

Notice of KEY Executive Decision

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| Subject Heading: | Complex Placements Dynamic Purchasing System Framework |
| Cabinet Member: | Councillor Jason Frost, Cabinet member for Adult Services and Health |
| SLT Lead: | Barbara Nicholls, Director for Adult Services |
| Report Author and contact details: | Daren Mulley, Senior Commissioning Manager, Mercury House, Romford T: 01708 433982 E: daren.mulley@havering.gov.uk |
| Policy context: | At a local level, this contract supports Havering Council meet its priorities in its Corporate Plan 2019/20. This plan sets out how the Council intends to invest and transform the borough with an emphasis on improving the lives of vulnerable children, adults and families. In summary, this contract ensures the Council fulfils its aim of ensuring that the needs of the most vulnerable are met and that people are supported to be healthy and active. |
| Financial summary: | The budget for this procurement will come from both Children and Adult budgets. Contracts will be awarded under a dynamic purchasing system framework which will have no minimum or maximum value, nor will any commitment to expenditure by the Council be stipulated within the contracts. Expenditure will only be incurred when individual packages of care are purchased. The Actual Net expenditure for the respective client groups and services for 2018/19 for complex placements was £20m. |

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|--|---------------------------------|
| Reason decision is Key | Expenditure of £500,000 or more |
| Date notice given of intended decision: | 8 th April 2020 |
| Relevant OSC: | Individuals |
| Is it an urgent decision? | No |
| Is this decision exempt from being called-in? | No |

The subject matter of this report deals with the following Council Objectives

| | |
|-------------------------------|-------------------------------------|
| Communities making Havering | <input checked="" type="checkbox"/> |
| Places making Havering | <input type="checkbox"/> |
| Opportunities making Havering | <input type="checkbox"/> |
| Connections making Havering | <input type="checkbox"/> |

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

- 1.1 This Dynamic Purchasing System (DPS) will be introduced to commission individual packages of care and support to children and adults with complex needs. The DPS will operate for 5 years (May 2020 – April 2025) with an option of a 2 year extension. The Council will begin purchasing packages of care and support through the DPS from May 2020.
- 1.2 To approve the award of the admission of suppliers onto the Complex Placement Dynamic Purchasing System (DPS) for both adults and children for a period of 5 years with an option of 2 years extension.
- 1.3 To delegate to the Head of Joint Commissioning the power to award the admission of subsequent Suppliers to the aforesaid DPS during the above contract period.
- 1.4 To delegate to the Head of Joint Commissioning the power to undertake a Call for competition (request to participate) for the purposes of awarding individual Call Off contracts to suppliers under the DPS and to sign the appropriate documentation.
- 1.5 To approve the waiver of Contract Procedure Rules (Contract Standing Order 18.4) to change the weightings of 70% price and 30 % quality to a weighting of 100% quality. The ground for the waiver is set out in CSO 14.6.6 Best Interests of the Council where it is in the best interests of the Council or the Borough for a provision in these Rules to be waived to enable contract procurement to be rapidly progressed while still complying with European procurement rules.

AUTHORITY UNDER WHICH DECISION IS MADE

Constitution, General Functions of the Cabinet, Section 2.1(p) To award all contracts above a total contract value of £10,000,000. Andrew Blake Herbert, Chief Executive under the Bronze, Silver and Gold Command has made provision for decisions to be made outside of a Cabinet meeting in the light of the Coronavirus. It is thereby authorised that this decision can be made by the Leader of the Council or Cabinet Lead Member.

STATEMENT OF THE REASONS FOR THE DECISION

2. Reasons for the decision:

- 2.1 Establishing a DPS will ensure that all Suppliers have been quality assured and evaluated in a consistent standardised way. This DPS will also reduce the need for spot purchasing by allowing an unrestricted number of Suppliers to be awarded contracts to deliver services. The DPS is therefore considered to be

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the most appealing procurement solution for the following additional reasons;

- a) compliance with national and EU regulations in relation to the purchasing of services
- b) a structured and transparent process for packages of support that come through the complex case pathway
- c) robust governance protocols and processes will be in place to manage the DPS effectively
- d) improved efficiency for purchasing packages of care and support
- e) the DPS will make it easier for new providers in the market to bid to provide services.
- f) contracts will improve accountability, performance, outcomes and quality assurance
- g) the DPS will contribute to Havering getting better value for money
- h) the DPS will enable organisations to continue to deliver support throughout the transitional period from young person to adult
- i) opportunities for an increase in the number of organisations providing services leading to a wider range of service provision and customer choice
- j) suitably qualified and experienced private and voluntary providers can join the DPS at any time by successfully completing the evaluation process.

3. Background

3.1 In recent months, Havering Council has developed a complex cases pathway to manage packages of care for children and adults with complex needs. Requests from social care teams for packages of support are referred into this pathway and the Joint Commissioning Unit's (JCU) complex cases officers make suitable placements and negotiate the most cost effective price, i.e. they both commission and broker new packages of care and support.

3.2 Care packages are currently spot purchased from a wide range of providers (30+) in the absence of a structured system for awarding contracts to providers and purchasing services from them. The pathway is used for most support packages who meet Children and Families Act (2014) and Care Act (2014) eligibility criteria (except Direct Payments which are paid by the service user directly to the Supplier): for the following cohorts;

- Adults with learning disability
- Adults with mental health needs
- Adults with needs resulting from physical and/or sensory disabilities
- Older people with complex needs
- Other vulnerable adults who meet Care Act eligibility criteria
- Children with complex needs

3.3 There is a statutory duty on Councils to provide care and support to those in need as provided under the Children and Families Act 2014 and Care Act 2014.

4. Dynamic Purchasing System (DPS)

4.1 A DPS is a procedure available for the contracts of works, services and goods

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available from the marketplace. A DPS has similar aspects to a framework agreement, but, subject to key criteria being met, allow an unlimited number of suppliers to join at any time

4.2 This DPS will be operated using the Council's web based, 'ATLAS' dynamic purchasing system. This system is an electronic commissioning tool for purchasing individual packages of care and support.

4.3 In summary, the purpose of this DPS is to:

- a) replace the existing spot contracting arrangements with an additional, more dynamic and flexible contractual arrangements
- b) ensure our supply market of Suppliers is able to grow sustainably and flexibly to deliver the requirements now and for the future
- c) support adding social, environmental and economic value through good procurement practice
- d) ensure that the Council has access to consistent high quality care providers
- e) ensure that the Council secures best 'market value' in terms of cost and quality of service
- f) provide a more robust mechanism to avoid non-compliance and negate use of spot contracts; thereby reducing scope for inequality of access and outcomes.

4.4 Suppliers can apply at any time for inclusion on the DPS and unsuccessful Suppliers can reapply should they fail initially (having corrected any disqualifications). It remains open throughout its duration for the admission of any Supplier that satisfies specified qualification criteria. Procurement regulations permit flexibilities to be built into Dynamic Purchasing Systems at their start that allow subsequent changes in the way they are implemented to be applied over time, enabling the system to evolve in line with changing needs.

5. Service Types

5.1 The following services are included in this DPS:

- **Supported Living services:** These services will be commissioned for both children and adults. Supported living services are community based personal care and/or support for clients where care (e.g. moving and washing) and/or support (e.g. housing related, recreational activities) is delivered flexibly according to each individual care package in the child's or adult's home and local community. An emphasis of supported living is to encourage and develop skills and independence. Packages will range from either a few hours a week to 24 hour support. For adults, care and support will be provided in either shared or self-contained accommodation.
- **Residential Care:** This service will be commissioned for adults only. Residential care service provides personal care for clients where care/support is delivered in a registered care home setting with 24 hour support.
- **Nursing Care:** This service will be commissioned for adults only. Nursing care provides personal care for clients where care/support is delivered in a

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registered care home setting with 24 hour support including registered nurses.

- **Domiciliary Care:** This service will be commissioned for adults only. Domiciliary care provides household and personal care for clients where care is delivered at a service user's home.
- **Live in Care:** This service will be commissioned for adults only. Live in care provides care and support where the carer has their own living space in the client's home.

6. Procurement Approach

6.1 This procurement was subject to and adhered to the Council's Contract Procedure Rules. The procurement followed a formal tender process in line with the EU procurement process in accordance with the Public Contracts Regulations 2015, which require compliance with principles of non-discrimination, equal treatment and transparency.

6.2 This DPS procurement is following a two stage process:

- 1) Stage 1: Admission - The first stage is concerned with setting up Suppliers to join the DPS. Under this stage Suppliers are invited to apply to join the DPS. Suppliers complete and submit a response in the form of the standard selection questionnaire and submit a response to the quality criteria. Those who meet this initial selection criteria will be invited to Stage 2.
- 2) Stage 2: Call-off/Individual Placement Agreement: The Suppliers who meet the initial selection criteria will be required to sign up to a DPS Agreement and may subsequently be invited to follow a competitive call off process for individual packages which will form part of the Individual Service Agreement.

6.3 The weighting for Stage 1 of this DPS is 100% quality because of the following reasons;

- a) It is difficult to evaluate price at this stage as individual packages of care and support costs vary according to the specific individual needs of each service user.
- b) This contract relies on the Council attracting multiple bidders joining the framework to encourage and promote competition for care and support packages.
- c) Competition and best value for the Council will be more appropriately tested when individual packages of care and support are purchased via the dynamic purchasing system.
- d) A focus on quality is required as Council expectations in relation to quality and standards have never been set and then evaluated in this market.

6.4 At Stage 2, the DPS will comply with the Council's procedure rules when evaluating each individual package of care and support that is purchased through the DPS. Suppliers will be required to submit a detailed schedule of costs at this stage to enable the Council to effectively evaluate and ensure best value for money. Quality will also be evaluated at this second stage and will

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consider Social Care's assessment of the Supplier's suitability to meet the client's needs, Supplier capacity to deliver the package and preference of the service user and/or family/carers.

- 6.5 This DPS seeks Suppliers that can demonstrate experience, skills and capability to provide the range of services specified in the tender. Suppliers were assessed on a range of quality factors providing evidence of their ability to deliver high quality services, recruit and manage human resources, improve outcomes, safeguard service users, manage and resolve complaints effectively.
- 6.6 The Council is using a version of its standard terms and conditions for the provision of these services with appropriate break and contract modification clauses. The contracts include service specification requirements including the need for Suppliers to report on service user outcomes and service performance. Performance management will be carried out by the Council.
- 6.7 The Council published the required Contract Notice in November 2019. The Suppliers that contacted the Council in response to a Prior Information Notice in July 2019 and those that attended the Supplier Information Event in October 2019 were informed of the opportunity. Suppliers who expressed an interest in the tender were required to use CapitalESourcing, the Council's E-Procurement system to prepare and submit their bids.

7. Project Governance

- 7.1 In order to deliver this project, a project management structure was formed in February 2019. This included establishing a Project Board that meets regularly once a month to coordinate and monitor the progress of the project. The Project Board members included representatives from Children's Social Care, Adult Social Care, Joint Commissioning Unit, Procurement and Finance and Supplier representatives.
- 7.2 The Project Board's business included preparing and approving the documents for the tender, hosting a Supplier's Information Event and evaluating the bids.

8. Evaluation

- 8.1 At Stage 1, a minimum score of 60% is required to join the DPS. The evaluation at this stage focused on examining how Suppliers proposed to deliver a quality service. The quality criteria were;
- a) Experience of Service Delivery
 - b) Measuring and Achieving Positive Outcomes
 - c) Managing and Responding to Safeguarding
 - d) Promoting Service User choice and control
 - e) Managing demand effectively
 - f) Managing human resources
 - g) Managing complaints effectively
- 8.2 In total, 70 Suppliers completed and submitted their tender documents by the

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closing date of the first round of tenders on Friday 13th December 2019.

- 8.3 Project Board members evaluated the bids over a four week period from 17th December 2019 – 17th January 2020. Following this, evaluators met to agree the scores and recommend the Suppliers for admission to the DPS. In summary, 59 Suppliers are recommended to join the DPS and their respective scores are presented in the table below;

| Suppliers | Final Score (%) |
|-----------|-----------------|
| 1. | 75 |
| 2. | 73 |
| 3. | 67 |
| 4. | 60 |
| 5. | 66 |
| 6. | 92 |
| 7. | 71 |
| 8. | 70 |
| 9. | 73 |
| 10. | 75 |
| 11. | 72 |
| 12. | 80 |
| 13. | 60 |
| 14. | 61 |
| 15. | 80 |
| 16. | 64 |
| 17. | 62 |
| 18. | 64 |
| 19. | 65 |
| 20. | 66 |
| 21. | 80 |
| 22. | 63 |
| 23. | 60 |
| 24. | 67 |
| 25. | 73 |
| 26. | 67 |
| 27. | 77 |
| 28. | 65 |
| 29. | 80 |
| 30. | 63 |
| 31. | 90 |
| 32. | 74 |
| 33. | 82 |
| 34. | 77 |
| 35. | 78 |
| 36. | 71 |
| 37. | 60 |
| 38. | 90 |
| 39. | 74 |

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| 40. | 78 |
| 41. | 83 |
| 42. | 66 |
| 43. | 77 |
| 44. | 60 |
| 45. | 65 |
| 46. | 63 |
| 47. | 74 |
| 48. | 60 |
| 49. | 65 |
| 50. | 62 |
| 51. | 63 |
| 52. | 61 |
| 53. | 65 |
| 54. | 66 |
| 55. | 78 |
| 56. | 63 |
| 57. | 62 |
| 58. | 62 |
| 59. | 80 |

- 8.4 Once approved by Cabinet, all Suppliers who submitted bids will be informed of the Council's decision in writing via the Capital E Sourcing system. Following acknowledgement of the Council's decision, arrangements will then be put in place to sign the contracts with Suppliers for admission at Stage 1. Stage 2 of the DPS will commence from May 2020 which will involve the Council awarding call off contracts (aka Individual Placement Agreements) for each individual package of care and support.

OTHER OPTIONS CONSIDERED AND REJECTED

- Option 1 - Do nothing:** Current agreements with Suppliers have varying quality standards and pricing which together with the administration of spot purchasing governance and documentation has resulted in an inefficient process that does not deliver proven value for money. If the Council does nothing this will continue to add pressure to service budgets and provide an inconsistent service. Rejected.
- Option 2 - Join an existing framework:** There are no suitable existing frameworks in place that will enable the Council to specify the providers and standards of delivery it requires across the geographical boundaries stipulated in our tender. Rejected.

PRE-DECISION CONSULTATION

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The pre-decision consultation has involved engaging with a number of stakeholders for the tender. In summary, the following table presents the type, methods and stakeholders engaged in the pre-decision consultation;

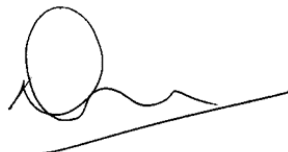
| Type | Methods | Consultees |
|---------------------------------|---|--|
| Project Board | Formal regular meetings phone, email | a) Joint Commissioning Unit b) Children Social Care c) Adult Social Care d) Legal Services e) Procurement f) Finance g) Supplier representatives |
| Prior Information Notice | Notice published via the Council's procurement system | a) Current Care providers b) Other interested Providers in the market |
| Market Engagement Event | Meeting held with potential suppliers | a) Interested Provider in the market |

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daren Mulley

Designation: Joint Commissioning Unit

Signature



Date: 19th March 2020

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The decision is to:

- a) Approve the award of the admission of suppliers onto the Complex Placement Dynamic Purchasing System (DPS) for both adults and children for a period of 5 years with an option of 2 years extensions, and
- b) Delegate to the Head of Joint Commissioning the power to award the admission of subsequent Suppliers to the aforesaid DPS during the above contract period and
- c) Delegate to the Head of Joint Commissioning the power to undertake a Call Off competition (aka request to participate) for the purposes of awarding individual Call Off contracts to suppliers under the DPS and to sign the appropriate documentation.
- d) Approve the waiver of CSO 18.4 to change the weightings of 70% price and 30 % quality to a weighting of 100% quality factor for the reasons set out in the report

2. The operation of DPS falls within section 34 of the Public Contracts Regulations 2015 ('Regulations'). The service also falls within Schedule 3 of the Regulations, namely the light touch regime of the Regulations.

3. Both the Light Touch regime and the DPS require that a PIN notice and/ or contract award notice to be published together with the publication of a contract award notice when the contract is awarded.

4. Although the Light Touch Regime affords a higher degree of flexibility in respect of how the Council may procure the Service under the DPS, officers must still ensure compliance with the principles laid out in the Treaty of the Functioning of the European Union relating to transparency, non discrimination, equal treatment and proportionality. The process selected must also take into account the need to ensure quality, continuity, accessibility affordability, availability and comprehensiveness of the service and needs of the users (section 76 of the Regulations). In this regard though there may be some departure from the requirements of article 34 of the Regulations (DPS rules), the Council's compliance with article 34 will demonstrate compliance with the EU principles.

5. Legal have been informed the DPS followed the Restricted Procedure to admit the suppliers onto the DPS in accordance with 34(5) of the Regulations and therefore all candidates who satisfied the selection criteria were admitted. There is no limit under the Regulations as to the number of candidates and the Council can admit any supplier at any time during the contract period.

6. Admission of Suppliers onto the DPS (Stage 1) - The officers working with procurement have decided that the admission of suppliers onto the DPS was based on an evaluation of 100% on quality. Contract standing orders 18.4 state that evaluations must be based on the most economically advantageous tender ie the MEAT criteria, using a 70% cost and 30% quality weighting. A waiver is therefore

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required under contract standing orders (CSO). The ground which they are relying on are 14.6.6 *Best Interests of the Council* - where it is in the best interests of the Council or the Borough for a provision in these Rules to be waived to enable contract procurement to be rapidly progressed while still complying with European procurement rules. As this is a light touch service the Regulations only require the Council to publish a PIN/Contract notice and award notice the conduct of the process is at the discretion of the Council, therefore the use of waiver under CSO 14 in these circumstance will not offend the Regulations. In addition the Crown Commercial Service who provide guidance on the operation of Dynamic Purchase Systems state this stage (i.e. Stage 1) is an, *'indicative tender and, it is unlikely that it would need to contain detailed pricing information'*. Therefore the Regulations have not been infringed in proceeding with this evaluation for Stage 1.

7. The award of the individual Call Off contracts (Stage 2) – The report states that the second stage, that is, the appointment of the suppliers to undertake the individual contract will comply with contract standing order 18.4. Tenders will therefore be evaluated against pre-determined best price-quality ratio of 70% cost and 30% quality weighting.

8. The Council under Section 101 of the Local Government Act 1972 may arrange for the discharge of any of its functions to an officer, The Council has to be clear whether the request for delegation is clear, which power is being proposed to be delegated and the scope of the delegation. The Council is aware that any delegation will not prevent the Council from exercising those functions. The request is to delegate to the Joint Head of Commissioning the power to award the admission of subsequent Suppliers to the DPS during the above contract period and to delegate to the Joint Head of Commissioning the power to undertake a Call for competition for the purposes of awarding individual Call Off contracts to Suppliers under the DPS and sign the appropriate documentation.

FINANCIAL IMPLICATIONS AND RISKS

The Complex Placements Programme will cover several client groups and service types within a new commissioning framework for Adults and Children's Services. Actual net expenditure in 2018/19, for the services covered by this framework, amounted to £20.08m against a budget of £14.38m, resulting in a variance of £5.70m overspend. As shown in the table below, support was provided to a total of 608 clients in 2018/19 for the services covered by this Framework.

At Period 9 2019/20, projected expenditure for the services covered by this DPS amounts to £18.89m, against a revised budget of £15.68m, amounting to a £3.21m overspend position (as projected at Period 9). Client numbers supported at period 9 total 529 for the services covered by this DPS.

To join the DPS, Suppliers will be assessed on Standard Selection Criteria based 100% on quality. The Council will then seek bids for all new individual packages of care and support from all eligible providers who have been admitted onto the DPS.

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Bids will be evaluated based on a pre-determined weighted criteria based on price, availability, suitability to meet the client's needs, and the preference of the Council, Service User and/or family/carers.

To ensure the financial viability of the programme, it is imperative that considerable weighting is applied to the cost/VFM element, when determining the selection criteria on which the new contracts will be placed with providers on the Framework.

The increased focus and development of market knowledge on complex placements should result in finding and negotiation of placements at reduced unit costs, and therefore, there is a projected cost avoidance in Adult Social Care of £120k in 2020/21. Due to the complex nature of placements in Children's Services, it is currently unclear if costs can be avoided by moving to the new framework, due to some of the specialist placements that are currently used by the service, which may need to continue even with the DPS in place.

From May 2020, it is expected that as the provision for complex placements is provided through the DPS, rather than the current spot purchasing arrangements, further cost avoidance may be demonstrated. As the programme progresses, close monitoring will be required of placement costs via the DPS, against past placement costs, in each of the service types covered by this DPS. This will allow for the total cost avoidance realised by this programme to be evaluated.

Table: Costs of Services covered by the DPS

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| Service Type/ Client Group | Cost Centre | Revised Budget (Net) 2018/19 £'000 | No Clients Supported at Period 2018/19 | Actual/ Outturn (Net) 2018/19 £'000 | Outturn Variance (Net) 2018/19 £'000 | Revised Budget (Net) 2019/20 £'000 | No Clients Supported at Period 9 2019/20 | Projected Outturn at Period 9 2019/20 | Projected Variance 2019/20 |
|--|-------------|------------------------------------|--|-------------------------------------|--------------------------------------|------------------------------------|--|---------------------------------------|----------------------------|
| Adult Social Care | | | | | | | | | |
| Homecare/Live-In Care and Supported Living | | | | | | | | | |
| Clients aged 18-64 (not LD/MH) | | | | | | | | | |
| Physical Support | A31885 | 648.7 | 166.0 | 1,456.5 | +807.8 | 717.4 | 127.0 | 1,404.3 | +6 |
| Sensory Support | A31890 | 6.1 | | 13.4 | +7.3 | 23.2 | 2.0 | 50.2 | + |
| Social Isolation/Other | A31985 | 9.0 | | 145.7 | +136.7 | 43.1 | 8.0 | 135.4 | + |
| Memory & Cognition | A31995 | 134.5 | | 382.1 | +247.6 | 27.3 | 6.0 | 289.6 | +2 |
| Learning Disabilities | A32005 | 3,540.0 | 163.0 | 6,178.8 | +2,638.8 | 4,684.3 | 143.0 | 5,709.7 | +10 |
| Mental Health | A32185 | 168.1 | 37.0 | 504.8 | +336.7 | 500.4 | 25.0 | 547.9 | + |
| Total Homecare, Live-In & Supported Living | | 4,506.4 | 366.0 | 8,681.3 | +4,174.9 | 5,995.7 | 311.0 | 8,137.2 | +2,1 |
| Residential Care | | | | | | | | | |
| Clients aged 18-64 (not LD/MH) | | | | | | | | | |
| Physical Support | A31885 | 636.5 | 20.0 | 834.8 | +198.3 | 369.7 | 16.0 | 551.9 | +1 |
| Sensory Support | A31890 | 65.4 | | 67.1 | +1.6 | 59.7 | 2.0 | 105.7 | + |
| Memory & Cognition | A31995 | 49.6 | | 171.8 | +122.2 | 97.7 | 3.0 | 108.0 | + |
| Learning Disabilities | A32005 | 7,357.0 | 140.0 | 7,985.8 | +628.8 | 7,394.5 | 103.0 | 8,019.6 | +6 |
| Mental Health | A32185 | 570.0 | 20.0 | 468.2 | -101.8 | 302.1 | 10.0 | 314.4 | + |
| Total Residential Care | | 8,678.5 | 180.0 | 9,527.7 | +849.2 | 8,223.6 | 134.0 | 9,099.6 | +8 |
| Nursing Care | | | | | | | | | |
| Clients aged 18-64 (not LD/MH) | | | | | | | | | |
| Physical Support | A31885 | 331.4 | 21.0 | 862.1 | +530.7 | 482.4 | 18.0 | 513.1 | + |
| Memory & Cognition | A31995 | 19.4 | | 46.5 | +27.1 | 59.4 | 2.0 | 110.0 | + |
| Learning Disabilities | A32005 | 235.7 | | 208.7 | -26.9 | 210.6 | 4.0 | 200.0 | - |
| Mental Health | A32185 | 250.8 | | 237.5 | -13.3 | 121.8 | 5.0 | 144.9 | + |
| Total Nursing Care | | 837.3 | 36.0 | 1,354.8 | +517.5 | 874.3 | 29.0 | 968.1 | +1 |
| Total Adults | | 14,022.1 | 582.0 | 19,563.8 | +5,541.6 | 15,093.6 | 474.0 | 18,204.9 | +3,1 |
| Children's Services - Children with Disabilities & Short Breaks | | | | | | | | | |
| Children with Complex Needs - Supported Living | A33900 | 359.2 | 26.0 | 520.5 | +161.3 | 589.2 | 55.0 | 690.4 | +1 |
| Total Children's Services | | 359.2 | 26.0 | 520.5 | +161.3 | 589.2 | 55.0 | 690.4 | +1 |
| Total Complex Placements | | 14,381.3 | 608.0 | 20,084.2 | +5,702.9 | 15,682.8 | 529.0 | 18,895.3 | +3,2 |

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no implications or risks anticipated to Council staff as the employees involved in the delivery of the services will be employed directly by Suppliers.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010

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requires the Council, when exercising its functions, to have due regard to:

- a) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- c) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA has been completed and found that the services set out in this report will not have a negative impact on any of the protected characteristics. Indeed, this tender will make a positive contribution to the health and well-being of people with disabilities and related protected characteristics. The action to be undertaken in respect of the new contract will include monitoring how services meet the needs of all eligible users, including those from ethnic minority communities and disabled people. The Council will also ensure that potential providers have undertaken equality training and adhere to the Council's Fair to All Policy or their own equivalent.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

This Complex Placements Dynamic Purchasing System (DPS) will have a positive impact on the health and well-being of people with complex needs by the ability to set the criteria to meet the needs of a service user and to meet the quality outcomes including health and wellbeing. By allowing choice and competition to meet a service user's requirements, it will improve access to high-quality health and social care services and reduce health inequalities related to these vulnerable groups:

- Adults with a learning disability
- Adults with mental health needs
- Adults with needs resulting from physical and/or sensory disabilities
- Older people with complex needs
- Other vulnerable adults who meet Care Act eligibility criteria
- Children with complex needs

Through the DPS, the Council will ensure that each package of care commissioned will deliver personalised and continuity of care with the service user's involvement that helps them achieve their outcomes. This is made possible by the relevant complex needs panel who will carefully award individual packages of care and support. Improving health and well-being will be an essential aspect of each care plan, and suppliers are required to report to the Council on each service user's health and well-being outcomes, including;

- Promoting the independence of individuals to lead the life they wish
- Behaviour and lifestyle such as diet, exercise or self-care
- Mental health and wellbeing
- Access to and quality of education or other training opportunities
- Employment, income, opportunities for economic development
- Access to green space, sports facilities and opportunities to be active
- Opportunity to interact socially with other people, social isolation, community support networks and being able to live independently
- Ability to access health and social care services
- Transport, and connections to places within or between the Borough

This DPS will lead to an improvement in the quality of life, health and wellbeing for the service users in supported living, residential, nursing, live in, and domiciliary care services.

BACKGROUND PAPERS

Not applicable

Key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____