service is intended to be used when it is unclear what a person's final reablement outcome might be. Following on from a period of support from the Home First Response Service a person may go on to receive long-term home-based care, or be identified as having further reablement potential, such that on-going care and support services may not be needed. In such circumstances the person can be referred on to the Maximising Independence Service Reablement Service.
 - **Rapid Response Service:** the Rapid Response Home Based Care Service is a county-wide, short-term service commissioned from an external provider (AMG). It provides extra home-based care capacity at times of greater pressure, so complements and supplements both Reablement and longer term existing services where and when needed. The aim of the service is to ensure that temporary support for people can be put in place very quickly (within four hours of referral if necessary), to allow time to plan and arrange the home-based care and support service that would be most appropriate.

Longer Term Services

13. The second element of the home-based care model addresses the needs of people who require longer term or ongoing services. Whilst these services are for people with longer term care needs, they are nevertheless based on an ethos of promoting independence.

14. The Council commissions long-term services from a large group of providers, who are all included in a framework type contract. There is a hierarchy of providers, who are contracted to provide care and support within one or more of the districts of Nottinghamshire. The hierarchy in each area comprises of one 'Lead Provider', supported by a group of 'Additional Providers' and further 'Supplementary Providers'.

Proposed changes and additions to the 2021-23 Home First Services Agreement Framework tender

15. The proposal is to build on the current model of service delivery for the Home First Services but use the competitive dialogue process to develop and enhance this where possible. Work is also taking place to consider whether changes need to be made to the size and scope of the Home First Response Service in relation to the other parts of the overarching model of home-based care, described above. There are a number of considerations:
 - a) demand for the Home First Response Service is growing as a result of various factors. These include overall demographic growth, the need for more home-based rather than accommodation based services and growing numbers of people being discharged from hospital who need community based social care support. This last factor is influenced by the NHS backlog in relation to planned elective treatments and the requirements of same day discharge for people leaving hospital.
 - b) there may be scope to streamline some of our service pathways for people leaving hospital, for example by referring all people who need reablement or long-term support to the Home First Response Service in the first instance, rather than referring some to the Maximising Independence Service. The benefit of this approach is that because the Home First Response Service can usually respond more quickly so that people can be discharged home in a timely way.
 - c) over the past 18 months, as hospital discharges have increased, the proportion of the Home First Response Service resource that is used to support such discharges has increased, at the expense of the capacity to pick up referrals for people living at home, therefore there is a need to re-balance this.
16. The work to review the scale and scope of the service will feed into the discussions that take place with potential providers during the dialogue stage of the procurement. It will also serve to clarify the overall resource needed and the associated contract value. The outcomes of the review work and the dialogue with providers will be reflected in the final service specification and contract value.

Timescales for procurement

17. The procurement process that will be used is Competitive Dialogue. This is a three-stage process incorporating a period of dialogue with interested providers to allow for the development of a more detailed specification for complex or high-risk services or products. It is appropriate for the Home First Services Framework Agreement, which is recognised to be complex and challenging to deliver. The stages of the process are as follows:

- a) an initial bidding process, in response to a high-level service specification that sets out the main elements of the service that the Council wants to be delivered. From this, providers will be selected to go through to stage two.
 - b) a process of dialogue with the selected providers. This can cover various aspects of the required service but focussing on elements that require further development or new solutions. This process gives providers a major role in defining what the service will look like and how it will work and helps the Council to identify the best solutions to meet its needs.
 - c) on the basis of the discussions with providers, a second more detailed service specification is produced. The remaining providers submit further bids against the second specification and the Council selects the provider with the best bid.
18. Due to the collaborative nature of this approach, the competitive dialogue process takes longer than other procurement methods. Furthermore, the fact that there is a comparable service of significant size already in place creates the potential for TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) to apply, if the provider selected to deliver the new service is different to the incumbent provider. TUPE regulations govern the transfer of staff between outgoing and new service providers. A period of six months needs to be factored into the timescales for implementing any new service, to ensure that any such staff transfers are done correctly.
19. For the reasons outlined above, for the new service to start in April 2023, approval is sought to start the tender in October 2021. A full timetable is set out at below.

Stage 1	Description	Date
Pre-tender preparation	Initial specification drafted and passed to Procurement	September/October 2021
Call for competition	Opportunity advertised through the procurement electronic portal	October 2021
Selection process	Prequalification questionnaire (PQQ) and selection of participants to participate and submit initial solutions	November 2021
Dialogue process	Opportunity to discuss and refine ideas and solutions	December 2021 - February 2022
Evaluation	Evaluation of all the proposals	February 2022
Finalise all tender documents	Final version of specification based on the competitive dialogue with potential bidders	March - April 2022
Stage 2	Description	Date
Final Invitation to Tender issued	Final tender document issued - invitation to submit tender with pricing	May 2022
Invitation to Tender response	Deadline for final tender responses	July 2022
Tender evaluation	Evaluation of submissions in accordance with published award criteria	August 2022
Selection of preferred bidder and standstill	The date by which the Council will proceed to announcing the preferred bidder, including a 10-day standstill period	September 2022

Preferred bidder stage	The period when the preferred bidder and partnership will work together to finalise the contract ready for signature	September 2022
Contract signature	The signature of the contract between the Council and the contractor(s)	30 September 2022
Transition period	Period when the new operating model and service is implemented, including any transfer of staff.	October 2022 - March 2023
Commencement date of new service		1 April 2023

Other Options Considered

20. Another option has been considered of proceeding with an Open Tender rather than the Competitive Dialogue approach. The advantage of this would be a shorter procurement timescale but would require a detailed specification at the point of advertising the tender, which would mean very limited opportunity for collaboration with the providers and less creative and innovative solutions to the subsequent service design and delivery.

Reason/s for Recommendation/s

21. The Council is required to follow procurement and legal process to retender the Home First Services Framework ready for commencement by April 2023. Without a similar service being put in place the Council would not be compliant with its statutory duty to provide care and support services to people who need them within 48 hours.
22. The length of the contract being recommended is a maximum of eight years with the initial contract term of four years, with an option to extend for two additional years and then a further two years if required. This reflects the size and complexity of the service being commissioned and allows the provider and the Council sufficient time to invest in and develop the service in line with changing needs and priorities.

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

24. A full Data Protection Impact Assessment (DPIA) is underway in preparation for the tender commencement and will be concluded on award of contract.

Financial Implications

25. The cost of the hospital discharge and community based Home First Response Service elements of the service will be within the current budget allocation of £3.6 million per annum, plus the budget for the 24 Hour Response Service of £346,000.
26. Whilst the provider, in conjunction with the Strategic Commissioning Team, will be required to explore options for delivering savings and efficiencies, this will need to be considered in the context of a number of upward financial pressures. As outlined above, further work is taking place to understand the financial implications of increased demographic demands, increased numbers of people being discharged from hospital, and of the options for reconfiguring the Council's different reablement services.
27. If there are additional service requirements, any additional funding will need to be secured before the final specification is agreed.

Public Sector Equality Duty implications

28. The nature of the services being commissioned mean they will affect older and younger adults, including people with disabilities and those who have multiple and complex health and social care needs. Support will also be provided to people who are carers of adults with health and social care needs.
29. A full Equality Impact Assessment (EQIA) is being undertaken in preparation for the tender commencement.

Implications for Sustainability and the Environment

30. The service provider will be expected to contribute to the social, economic and environmental wellbeing and prosperity of Nottinghamshire. The tender process will specifically address this and bidders will be required to demonstrate how they will add social value through this contract.

RECOMMENDATION/S

That Committee:

- 1) approves the commencement of the tender for a new provider for the county-wide Home First Services through a framework agreement for a single provider
- 2) approves the award of the contract to the successful bidder for a maximum term of eight years (initial contract term of four years, with an option to extend for two additional years and then a further two years if required) and will receive an update report on the outcome of the tender and award of contract
- 3) agrees to receive a report to seek further approval if there are any changes to the service scope, scale and contract value that may be recommended as a result of the dialogue stage of the tender and the review of short-term reablement services.

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Constitutional Comments (AK 26/08/21)

31. This report falls within the remit of Adult Social Care and Public Health Committee.

Financial Comments (DG 25/08/21)

32. The Home First Response Service and 24 Hour Response Service has a permanent budget of £3.537m and £0.439m temporary funding. These are the current budget envelopes, for the tender.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

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