

Cabinet

16 January 2024

Gateway 3 Contract Award: Support to Live at Home Service

Portfolio Holder: Councillor Teresa Murray, Deputy Leader of the Council

Report from: James Williams, Director of Public Health

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Registered Services
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Procurement Overview

Total Contract Value: £50 million

Project Budget: N/A

Contract Term: 48 months

Summary

This report seeks permission to award the procurement of the Support to Live at Home framework agreement which includes the provision of Homecare and Extra Care services.

1. Recommendation

1.1. It is recommended that the Cabinet agrees to award places on the framework agreements to the providers named in 1.2 of the Exempt Appendix as these providers have been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation spreadsheet attached at Annex A to the Exempt Appendix.

2. Suggested reasons for decisions

2.1. The award of the framework agreements for the Support To Live At Home Service will deliver a Homecare and extra care service that will enable the following:

- High Quality – enhanced service for Medway residents.
- Outcomes Focused Care – to ensure the care received meets the service users' desired outcomes.

- Ongoing Development - the ability to continuously develop the service, in line with innovative approaches.

3. Background Information

3.1. Budget and Policy Framework

- 3.1.1. The recommissioning of the Support to Live at Home framework meets the council's core values, strategic priorities, statutory obligations and departmental / directorate service plans as detailed below. The framework agreement will commence on 1 April 2024 and end on 31 March 2028. This service is funded through existing adult social care budgets. The latest budget monitoring forecasts an overspend of £7.3million. This will need to be dealt with as part of the budget build for 2024/25 along with any additional pressures around uplifts to current contracts.
- 3.1.2. Medway Council's Strategy 2023-2024 sets out the Local Authority's overarching aims and priorities. Under the vision for people, Medway Council has set outcomes and goals to support residents to realise their potential. This framework agreement will incorporate the outcomes: improving everyone's health, reducing inequalities and improving support for vulnerable adults by working with partners and communities.
- 3.1.3. The Support to Live At Home service will assist in delivering the following Medway Council strategies: Adult Social Care Strategy, People Strategy, Joint Health and Wellbeing Strategy and the Ageing Well Strategy. The role the contracted providers play in the delivery of these strategies as a key local stakeholder will be defined within the service specification.
- 3.1.4. The delivery of Homecare and Extra Care services contributes to meeting Medway Councils Adult Social Care vision of:
- **Prevention:**
We will focus shared learning and build on evidence-based interventions that can help to prevent avoidable demand on statutory health and care services.
 - **Early intervention and recovery:**
We will proactively work with individuals, families, and other agencies to help people who have experienced ill-health or crisis to recover as quickly as possible, reducing their ongoing needs and helping them return home.
 - **Enablement:**
We will work on the assumption that people want to be enabled and supported to live independently at home and access employment

when possible, ensuring that residential care is only used when there is no alternative.

- Safeguarding:
We will place the right of all adults to live their lives free from harm, abuse, and neglect at the heart of everything we do.

3.2. Background Information and Procurement Deliverables

- 3.2.1. Medway provided Homecare and Extra Care to approximately 1250 people, delivering 495,000 hours of care and support during 2022/23.
- 3.2.2. The Support to Live at Home Service provides care and support to eligible vulnerable individuals to enable them to remain living independently in their own homes. The service will be delivered by local care workers in collaboration with social work teams, health care services and third sector providers to provide a holistic person-centred package of support.
- 3.2.3. The aim of the service is to provide good quality care and support that has health benefits by enabling people to live how they normally would at home. It provides tailor made care packages that promote independence, which positively affects mental and physical well-being.
- 3.2.4. Additionally, the service will place emphasis on maintaining and improving physical needs through enablement-based care practices to support people to live as independently as possible.
- 3.2.5. This service will provide care and support to people in their own home and to those living in the five Medway Extra Care schemes and will cover long term care and enablement care.
- 3.2.6. Homecare is provided where there is an assessed need for the service and a financial assessment is made to determine the contributions towards the cost of care payable by the service user.
- 3.2.7. A failure to facilitate a supply of good quality Homecare and Extra Care services could result in a high number of admissions to residential care and hospital which has a greater financial cost. This can also cause a negative impact on a person's physical and mental wellbeing.
- 3.2.8. Additionally, a lack of Homecare and Extra Care may also affect the ability to discharge patients from hospital in a timely manner which can lead to an increase in delayed transfers of care and cause patients to decondition. It is a responsibility of Medway Council within the Health and Care Partnership and Kent & Medway Integrated Care System to facilitate timely discharges. This is also a key enabler in the delivery of the Better Care Fund Plan 2023 / 2025.
- 3.2.9. Nine Homecare providers were appointed on the current Homecare Framework. Note: A provider may deliver care in more than one locality area. These providers deliver long term and enablement homecare

services. Homecare packages are allocated to the most suitable provider following a referral being sent to all providers on the framework.

3.2.10. Homecare is commissioned on a locality-based model mirroring the structure of Adult Social Care. Homecare providers are allocated to work in the three locality areas, with packages of care allocated to providers based in that location. The three Adult Social Care localities are as follows:

- Locality 1 - ME7 & ME8
- Locality 2 - ME4 & ME5
- Locality 3 - ME1 & ME2 & ME3

3.2.11. Five providers are currently appointed in each of the three localities to deliver homecare service on behalf of Medway Council.

3.2.12. The Adult Social Care Locality Model is detailed below:

Locality 3 ME1 / ME2 / ME3 5 Locality based Homecare Providers Population 18-64 & 65+ 100,841	Locality 2 ME4 / ME5 5 Locality based Home Care Providers Population 18-64 & 65+ 79,574	Locality 1 ME7 / ME8 5 Locality based Home Care Providers Population 18-64 & 65+ 99,458
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Locality 1 ME7 & ME8	Locality 2 ME4 & ME5	Locality 3 ME1 & ME2 & ME3
Hempstead and Wigmore	Rochester West and Borstal	Strood Rural
Rainham Southeast	Rochester East and Warren Wood	Hoo St Werburgh and High Halstow
Rainham Southwest	Fort Pitt	Strood North and Frindsbury
Rainham North	Fort Horsted	Strood West
Twydall	Princess Park	Cuxton Halling and Riverside
Watling	Wayfield and Warren Wood	All Saints
Gillingham South	Lordswood and Walderslade	
Gillingham North	Luton	
	St Marys Island	
	Chatham Central and Brompton	

3.2.13. Extra Care is a housing scheme for people aged 55+ which consists of self-contained apartments owned or rented by individuals or couples. Extra Care schemes allow for the provision of care and support in a safe, community-based setting. Tenants or shared owners can retain their independence within their own home with the reassurance of

having staff on site 24 hours a day, 365 days a year, to provide emergency care and ongoing planned daily support.

3.2.14. There are five Extra Care schemes located in Medway:

- Bellerophon House, Rochester
- Montgomery Court, Wainscott, Rochester
- Prospect Place, Gillingham
- Atlas Place, St Marys Island, Gillingham
- Rogallo Place, Rochester

3.2.15. Currently there are three providers delivering extra care in the five Extra Care schemes across Medway.

- Provider 1 – Bellerophon House
- Provider 2 – Atlas Place and Rogallo Place
- Provider 3 – Montgomery Court and Prospect Place

3.2.16. The commissioning of the 2020 – 2024 contracts incorporated a different delivery method. Care previously was delivered as time and duration for example 8:30 am for 30 minutes. The current service is provided as a basket of hours. A 'basket of hours' approach gives providers a weekly number of hours to meet a service users desired outcomes rather than a prescriptive time and duration plan. The emphasis is the placed on the provider to work with the individual to plan when and how care is delivered.

3.2.17. This approach gives service providers the freedom and flexibility to provide care in way that is responsive, enabling and meets the changing needs of the individual. It also gives the service user greater input to how and when their care is delivered. The same service delivery model will be used for the 2024-2028 Framework Agreement.

3.2.18. Individuals are assessed by Adult Social Care Teams who determine the service users desired outcomes. These outcomes are set in collaboration with the service user and includes input from family and non-paid carers. Service user outcomes are sent to providers as a care referral.

3.2.19. The service provider meets with the service users and the details of the care package are discussed and implemented giving the service user greater involvement in the delivery of their individual care plans.

3.2.20. This places emphasis on the provider to work with the individual to plan when and how the care is delivered. This approach allowed providers to provide care in way that is responsive, enabling and continues to meet the changing needs of an individual.

3.2.21. Providers will be required to actively ensure the Service users desired outcomes are achieved. These could include, but are not limited to managing and maintaining nutrition, maintaining personal hygiene, managing toilet needs, being appropriately clothed, being able to make

use of the adult's home safely, maintaining a habitable home environment, developing and maintaining family or other personal relationships, accessing and engaging in work, training, education or volunteering, making use of services in the local community, including public transport, and recreational facilities or services.

- 3.2.22. Providers will be required to operate an Electronic Call Monitoring (ECM) system. ECM systems provide real time data about the care provided through the logging of care calls and provide the ability to track and monitor outcomes.

3.3. Parent Company Guarantee/Performance Bond Required

- 3.3.1. As set out within the Council's Contract Procedure Rules, a Parent Company Guarantee or Performance Bond is required for all Supplies (Goods), Services and Works contracts, over £250,000 unless otherwise agreed by the Council's Monitoring Officer in conjunction with the Council's Chief Finance Officer as part of the Procurement Gateway Process for Category B procurements.

- 3.3.2. Within the Gateway 1 Report commissioners requested that the requirement for a Parent Company Guarantee or Performance Bond be waived for this procurement based on the additional costs to bidders who may be deterred from participating in the procurement process. This was agreed by the Director of People on the 28 June 2023.

4. Procurement Process

4.1. Procurement Process Undertaken

- 4.1.1. This service has been commissioned on a four-year framework, with one framework for Homecare services and one framework for Extra Care services.
- 4.1.2. The establishment of the framework agreements was subject to a formal tendering process in accordance with Public Contracts Regulations and the Council's Contract Procedure Rules. An Open procedure was used to enable any potential providers to bid for the opportunity.
- 4.1.3. The procurement timetable following the gateway 1 report is set out below:

Project Phase	Action	Date
Tender Stage	Published ITT in FTS/Tender Portal	16 October 2023
	Return of Tenders	15 November 2023
	Tender Evaluations	November 2023
Gateway 3	GW3 Draft	November 2023
	GW3 CADMT	November 2023
	GW3 Procurement Board	December 2023
	GW3 Cabinet	January 2024
Contract Award	Contract Award	January 2024
Mobilisation	Mobilisation	January – March 2024
Implementation	Service go Live	April 2024

4.1.4. Homecare services (Lot 1) are split into three sub-lots to mirror the locality model used by Adult Social Care. Providers were permitted to bid for a maximum of 2 sub-lots:

- Lot 1A - Locality 1 - ME7 & ME8
- Lot 1B - Locality 2 - ME4 & ME5
- Lot 1C - Locality 3 - ME1 & ME2 & ME3

4.1.5. Extra care services (Lot 2) are split into five schemes each representing a sub-lot 2A to 2E. Providers were permitted to bid for up to the maximum of 5 lots.

- Lot 2A - Atlas Place
- Lot 2B - Bellerophon House
- Lot 2C - Montgomery Court
- Lot 2D - Prospect Place
- Lot 2E - Rogallo Place

4.2. Evaluation Criteria Used

4.2.1. The evaluation criteria for each sub-lot were based on the Most Economically Advantageous Tender (MEAT) with a composite of 70% for quality and 30% for price.

4.2.2. The first stage of the evaluation procedure sought to assess bidders' suitability, experience and standing, to deliver the requirement through a selection questionnaire. Short-listed bidders were taken forward to the second stage of the evaluation to which assessed bidders' responses to evaluation questions (quality) and price. The evaluation questions used for each Lot are set out below:

Lot 1 - Homecare	Weighting (Total – 70%)
Question 1: Service Delivery Ability to deliver homecare services. • How you support individuals with their care and wellbeing needs, include how you devise support plans and the	25%

<p>continuing monitoring of these plans.</p> <ul style="list-style-type: none"> • How you deliver safe, supportive person-centred care to service users to ensure that people's preferences, needs, and values are met. • How you report and monitor the service users outcomes • Any innovative approaches to service delivery that your organisation has adopted in light of new or emerging commissioning strategies, changes in legislation or any other national trends. • Detail how your organisation intends to continue future development to ensure that services remain fit for purpose and continues to meet Service Users emerging needs. • Provide how your organisation has supported service users to access assistive technology equipment aids and adaptations and how this has enabled the service user to maintain or improve their health and care needs. • Provide details of the IT systems your organisation utilises so as to enable effective and efficient service delivery 	
<p>Question 2: Staffing and Workforce</p> <ul style="list-style-type: none"> • A description of the roles and responsibilities of management, office staff and care workers including the number/size of the workforce • The experience, training, and qualifications requirements of management personnel and care staff. • How your organisation recruits and retains employees along with your workforce development strategy, including staff training, staff development and supervision. • Details of how your organisation builds workforce resilience. • Provide full details of your policies and procedures for ensuring continuity of care during instances of service disruption (for example, Christmas, bad weather, unplanned staff absence etc). Staffing and Workforce 	20%
<p>Question 3: Partnership Arrangements</p> <p>Provide a description of any partnership arrangements you may have with other stakeholders, examples of such stakeholders could be but not limited to:</p> <ul style="list-style-type: none"> • Other Service Providers • NHS Services • Voluntary Community Organisations • Healthy Lifestyle Services • Third Sector • Universal Services • Provide details of how your organisation implements measures to ensure that service users do not suffer from loneliness or Social Isolation. • Detail how you ensure you meet an individual's care needs and support needs in relation to their preferred activities such as shopping trips, regular visits to other local community events and clubs etc. • Provide details any social prescribing methods that you utilise. 	10%

<p>Question 4: Safeguarding Adults</p> <ul style="list-style-type: none"> • Provide details of how your organisation support the adults within your care to ensure the principals within the Care Act 2014, and relevant safeguarding legislation are met. Examples of relevant legislation include, but are not limited to: Safeguarding Vulnerable Groups Act 2006 Health and Social Care Act 2012 Data Protection At 2018 Equality Act 2010 Human Rights Act 1998 • Provide details of how your organisation works in accordance with policies, procedures and guidance published by the Kent and Medway Safeguarding Adults Board. Reference should be made to your organisations Safeguarding policies and procedures 	15%
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Lot 2 – Extra Care	Weighting (Total – 70%)
<p>Question 1: Service Delivery Ability to deliver homecare services.</p> <ul style="list-style-type: none"> • How you support individuals with their care and wellbeing needs, include how you devise support plans and the continuing monitoring of these plans. • How you deliver safe, supportive person-centred care to service users to ensure that people's preferences, needs, and values are met. • How you report and monitor the service users outcomes • Any innovative approaches to service delivery that your organisation has adopted in light of new or emerging commissioning strategies, changes in legislation or any other national trends. • Detail how your organisation intends to continue future development to ensure that services remain fit for purpose and continues to meet Service Users emerging needs. • Provide how your organisation has supported service users to access assistive technology equipment aids and adaptations and how this has enabled the service user to maintain or improve their health and care needs. • Provide details of the IT systems your organisation utilises so as to enable effective and efficient service delivery 	25%
<p>Question 2: Staffing and Workforce</p> <ul style="list-style-type: none"> • A description of the roles and responsibilities of management, office staff and care workers including the number/size of the workforce • The experience, training, and qualifications requirements of management personnel and care staff. • How your organisation recruits and retains employees along with your workforce development strategy, including staff training, staff development and supervision. 	20%

<ul style="list-style-type: none"> • Details of how your organisation builds workforce resilience. • Provide full details of your policies and procedures for ensuring continuity of care during instances of service disruption (for example, Christmas, bad weather, unplanned staff absence etc). Staffing and Workforce 	
<p>Question 3: Partnership Arrangements</p> <p>Provide a description of any partnership arrangements you may have with other stakeholders, examples of such stakeholders could be but not limited to:</p> <ul style="list-style-type: none"> • Other Service Providers • NHS Services • Voluntary Community Organisations • Healthy Lifestyle Services • Third Sector • Universal Services • Provide details of how your organisation implements measures to ensure that service users do not suffer from loneliness or Social Isolation. • Detail how you ensure you meet an individual's care needs and support needs in relation to their preferred activities such as shopping trips, regular visits to other local community events and clubs etc. • Provide details any social prescribing methods that you utilise. • Provide detail how your organisation would ensure all residents are included socially within the Extra Care Scheme and / or the wider locality activities. • Medway Council are looking for Providers to show innovation in what they can offer those residents within their schemes, please provide information relating to the types of activities you have provided or would provide within a scheme so as to improve a service users wellbeing and enable them to socialise. • The service operates in partnership with a Housing Provider who is the landlord of the Extra Care scheme. Please ensure you include references to the frequency of meetings between care and housing provider and how your organisation will work with any community based onsite service such as the restaurant 	10%
<p>Question 4: Safeguarding Adults</p> <ul style="list-style-type: none"> • Provide details of how your organisation support the adults within your care to ensure the principals within the Care Act 2014, and relevant safeguarding legislation are met. Examples of relevant legislation include, but are not limited to: Safeguarding Vulnerable Groups Act 2006 Health and Social Care Act 2012 Data Protection At 2018 Equality Act 2010 Human Rights Act 1998 • Provide details of how your organisation works in accordance with policies, procedures and guidance 	15%

published by the Kent and Medway Safeguarding Adults Board. Reference should be made to your organisations Safeguarding policies and procedures	
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4.2.3. Providers were ranked according to their total evaluation scores for each sub-lot. An understanding of the current market conditions along with the volume of referrals has been considered when deciding the final number of providers in each locality.

4.2.4. The capped rates applied to the tender of £20.32 per hour for Homecare and £18.00 per hour for Extra Care were agreed by the Assistant Director for Adult Social Care and Chief Operating Officer prior to advertisement. These capped rates were determined based on next year's financial envelope for Homecare and Extra Care services.

4.3. Contract Management

4.3.1. Contract management will be the responsibility of the Adults Partnership Commissioning Team and the Programme Lead for Accommodation and Registered Services.

4.3.2. Contract management and performance management will be supported by the Quality Assurance Team (Adult Social Care).

4.3.3. The contracts include Key Performance Indicators (KPI) which supports the Priority, Healthy and Active Communities, in particular 'embedding Make Every Contact Count (NHS Health Education England's approach to behaviour change)'.

4.3.4. KPI's for both Homecare and Extra Care providers are outlined within the Service Specification(s) within the Exempt Appendix.

5. Risk Management

Risk Description	Risk Category	Likelihood	Impact	Plans to Mitigate
Suppliers may bid at a high price meaning the cost of the service increases significantly, or may decide not to bid due to price caps placed on tenders	Financial	B	2	Price caps have been put in place as part of the tendering process. These caps will be guided by information from other local authorities and intelligence relating to the true cost of care, however ultimately these will be determined by Medway Council budgets. Robust financial review of

Risk Description	Risk Category	Likelihood	Impact	Plans to Mitigate
				tender submissions will be undertaken and prices will be discussed at contract management meetings.
Failure to attract sufficient successful bids	Procurement	D	2	The provider market was kept informed of the Council's commissioning intentions and timelines. There was a consultation period and market engagement event for providers to capture their input and address any concerns they may have about the procurement. This has enabled commissioning officers to gage the level of interest being expressed.
Provider fails to fulfil contractual obligations	Contract Delivery	C	2	Commissioners will work in partnership with providers to ensure early identification of issues. Contract management will be robust and performance reviews will be conducted regularly. Other stakeholders including social workers and the Business & Intelligence Team will support the management of the service

Risk Description	Risk Category	Likelihood	Impact	Plans to Mitigate
Unsuccessful bidders slowing down the process by challenging award decision	Legal	D	2	Robust procurement process in line with best practice and Public Contracts Regulations 2015
The service fails to deliver the quality outcomes set, therefore affecting community and stakeholder perception of the Council	Reputational	D	3	Regular contract management and performance reviews. Outcomes are set to reflect the framework ratings of the CQC. Medway Council's Quality Assurance measures within the QA team also ensure providers deliver the service in a safe manner that meet the required standards and outcomes.

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

6. Service Implications

6.1. Financial Implications

6.1.1. The procurement requirement and its associated delivery as per the recommendations will be delivered from existing revenue budgets. The latest budget monitoring forecasts an overspend of £7.3million. This will need to be dealt with as part of the budget build for 2024/25 along with any additional pressures around uplifts to current contracts.

6.1.2. Should there be no appointed framework agreement in place at the time of the current framework expiring, the cost of delivering care could increase significantly. Service providers will no longer be contracted to provide the service at contracted rates. This could have a significant impact on Council budgets.

6.1.3. Annual spend on commissioned Homecare and Extra care is forecast to be around £12.5-£13 million for 2023/24. Annual uplifts will need to be agreed by full Council each year and will be dependent on available funding during the budget setting process. The capped rate as part of this tender represents a headline 5% uplift on current capped rates. The new capped rate will be applied from the commencement of the contract (1 April 2024). This was agreed on the 13 October 2023 by the Assistant Director of Adult Social Care and the Chief Operating Officer.

6.2. Legal Implications

6.2.1. This procurement activity was above the Find a Tender Service (FTS) threshold and therefore an FTS notice was required.

6.2.2. The procedure gives a high degree of confidence that the Council's primary objectives for procurement are met, as required by Rule 2.2 of the Council's Contract Procedure Rules ("the CPRs").

6.2.3. Under the Council's Contract Procedure Rules, the procurement is a Process 3 procurement (Rule 18), and the process set out in this report meets the requirements for such procurements. The procurement was advertised on the Kent Business Portal, in compliance with rule 18.4 of the CPRs.

6.2.4. Medway Council has the power under the Local Government (Contracts) Act 1997 and the Localism Act 2011 to enter into contracts in connection with the performance of its functions.

6.2.5. The process described in this report complies with the Public Contracts Regulations 2015 and Medway Council's Contract Procedure Rules.

6.2.6. This report has been presented as a High Risk procurement, and therefore the Monitoring Officer, in consultation with the Procurement Board will therefore set the risk and reporting stages for the remainder of the procurement process for Gateway 4.

6.2.7. The Council has a range of statutory duties and powers to provide services to vulnerable adults such as older people, people with learning disabilities, physical disabilities, ill health and people with mental health conditions. The Care Act 2014 and statutory guidance forms the basis of statutory duties for Local Authorities, replacing the National Assistance Act 1948, the Chronically Sick and Disabled Persons Act 1970, and the NHS and Community Care Act 1990.

6.2.8. Providers are expected to deliver the services in accordance with the Mental Capacity Act 2005 and Mental Capacity (Amendment) Act 2019. Providers must maintain an insight into safeguarding guidance and legislation but should also take into account the issue of capacity and shall recognise the rights of Individuals to make personal decisions that may appear unwise.

- 6.2.9. A fundamental principle of the Care Act 2014 requires that local authorities promote an individual's wellbeing by ensuring care and support provided meets the individual's identified outcomes. Under the Act, local authorities can provide or commission services in a variety of ways, including through a Direct Payment, to meet the needs of those it assesses as eligible for services.
- 6.2.10. The Provider must remain compliant with the Care Act 2014 and comply with all relevant legislation throughout the Contract Period.
- 6.2.11. The Care Act 2104 section 1 introduces the wellbeing principle. Local Authorities have a duty to promote Wellbeing when carrying out any of their care and support functions in respect of a person. The Provider must deliver the Services in accordance with the Wellbeing Principle.

"Well-being", in relation to an individual, means that individual's well-being so far as relating to any of the following:

- a. Personal dignity (including treatment of the individual with respect).
 - b. Physical and mental health and emotional well-being.
 - c. Protection from abuse and neglect.
 - d. Control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided).
 - e. Participation in work, education, training, or recreation.
 - f. Social and economic well-being.
 - g. Domestic, family, and personal relationships.
 - h. Suitability of living accommodation.
 - i. The individual's contribution to society.
- 6.2.12. When arranging services, local authorities must ensure commissioning practices and the services delivered comply with the requirements of the Equality Act 2010, the Mental Capacity (Amendment) Act 2019 and the Human Rights Act 1998.
- 6.2.13. Homecare is only provided where there is an assessed need for the service and a financial assessment is made to determine the contributions towards the cost of care payable by the service user. The assessments are in line with Medway Council's eligibility criteria.
- 6.2.14. Extra Care Housing is available in Medway through third party providers. The Council undertakes its statutory obligation in respect of the care delivered to each tenant living within the scheme.

6.2.15. Homecare and Extra Care services support a number of outcomes within the Medway Council Plan 2023 to 2024. These include 'healthy and active communities' and 'older and disabled people living independently in their own homes'.

6.3. TUPE Implications

6.3.1. TUPE applies to the Extra Care element of this procurement process. Information regarding affected staff was obtained from the existing providers and issued with the invitation to tender. TUPE will be addressed though the three-month mobilisation period Jan – March 2024.

6.3.2. TUPE will be required if the incumbent providers of Extra Care are not awarded contracts.

6.3.3. TUPE number of employees affected per scheme:

Provider 1 Atlas Place - 24 Employees

Provider 1 Rogallo Place - 32 Employees

Provider 2 Bellerophon House - 12 Employees

Provider 3 Montgomery Court - 19 Employees

Provider 3 Prospect Place - 15 Employees

6.4. Procurement Implications

6.4.1. The total value of the proposed framework agreements meant that the procurement process was run in accordance with Public Contracts Regulations. An open procedure was conducted, and the tender accordingly advertised in the FTS.

6.5. ICT Implications

6.5.1. There are no ICT implications.

6.5.2. During the contract term Medway Council will be investing in technology that enables the uploading of Electronic Call Monitoring data. When launched, Providers will be able to upload data to the Councils Mosaic (Care Management System). The system will provide for automatic invoicing that streamlines the invoicing and payment process. The implementation is being led by Adult Social Care's System Team.

6.5.3. The system must provide accurate call data with the recording of start and finish times of each care call, number of calls carried out, the duration of all calls, abortive/ cancelled calls and be service user identifiable. This data could form the basis of Providers invoicing and payments.

6.5.4. The ECM System use by the Providers must comply with the following – GDPR, HIPAA, PCI DSS, ISO 27001, NIST, FedRamp, FISMA,

AML/KYC and ESPO Compliance and Quality Marks, and must be able to produce reports as a .csv file.

6.6. Climate Change implications

- 6.6.1. The specification for homecare and extra care requires that providers be aware of, and support, Medway Council's Climate Change Action Plan 2022. Medway Council as part of this plan have set out 11 priorities, which includes engaging with local businesses to encourage them to work towards zero net carbon target.
- 6.6.2. The specifications include a range of clauses related to climate change. In bidding for the service providers are agreeing to work towards and within these measures, they include but are not limited to the use of public transport and increasing the use of walking care workers to reduce vehicle journeys.
- 6.6.3. The service model supports this by appointing providers to certain localities within Medway.

7. Social, Economic & Environmental Considerations

- 7.1. The Providers must ensure that the principles and aims of the Public Services (Social Value) Act 2012 (SVA) are embedded into their approach with staff. The Social Value Act encourages Providers to look at how they can improve the economic, social and environmental well-being of the areas of expertise they work within.
- 7.2. Within the service specification we require providers consider the following when looking at their services with regards to the social value:
 - We will require providers to engage with communities as they seek to successfully deliver and continually improve the contract.
 - We require the providers to promote or support digital inclusion during the delivery of the Support to Live at Home Service.
 - Providers to create skills, training and apprenticeship opportunities through delivering the Support to Live at Home service. In addition to generating employment and training opportunities for the following groups; long-term unemployed, young people (including school leavers, young unemployed and / or student graduates) ex-services unemployed, people with disabilities and other groups.
 - Medway Council would like to see the provision of social value through its recruitment of local employees to positions wholly associated with this service.
 - Medway Council will require the successful Providers to explain how management of environmental issues during the service delivery will reduce or prevent significant environmental impacts.
 - Supporting the growth of responsible regional businesses through their own sustainable procurement of goods and services from the local supply chain.

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Appendices

Exempt Appendix 1

Background Papers

The following documents have been relied upon in the preparation of this report:

[Medway Adult Social Care Strategy 2021 – 2025](#)

[Medway Council People Strategy 2021 – 2025](#)

[Medway Council Joint Health and Wellbeing Strategy 2023](#)

[Medway Council Aging Well Strategy](#)

[The Care Act 2014](#)

[Mental Capacity \(Amendment\) Act 2019](#)

[Mental Capacity Act 2005](#)