

Committee: **Social Services Scrutiny Committee**

Date of meeting: **22<sup>nd</sup> April 2021**

Report Subject: **Support at Home Services Tender and Market Performance for commissioned services with Independent providers.**

Portfolio Holder: **Cllr John Mason, Executive Member Social Services**

Report Submitted by: **Damien McCann, Corporate Director of Social Services**

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
25.03.2021		13.04.21			22.4.21			

## 1. Purpose of the Report

- 1.1 The purpose of this report is to provide Scrutiny Members with Contracts and Commissioning information relating to care and support for Blaenau Gwent citizens within their own homes. The report will inform Members of the collaboration and joint tender for Support at Home Services with Caerphilly CBC and the development and management of these services within the local market.

## 2. Scope and Background

- 2.1 In June 2018 Blaenau Gwent and Caerphilly County Borough Council (CBC) began collaborating on a joint tender to establish a framework with a list of accredited and approved registered service providers who can deliver Support at Home Services for both Adults and Children. The tender was for new business only – this meant that all existing care packages remained with the same provider thereby ensuring continuity of care to Individuals in receipt of services and to strengthen the market place gradually over time by effectively recruiting to the local workforce sector.

A project team was established to work on a contract, terms and conditions; service specification, tender documents and Provider Engagement Events for market consultation. In line with EU legislation and Corporate Standing Orders led by Caerphilly CBC, the advert went out to the open market in May 2019 and the procurement process commenced with the subsequent award of the Support at Home (SAH) framework agreement.

## 3. Options for Recommendation

### 3.1 Option 1

Members are asked to consider the detail contained in the Support at Home Tender and Market Performance Report and contribute to the continuous assessment of effectiveness by making appropriate recommendations for amendment to the report before consideration at Executive Committee.

### Option 2

Accept the report as provided.

#### 4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Corporate Plan** sets out priorities for 2020-2022 which includes:

- To demonstrate clear and visible leadership to deliver a viable and resilient Council.
- To be a strong and effective partner and collaborate where possible to deliver financial, business and community benefits.

#### 4.2 **SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014**

Part 9 of the Act provides for co-operation and partnership arrangements between local authorities for the discharge of their functions. The key aims of this includes: -

- Make more effective use of resources, skills and expertise.
- To improve outcomes and health and well-being.
- Provide co-ordinated, person centred care and support.

#### 4.3 **WELL BEING OF FUTURE GENERATION (WALES) ACT 2015**

- The Wellbeing of Future Generations (Wales) Act 2015 places a number of legal duties on public bodies in Wales in order to meet the legally binding “Common Purpose” for seven strategic well-being goals. Procurement is seen as one of the activities that can assist public bodies to achieve these goals.
- The Support at Home Service is a statutory service. The importance of providing a safe, secure and sustainable service ensures that citizens residing within the borough can remain living independently within their own homes for as long as they are safely able to do so.
- The service provision supports Individuals to achieve personal well-being outcomes; maximising people’s emotional, physical and mental well-being; promoting understanding of choices and behaviours that impact on their future health and well-being, and, protects and safeguards people who need care and support.

#### 5. **Implications Against Each Option**

5.1 The strategic approach detailed within the report pose no risk, as they have been implemented to mitigate risk.

#### 5.2 ***Impact on Budget***

There are no financial implications attached to this report.

#### 5.3 ***Legal***

The Social Services and Well-being (Wales) Act came into force on 6 April 2016. The Act provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales.

#### 5.4 ***Human Resources***

There are no human resources implications attached to this report.

## 6. **Supporting Evidence**

### 6.1 **Performance Information and Data**

Performance and data is provided within the report for the period 01/10/2019 (commencement of the contract) to 21/03/2021 (current position).

6.2 Prior to framework launch, Blaenau Gwent utilised seven block/spot domiciliary or sitting service providers. Although packages could be placed with these providers, four of them had the vast majority share of the market (88.79%), providing a high risk to the Authority if one provider could no longer support this service and returned the packages back to the local authority.

6.3 Ten providers were successful in being awarded the SAH framework in respect of Adults and three for Children's provision (two of which also provided for Adults whilst one is for Children only, eleven providers in total). Over the 18-month period since commencement of the framework, the Commissioning Team has worked effectively with all pre-contract existing providers to ensure they have retained adequate business to remain sustainable within the market, which has included the closure of some runs and creation of others in accordance with market activity. Three new framework providers have been successfully introduced to the market and have maintained business growth since their commencement on the framework. They each have stable runs in the borough and have been grown steadily by the Commissioning Team to avoid the business growing too quickly. Only one of the framework providers, a new provider, has not been introduced to the market. The Commissioning Team are not currently actively engaged with this provider due to a lack of necessity to do so e.g. hours can successfully be placed across current providers and may destabilise the market unnecessarily.

6.4 The table below demonstrates that weekly hours in the market have decreased from 5,869.75 to 5,291.75 (578 hrs per week) during the last six-month period, between 1<sup>st</sup> October 20 to 21<sup>st</sup> March 21, which is the largest decrease since the commencement of the framework. This loss of hours may be directly attributable to Winter / Covid 19 deaths along with a reduction in referrals to the brokerage service - 190 referrals awarded April to September 2020, compared to 150 from October 2020 to 21<sup>st</sup> March 2021.

The table also includes the amount of fees paid to each Provider since the commencement of the framework, 01/10/2019 to 21/03/2021.

<b>PROVIDER</b>	<b>01/10/20</b>	<b>21/03/21</b>	<b>Fees Paid 01/10/19- 21/03/21</b>
Provider 1	871.5	741.5	<b>£389,838</b>
Provider 2	77.75	72	<b>£25,826</b>
Provider 3	1,213.5	1,033	<b>£494,377</b>
Provider 4	0	0	<b>£0</b>
Provider 5	191.5	194.5	<b>£81,557</b>
Provider 6	1,634	1,402.5	<b>£618,639</b>

Provider 7	1,335	1,139.25	<b>£528,960</b>
Provider 8	320	368	<b>£139,120</b>
Provider 9	130	152.25	<b>£66,933</b>
Provider 10	16	16	<b>£24,101</b>
Provider 11	80.5	172.75	<b>£48,618</b>
<b>Total Hours / Fees</b>	<b>5,869.75</b>	<b>5,291.75</b>	<b>£2,417,969</b>

6.5 Overall, the market shares of the main four pre-contract existing providers, has decreased since the commencement of the framework, therefore reducing the risk to the Authority. However, they currently remain the four largest providers in the borough and retain significant market share (81.57%).

#### 6.6 **Pre-contract (Existing) Framework Providers**

##### Provider 1

Business has decreased by 35% since commencement of framework. Currently work across the borough with both single and double handed runs.

##### Provider 2

Business has decreased by 48% since commencement of framework. Currently only bid for respite at home packages.

##### Provider 3

Business has decreased by 14% since commencement of framework. Currently work across the borough with both single and double handed runs.

##### Provider 4

Business with Provider 4 terminated during the tender process due to a change in direction of the organisation which resulting in handing back domiciliary care hours to the Authority. In 2020 during the pandemic the Commissioning Team worked with the provider and other framework providers in order to seek potential alternative providers for the Individuals concerned. All hours successfully transferred to Provider 11, with a small staff team transferring under TUPE arrangements, retaining continuity of care.

##### Provider 5

Business has decreased by 53% since commencement of framework. Currently work across the borough with both single and double handed runs.

##### Provider 6

Business has decreased by 20% since commencement of framework. Currently work across the borough with both single and double handed runs.

##### Provider 7

Business has decreased by 8% since commencement of framework. Currently work across the borough with both single and double handed runs.

## **Post-contract New Framework Providers**

### Provider 8

Business grown from 0 hours to 368 hours – Single and double handed runs in Ebbw Vale and Brynmawr areas only.

### Provider 9

Business grown from 0 hours to 152.25 hours – Single handed runs only, work across the borough.

### Provider 10

Tendered and on framework for Children's care packages only. Business grown from 0 hours to 16 hours (One care package in Brynmawr area).

Due to children's packages being a very minimal element of business across the market (currently only two children packages commissioned), only one package has been commissioned with Provider 10, in October 2019. The Provider who also delivers Support at Home services for both Adults and Children in Caerphilly, have made a business decision to withdraw from the market to focus on their supported living services. The Commissioning Team are currently working on the transfer of the commissioned package.

### Provider 11

Business grown from 0 hours to 172.75 hours – Currently only single runs but open to double handed packages - looking to further expand business across the borough from Tredegar to Abertillery town.

6.7

### **Fees**

The fee rate for each Provider is comprised of total operating costs involved with care delivery so is a reflection of the actual cost of providing care per hour/or portion of hour.

The fee rate ensures that care workers are paid equivalent to or above the National Living Wage (NLW) and this is incorporated into the monitoring of the Provider by the Commissioning Team. An annual uplift is awarded each April to ensure that the NLW for care workers continues to be met and is affordable to each care agency.

2019-20 Annual uplift of 5.9% awarded which Providers received from 01/04/2019 to 30/09/2019; then fee rate payment for the period 01/10/2019 to 31/03/2020 as submitted as part of the tender process;

2020-21 Annual uplift of 3% awarded

2021-22 Annual uplift of 2.3% awarded which is just above the inflation rate and increase to the NLW of 2.2%.

As the table of average hourly fees below demonstrates, the cost of Support at Home services has increased following the tender, however, the overall costs are comparable as the tender removed additional varying fee rates for weekends and Christmas/New Year holiday periods. The increase also

supports Welsh Government legislation and Care Inspectorate Wales standards for the domiciliary care workforce to be registered as professional care staff working in a regulated service. This aims to recruit and retain an appropriately qualified and recognised workforce within the care sector.

### **Average Hourly Fee Rates**

	<b>2019-20 Pre-tender</b>	<b>2019-20 Post-tender</b>	<b>2020-21</b>	<b>2021-22</b>
<b>Day Rate</b> (6.00 am - 11.59 pm)	£15.44	£17.57	£18.09	£18.51
<b>Night Rate - Hourly Rate</b> * (Applicable to Respite at Home Service only i.e. overnight service)	£14.78	£17.70	£18.23	£18.65
<b>Bank Holiday Day Rate</b> (6.00 am - 11.59 pm)	£24.16	£35.13	£36.18	£37.01
<b>Bank Holiday Night Rate</b> * (Applicable to Respite at Home Service only i.e. overnight service)	£23.37	£33.85	£34.87	£35.67

### 6.8 **Response to the Pandemic**

- Contracts & Commissioning has been critical throughout the pandemic with team members working mainly at home whilst also preserving a presence in the office to maintain an essential service.
- The Team Manager and Contract Monitoring Officers have continued to support and contribute to safeguarding strategy meetings and processes.
- The Commissioning Team has successfully worked in partnership with providers to ensure Support at Home services have continued to be delivered to the Citizens of Blaenau Gwent.
- The team has worked in partnership and supported Senior Officers, Environmental Health, Aneurin Bevan University Health Board and Public Health Wales in order to ensure safe delivery of care by providers throughout the pandemic.
- Providers have been kept updated with guidance and legislative requirements e.g. PPE; testing; visiting; Lateral Flow Device Testing, and arrangements for the provision of these items to providers have been made by the Commissioning Team.
- Financial Support provided by Welsh Government via the Authority such as the temporary fee uplift; care workers special payment; Statutory Sick Pay Enhancement Scheme, have been managed and administered by the Commissioning Team.
- The Commissioning Team successfully covered a large number of hours handed back by a provider who could not fulfil the calls due to the number

of care workers who had contracted covid-19 or isolating due to contact with another person who had. This was over a two-week period with 25 Individuals with 134 calls being affected in the first week alone. This took intense work by team members with extensive negotiation with other providers, both external and internal.

- The two Brokers have delivered an efficient brokerage service to both care managers and providers, making referrals to providers and awarding care packages, facilitating increases and decreases to the packages and hospital admissions and discharges, to ensure safe and appropriate care for Individuals whilst following contractual call-off procedures to manage the market and providers' commissioned hours.
- As well as work involved directly with the pandemic (as above) the Commissioning Team has continued to undertake normal day to day operations such as monitor provider's performance and standards of care delivery; receive concerns and work to resolve them; novate contracts; work with provider resulting from sale of company; work with provider and care managers on decommissioning of a service; contribute to systems review within the service; recruitment to vacant post etc.

#### 6.9 ***Expected outcome for the public***

The Commissioning Team continues to work closely with all providers, gaining information on capacity within each run they have, ensuring up-to-date information and knowledge of runs in each area of the borough. This information includes workforce information relating to recruitment and sickness. Where demand requires creation of a new run, collaborative work is undertaken with providers to grow in the appropriate area, ensuring where possible, that capacity is made available.

#### 6.10 ***Involvement (consultation, engagement, participation)***

The Social Services and Well-being (Wales) Act 2014 looks to build and strengthen on existing arrangements by involving service users, carers and other key partners where possible in helping shape and influence future design of services.

#### 6.10 ***Thinking for the Long term (forward planning)***

The Support at Home Services contract is for a period of 5 years, from 1<sup>st</sup> October – 30<sup>th</sup> September 2024, with an option to extend for a further 5 years, with the aim of:

- Securing stability within the local market.
- Allowing commissioning from an increased number of Providers sitting on the framework which will assist with the spread of risk to the Council e.g. Provider failure.
- Increased choice for the citizens of BG.

#### 6.11 ***Preventative focus***

Providing this report and the level of detailed information enables Members to ensure risks are identified and acted on.

6.12 ***Collaboration / partnership working***

The Commissioning Team Manager and Contract Monitoring Officers continue to work closely with the Regional Gwent Partnership, other Gwent Commissioners and ABUHB.

6.13 ***Integration (across service areas)***

Co-operating and working in partnership together reflects Part 9 of the SSWBA which seeks to improve outcomes and well-being of people, improving the efficiency and effectiveness of service delivery and, makes more effective use of resources, skills and expertise.

6.14 ***EqIA***

*Not applicable.*

7. **Monitoring Arrangements**

7.1 The performance of the department is monitored throughout the financial year from April to March and reported to the Social Services Scrutiny Committee.

**Background Documents /Electronic Links**