

Notice of Non-key Executive Decision

Subject Heading:	Approval to commence a tender process for the Reablement Service
Decision Maker:	Barbara Nicholls, Strategic Director of People
Cabinet Member:	Councillor Gillian Ford, Cabinet Member for Adults and Public Health
SLT Lead:	Barbara Nicholls, Strategic Director of People
Report Author and contact details:	Sandy Foscett, Senior Commissioner and Project Manager T. 01708 434742 E. sandy.foscett@havering.gov.uk
Policy context:	Supports priorities in the Joint Health and Wellbeing strategy: <ul style="list-style-type: none"> • Better integrated support for people most at risk; • Quality of services and patient experience Supports statutory requirement to reduce care needs (Care Act 2014)
Financial summary:	The proposed tender is for a 3 year contract (plus two year extension option). The proposed annual contract value is £2,077,267.50. This

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	<p>gives an estimated total contract value of £10,386,337.50.</p> <p>In addition to the above, it has been confirmed by NHS North East London ICB that there will be an increase of at least £1 million in the ICB element of the discharge fund for 24-25 and that this can be used to fund additional elements of the service to meet demand and support discharge upto 31 March 2025. Currently this funding has only been agreed for the 24/25 financial, however it is likely that further funding will be invested into the service during the life of the contract however this will be agreed annually and could range from £0- £1.5 million per annum fluctuating on an annually based on system allocation of funds.</p>
Relevant OSC:	People OSSC
Is this decision exempt from being called-in?	Yes, it is a non-key decision by a member of staff

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

People - Things that matter for residents **X**

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The current contract for the Reablement service ends on 31st March 2024. The service needs to be re-commissioned as it supports people to remain independent in their own home and recover effectively at home following a hospital admission. This decision paper seeks approval to commence an open tender exercise for a three year contract (plus two year extension option)

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution

Part 3.3 Powers of Members of the Senior Leadership Team

Contract powers

(a) To approve commencement of a tendering process for all contracts above a total contract value £500,000.

STATEMENT OF THE REASONS FOR THE DECISION

Introduction and Background

This report seeks approval from the Strategic Director of People to commence a competitive tender process for the re-procurement of the Reablement service. The current contract expires on 31st March 2024.

The reablement service in Havering is currently delivered by Essex Cares Ltd, and provides a rapid response that focuses on supporting individuals to regain skills and confidence to enable them to remain living independently following a hospital admission or following a crisis at home.

The benefits of reablement includes:

- Improvement in residents able to remain independent with no or little need for future services
- Avoid unnecessary admission to hospital
- Links service users into other community services supporting them to remain independent at home

The service operates under the 'Home First' model which means care and support needs are assessed by the service provider in the person's own home instead of the

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hospital, ensuring that no long term decisions about long term care needs are made whilst in an acute setting. The process includes assessment for equipment and referral to any other required community services; this is overseen by a qualified therapist.

There are many system wide benefits to having a Home First model of discharge for reablement which include:

- Reduction in length of stay and associated decline in mobility
- Decrease in acute therapy time required to assess prior to discharge
- Decrease in unnecessary equipment being prescribed at the point of discharge
- Decrease in length of reablement package required
- Improved outcomes for service users

There have been significant service developments since the start of the contract which have largely been in response to the increased demand following the Covid-19 pandemic. Key partners across the health and social care system have worked closely to ensure the service has been as flexible as possible to meet demand and support discharge flow. The reablement service is acknowledged as being an essential part of Havering's intermediate care offer ensuring people are given every opportunity to remain living independently in their own home.

Statutory Duties

The Care Act 2014 (Part 1, Section 3) requires that Local Authorities exercise their functions with a view to ensuring the integration of care and support provision with health provision and health-related provision where it considers that this would:

- promote the well-being of adults in its area with needs for care and support and the well-being of carers in its area,
- contribute to the prevention or delay of the development by adults in its area of needs for care and support or the development by carers in its area of needs for support, or
- improve the quality of care and support for adults and of support for carers, provided in its area (including the outcomes that are achieved from such provision).

Reablement services are provided under a statutory duty in Section 2 of the same Act which stipulates that Local Authorities must provide or arrange services, resources or facilities that maximise independence for those already with such needs, for example, interventions such as rehabilitation/reablement services.

Service Demand

Demand for the service has risen significantly since the contract commenced in April 2019. The service was then commissioned on a block contract model, with up to 700 hours of support allocated per week. The demand for the service has risen over the past 3 years and there is now a requirement for approximately 1300 hours per week

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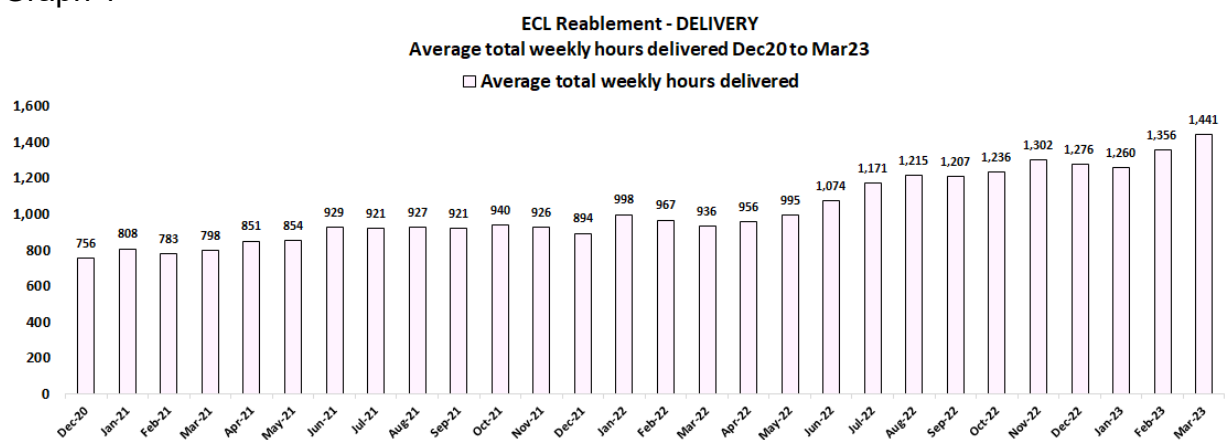
on average. This is due to a number of factors including an increase in the complexity / acuity and per case hours.

The number of customers accessing the service at any one time increased from 88 in May 2022 to an average of 134 between March and June 2023.

It was agreed with health partners that up to an additional 600 hours per week would be funded via the Discharge Fund to meet the service demand and support discharge flow. It is likely that further funding will be agreed annually to fund additional elements of the service to meet demand and support discharge during the contract period.

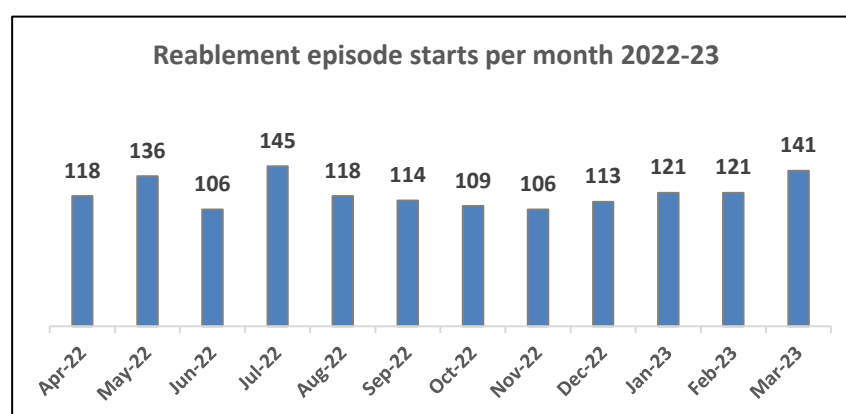
Graph 1 below shows the average number of hours per week delivered between Dec 2020 and March 2023

Graph 1



Graph 2 shows the total number of starts between April 2022 and March 2023 including all 'reserve' reablement

Graph 2



Service Approach

The new service aims to continue to embed and develop the Home First model approach to help improve outcomes for residents.

The service specification details the 'core' service which relates to the activity expected for the agreed financial envelope of £2,077,267 per annum. This will be

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approximately 950 hours per week and includes a Home First assessment element for all referrals that have been assessed as having reablement potential prior to discharge.

In addition, there will be 'work packages' which can be triggered within the contract following annual agreement of additional funds with NHS North East London. These work packages include:

- Additional hours to meet the demand
- A full Home First model to ensure no decisions regarding long term care are made in the acute setting
- Ward Led Enablement
- Community Reablement delivering a direct referral route from primary care into the service

Project Management

The project will be managed using the Council's Project Management toolkit adapted for the particular needs of this project. A formal project management structure has been established, including identification of peoples' roles and responsibilities.

Throughout the project the following control measures will be put in place:

- Reporting progress to the Project Board on a fortnightly basis
- Reporting progress on Verto on a monthly basis
- Managing the progress of the project through the monitoring and delivery of a Project Plan
- Assigning tasks and managing these with a regularly updated Action Log
- Identifying and managing risks with a regularly updated Risk Log
- Communication to wider stakeholders on a monthly basis where deemed necessary.

The scope of the project includes:

- a. Review of existing documents
- b. Production of new documents
- c. Managing the tender process
- d. Evaluating bids
- e. Awarding the contract
- f. Preparing for the start of the new contract
- g. Measuring the benefits

A Project Board will be responsible for seeing that the project objectives are being achieved in a timely and effective manner. The Project Board will meet on a fortnightly basis. The aim of the Project Board is to act as the formal body to supervise the tendering of the service carrying out the key functions below;

- a. Supervise the redesigning of the current service so as to ensure that it will deliver the required outcomes
- b. Supervise activities across the tender process whilst ensuring required documentation is returned within specified deadlines.

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- c. Ensure that procurement is monitored and effectively follows the project plan, ensuring the tender activities are acted upon within strict deadlines.
- d. Supervise the preparation and completion of other relevant tender documents in alignment with requirements.
- e. Evaluate tender documentation to ensure compliance with the requirements of the Council's tender.

Procurement Approach

A Prior Information Notice was published in July 2023 to notify potential suppliers of this tender opportunity. Providers were invited to a market engagement event on 27th July 2023 to outline the tender opportunity and respond to questions. One to one meetings were also available to providers following the meeting. All provider questions and responses were shared with providers.

The process for this procurement will be an open procedure, adhering to the Council's Contracts Procedure Rules and the Public Contracts Regulations 2015.

TUPE will apply to this tender. Relevant workforce data (in an anonymous format) has been received from the incumbent provider and will be provided to the tenderers in the invitation to tender publication. This decision does not impact on any Council employees. The price/quality weighting for evaluation of the contracts will be 20:80. This departs from the Council's prescribed weighting of 70:30 and is considered appropriate and best value for the Council on the basis that the nature of the contract is preventative and targeted at vulnerable residents. This weighting is intended to ensure that the contract is awarded to the most suited, high quality provider to deliver the reablement services. The altered weighting has been approved via a waiver to the Council's Contract Procedure Rules by the Cabinet Member for Health and Adult Care Services.

The procurement timetable is as follows;

Stage	Timescale
Procurement Planning	June-August 2023
Invitation to Tender Published	September 2023
Evaluation	October 2023
Award	December-January 2024
Service Mobilisation	January- March 2024
Contract Start Date	1 April 2024

The new contract will be managed by a Commissioning Manager in the Joint Commissioning Unit engaging key stakeholders as appropriate.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Do Nothing

This was not deemed as a viable option as the current contract expires on 31 March 2024 and doing nothing would result in LBH not having a reablement contract in place and therefore not meeting the Care Act (section 2) statutory requirement to “provide or arrange services, resources or facilities that maximise independence for those already with such needs, for example, interventions such as reablement.”

The withdrawal of the reablement contract would have a significant impact on discharge flow at BHRUT resulting in people remaining in hospital longer than required and being at risk of a decline in their health and mobility.

2. Extend the current contract

The contract has already been extended as permitted under the terms of the contract and so this approach would contravene the Council's Contracts Procedure Rules.

3. Commissioning Reablement jointly with LB of Barking & Dagenham and LB of Redbridge

This was not deemed as a viable option as the other Local Authorities do not currently operate within the same service delivery parameters and our commissioning timelines do not align at this stage. As Havering has a statutory duty to provide this service there is a need for us proceed with this procurement exercise and explore joint commissioning services across North East London Integrated Care Board in the future.

PRE-DECISION CONSULTATION

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

Name: Sandy Foskett

Designation: Senior Commissioner and Project Manager

Signature: *S Foskett*

Date: 9 August 2023

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

This report seeks approval to procure a contract for reablement services for the reasons set out within the body of this report.

The Council has a general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The proposed procurement is in accordance with these powers.

The Council is a contracting authority for the purposes of the Public Contracts Regulations (as amended) 2015 (PCR). The value of the original contract is above the PCR threshold for Light Touch contracts (£663,540) and the contract is subject to the full rigours of PCR

The proposed route to market is in compliance with Regulation 27 PCR and the Council's Contracts Procedure Rules. Officers have also sought a waiver to amend the price quality weightings for evaluation of the tender.

FINANCIAL IMPLICATIONS AND RISKS

The current reablement contract provides 700 hours of reablement per week at a cost of £2,077,267.50 per annum. There is currently sufficient funding to fund this, the contract is funded from the Better Care Fund with an additional contribution to the Better Care Fund from Adult Social Care core budgets.

The original contract value at the start of the contract in 2019/20 was £1,815,000, inflationary increase of 5% were applied to the contract in 2022/23 bringing the annual current contract value up to £1,905,000.

An inflationary increase of 9% was awarded to the provider for the 23/24 financial year bringing the contract value up to £2,077,267.50 per annum. The additional costs were funded through the growth money that was allocated to Adult Social Care in 2023/24.

The cost of the contract over the 3 years plus 2 years' extension will be £10,386,337.50.

There is sufficient funding available to fund this contract at the current value.

In addition to the core hours commissioned, there has been additional hours commissioned from the provider to cover demand which have been funded by health.

It has been confirmed that there will be at least an additional £1 million from the ICB element of the Adult Discharge fund in 2024/25 and it has been agreed with the ICB that this can fund the additional elements of the service to meet demand and support discharge for 2024/25, however funding beyond this point is unknown and therefore the contract requires the ability for the variation.

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

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

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

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

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.

The additional service will deliver positive outcomes for older people in Havering.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no environmental and climate change implications of, and risks relating to, the proposed decision.

BACKGROUND PAPERS

Non Key executive decision for the approval to waive standard weighting for the Reablement Tender. See below link to this report:

<https://democracy.havering.gov.uk/documents/s70037/26.%20Non%20Key%20Reablement%20CPR%20Waiver%20FINAL%2026052389.pdf>

APPENDICIES

None

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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: Barbara Nicholls

CMT Member title: Strategic Director of People

Date: 12/09/23

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____