

Report to Executive Director for Adults and Health

November 2021

Health and Social Care Seasonal Pressure Commissioning 2021-2022 – Award of contracts

Report by Head of Commissioning

Electoral division(s): all

Summary

West Sussex County Council and system partners have developed plans to support the health and social care system to manage additional demand during seasonal pressure periods. This report seeks authority to award contracts to suppliers following a procurement process.

Due to the need for this matter to be determined as soon as possible the decision maker has secured agreement from the appropriate Scrutiny Chairman for this decision to be taken urgently because delay would prejudice the County Council's interests.

Recommendations

The Executive Director for Adults and Health is asked to approve;

- (1) The award of Contracts for Hospital Discharge Care Provision to Providers contracted through the Care and Support at Home Framework Agreement 2015, Framework Agreement for Domiciliary Care Spot Purchase Contract 2009 and Care and Support at Home Contingency Framework 2021.
 - (2) The award of Contracts for Domiciliary Care Rounds to Providers contracted through the Care and Support at Home Framework Agreement 2015
 - (3) The award of Contracts for Block Residential and Nursing Beds to Providers contracted through the West Sussex County Council Contract for Care Home Services 2007 Framework.
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Proposal

1 Background and context

- 1.1 In September the [decision](#) was made to commence a procurement process for additional care provision to enable the health and social care system to meet demand, initially over winter 2021/22 with the potential to extend procured

provision until the end of March 2023. The procurement included Hospital Discharge Care Service, Domiciliary Care Rounds and Block Residential and Nursing Beds.

- 1.2 Following this decision, tenders were advertised on 15 October 2021 with a closing date of the 3 November 2021. Tenders for Hospital Discharge Care Provision and Domiciliary Care Rounds were circulated via a closed procedure on the Council's SE Shared Services Tendering Portal to Providers contracted with the Council on the existing framework agreements. Tenders for Block Residential and Nursing Beds were circulated and advertised electronically to all Residential and Nursing Care Home Providers via email in order to maximise the number of organisations who could access the opportunity.
- 1.3 The tenders are to be evaluated by an evaluation panel between 5 November 2021 and 10 November 2021. Initial compliance checks will be undertaken and evaluations will be completed on the technical and commercial elements via responses to method statement questions designed to understand the ability of the bidder to deliver the required services and determine the most economically advantageous tender to the council.
- 1.4 An appointed Procurement Manager is providing oversight to ensure that the procurement process is compliant.

2 Proposal details

- 2.1 Following the evaluation process for each of these opportunities, award of contracts are proposed as follows, subject to the cost being affordable within the overall funding allocation which is available:
- 2.2 **Hospital Discharge Care Provision** Supplementary Contracts for all area lots for which there are successful bidders to be awarded to the highest scoring bidding Providers to enable the capacity required. The services to commence as soon as possible following completion of the decision process and no later than the 1 December 2021 for an initial four-month period to 31 March 2022, with the option to extend for up to one year.
- 2.3 **Domiciliary Care Round Contracts** for all area lots for which there are successful bidders be awarded to the highest scoring bidding Providers to enable the capacity required. The Services will commence as soon as possible following completion of the decision process and no later than the 5 December 2021 for an initial four-month period to 31 March 2022, with the option to extend for up to one year.
- 2.4 **Residential and Nursing Block Beds** Award to the highest scoring bidders which meet the criteria and requirements set out in the Invitation to Tender and to meet the capacity required. Where additional bids are received beyond the original request that meet the requirements of the tender, more bids may be awarded to support the system as required within the overall financial envelope (or where further funding is identified from the health system) and to accommodate for limitations in other parts of the market.
- 2.5 For any opportunities which are not awarded following the advertised processes the proposal will be to source the remaining provision through direct award where providers are able to subsequently evidence the ability to accommodate the requirements, and/or approach a wider market (for example for Domiciliary Care rounds which are initially tendered through the main Care and Support at

Home Framework 2015). Decisions on this will be made by the Executive Director following legal and procurement advice. It is an essential requirement to support the health and social care system to maintain flow over the winter period and to ensure the Council is in a position to meet its statutory duties in sourcing care for those with eligible social care needs.

3 Other options considered (and reasons for not proposing)

3.1 Alternative options were considered as part of the [decision](#) made in September 2021.

4 Consultation, engagement and advice

4.1 Regular and ongoing consultation with our health partners regarding plans for the winter provision has been undertaken, as set out in the initial decision report.

5 Finance

5.1 The total anticipated cost of the services to be commissioned for the winter period up to 31 March 2022 is £2.5m as highlighted in the original decision report. Funding of £1.2m has been committed by the West Sussex Clinical Commissioning Group. The County Council's contribution of £1.3m will be met from the Winter Pressures Grant. The costs are dependent on bids received and contracts awarded.

5.2 The effect of the proposal:

(a) How the cost represents good value

Each service proposed to be commissioned has been subject to a compliant process to ensure that the costs represent best value. The proposed Contracts to be awarded will have been evaluated and assessed according to technical and commercial criteria to determine the most economically advantageous tender.

(b) Future savings/efficiencies being delivered

The primary focus of these services will be around maintaining sufficient availability within the care market to meet the demand during seasonal pressure periods. Any extensions agreed would deliver time and resource efficiencies for the market in tendering for future opportunities.

(c) Human Resources, IT and Assets Impact

Not applicable

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Risk of challenge	Compliant processes undertaken
Risk of care provider failure	Providers have undertaken financial standing checks as part of the framework agreements they are contracted with or have undergone financial standing checks as part of the tender process.

Risk	Mitigating Action (in place or planned)
	If provider failed to deliver according to the contract this will be managed through contract monitoring processes. Emergency Planning processes would be enacted as required and alternative solutions for existing customers identified.
Risk of funding withdrawal from CCG	This is mitigated by ongoing collaboration with the CCG and will include a Section 75 variation to agree funding contributions up to 31 March 2022.

7 Policy alignment and compliance

- 7.1 Proposals regarding the procurement activity have previously been presented to the County Council's procurement board for approval and developed with advice from the Council's legal and procurement services in order to ensure compliance with procurement regulations and with Standing Orders. These are services defined as 'Light Touch' under the Public Contracts Regulations (PCR) 2015 and as such the services have been procured in accordance with the procedures set out in PCR. The Council will issue contractual terms and conditions which have been approved by Commercial Legal Services and are compliant with section 10 of the Council's Standing Orders on Procurement and Contracts.

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Appendices - none

Background papers - none