

## **CABINET**

**29 MARCH 2011**

### **GATEWAY 4 PROCUREMENT POST PROJECT COMPLETION REVIEW: GENERIC FLOATING SUPPORT SERVICES**

Portfolio Holder: Councillor Tom Mason, Adult Services  
Report from: Rose Collinson, Director of Children and Adults  
Author: Ben Gladstone, Commissioning Portfolio Manager

#### **Summary**

This report provides Cabinet with a review on progress of the generic floating support service contract currently delivered through the supplier IN TOUCH.

This is based upon the procurement process which was undertaken during May - November 2009 and which led to an award of contract on 30 November 2009.

The commencement and delivery of this procurement requirement was approved by the Cabinet on 27 January 2009 and subsequent approval for contract award was provided by Cabinet at Procurement Gateway 3 on 4 August 2009.

The Children and Adults Directorate Management Team has recommended that this procurement project be approved as a Category B High Risk procurement project at Procurement Gateway 4 by the Strategic Procurement Board / Cabinet. This is because although this procurement project is a Services Category B Low Risk procurement with a total contract value between £100,000.00 - £250,000.00, there are political implications and/or service sensitivities that the Cabinet should be aware of.

These political implications and/or service sensitivities are that this service supports a number of vulnerable people to maintain their housing. The withdrawal of this service would potentially put these service users at risk of becoming homeless and entering emergency or crisis service provision

#### **1. Budget and Policy Framework**

##### **1.1 Post Project Appraisal / Contract Management**

1.1.1 This procurement post project appraisal and its subsequent review is within the Council's policy and budget framework and ties in with all the

identified Core Values, Strategic Priorities, Strategic Council Obligations and Departmental/Directorate service plans as highlighted within the Procurement Gateway 1 Report to Cabinet on 27 January 2009.

## **2. Background**

### **2.1 Contract Details**

2.1.1 This contract is a Services contract.

#### **2.1.2 Contract Description**

The aim of the generic floating support service is to provide focused, time limited and goal-orientated housing related support that:

- Assesses the specific needs of individuals and provides an agreed planned programme of support. This includes agreeing joint support planning with the service user and other agencies as applicable to enable holistic service delivery.
- Enables individuals to maximise their independence
- Enables individuals to successfully maintain their tenancy
- Facilitates access to other services in particular health and social care related services, benefits, education, training, volunteering, employment and social care liaising effectively with statutory and voluntary agencies on a collaborative basis.
- Facilitates the development of service users' identity to effectively function as citizens in the community in which they live
- Facilitates access to rehabilitation/specialist services dependent on need liaising effectively with statutory and voluntary agencies on a collaborative basis.

### **2.2 Permissions Required**

2.2.1 This report provides the Cabinet with a post project appraisal and seeks permission to continue this termed contract for remainder of the contract duration until 29 November 2012 and continue to subject the contract to further Gateway 4 or 5 reporting requirements.

2.2.2 This request is on the basis that this contract has fulfilled requirements in accordance with the service specification and associated contract terms and conditions in the first year and because no major issues have been identified which cause concern for further continued contract management reporting to the Strategic Procurement Board.

## **3. Options**

In arriving at the preferred option as identified within Section 4.1 'Preferred Option', the following options have been considered with their respective advantages and disadvantages.

### **3.1 Do nothing**

The option of doing nothing and acknowledging that the contract has continued for the remainder of the contract term without further

Gateway 5 reporting has been considered and below are the advantages and disadvantages of this option:

### **Advantages**

- Reduced burden of contract monitoring
- Allows for flexibility of service provision within overall outcomes framework
- Performance monitoring will continue to be undertaken but without the formal reporting to Strategic Procurement Board.

### **Disadvantages**

- Increased risk of underperformance of the contract due to removal of need for formal annual reporting.

## **3.2 Continue With Current Contract and Negate Any Further Gateway 4 or Gateway 5 Reporting Requirements**

The option of continuing with the current contract for the remainder of the contract term and negating any further Gateway 4 or Gateway 5 requirements has been considered and below are the advantages and disadvantages of this option:

### **Advantages**

- Reduced burden of contract monitoring
- Allows for flexibility of service provision within overall outcomes framework
- Performance monitoring will continue to be undertaken but without the formal reporting to Strategic Procurement Board.

### **Disadvantages**

- Increased risk of underperformance of the contract due to removal of need for formal annual reporting

## **3.3 Continue With Current Contract and Subject Contract to Further Gateway 4 and/or Gateway 5 Reporting Requirements**

The option of continuing with the current contract for the remainder of the contract term and subjecting the contract to further Gateway 4 and/or Gateway 5 requirements has been considered and below are the advantages and disadvantages of this option:

### **Advantages**

- Closer scrutiny of current service provider
- Identification of synergies and duplication across other supported housing services
- Lessons learnt considered and suggestions for service re-modelling can be subjected to formal stakeholder consultation

## Disadvantages

- Repetitive information presented to Strategic Procurement Board.

### 3.4 Other alternative options

No alternative options have been identified.

## 4. Advice and analysis

### 4.1 Preferred Option

Further to an extensive review of procurement options as highlighted within Section 3 'Options' above, the following preferred option is recommended to the Cabinet;

### 3.3 Continue With Current Contract and Subject Contract to Further Gateway 4 and/or Gateway 5 Reporting Requirements

This contract has been performing well over the first year of operational delivery with the initial issues concerning the transfer of clients between AMAT and IN TOUCH now resolved. However, the Commissioning Portfolio Manager considers that the service provider's performance warrants further Gateway 4/5 reporting requirements.

#### 4.1.1 Procurement Project Outputs / Outcomes

The following procurement outcomes/outputs identified as important at Gateway 1 to the delivery of this procurement requirement and identified as justification for awarding the contract at Gateway 3, have been appraised in the table below to demonstrate how the procurement contract and corresponding supplier has delivered said outcomes/outputs.

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?	How has procurement contract delivered outputs/outcomes?
1. Service users are protected from harm	Risk assessments completed for all service users prior to completion of a support plan	Contract monitoring visits to provider by Social Care Contracts Team	At annual visits via QAF framework-standards relating to risk assessment are delivered at Level B. Via quarterly performance monitoring using Workbooks. Regular reporting via interrogation of Housing Gateway system.	All risk assessments are completed prior to staff engaging with the service user.

<p>2. Service users housing related support needs are met and they are supported to meet their personal goals.</p>	<p>Up to date support plans are in place, which are regularly reviewed by service users and their support worker. Processes are established which put service users views at the centre of the support planning process.</p>	<p>Contract monitoring visits to provider by Social Care Contracts Team</p>	<p>At annual visits via QAF framework-standards relating to the support planning process are delivered at Level B. Via quarterly performance monitoring using Workbooks. Regular reporting via interrogation of Housing Gateway system.</p>	<p>Support plans are in place, with regular reviews carried out jointly with service users and support workers present. Support plans can be checked by both IN TOUCH and commissioning team on Housing Gateway.</p>
<p>3. Service users are protected from abuse</p>	<p>The right of service users to be protected from abuse is safeguarded through a series of robust policies and procedures that are subject to regular review and scrutiny.</p>	<p>Contract monitoring visits to provider by Social Care Contracts Team</p>	<p>At annual visits via QAF framework-standards relating to safeguarding are delivered at Level B. Via quarterly performance monitoring using Workbooks.</p>	<p>All staff are provided with Safeguarding Vulnerable Adults training, regularly updated. Training records are logged onto a central system.</p>
<p>4. Proper consideration is taken of the equalities and diversity aspects of service delivery</p>	<p>The service takes account of the diversity of service users and the needs of minority and ethnic groups are appropriately met.</p>	<p>Contract monitoring visits to provider by Social Care Contracts Team</p>	<p>At annual visits via QAF framework-standards relating to equality and diversity are delivered at Level B. Via quarterly performance monitoring using Workbooks.</p>	<p>Equality audits are carried out on all services and an analysis of under represented groups detailed in a report identifying actions to be taken</p>
<p>5. Service users are actively consulted and involved in planned changes to the service and around the service they receive.</p>	<p>Evidence is provided to the Contracts Team of examples of service user involvement and consultation.</p>	<p>Contract monitoring visits to provider by Social Care Contracts Team</p>	<p>At annual visits via QAF framework-standards relating to equality and diversity are delivered at Level B.</p>	<p>In Touch conducts an annual survey to gauge the views of services users across all contracts, using paper and on-line survey techniques. Outcomes from the most recent survey in 2010 found that service users rated <i>in touch</i> as 89% effective in helping them live more independently, with 71% awarding the highest score.</p>

#### 4.1.2 Procurement Project Management

No further procurement management resources or skills are required to be deployed on this contract as it is a one-off contract with no additional termed requirements and will therefore no longer be required.

#### 4.1.3 Post Contract Award Contract Management

The contract management of this procurement contract will continue to be resourced for the remainder of the contract through the following contract management strategy. The Commissioning Portfolio Manager for the Supporting People programme will undertake regular performance monitoring of this contract with support provided by the Performance and Compliance Officer. The provider will continue to submit quarterly performance returns to the Social Care Contracts Team.

#### 4.1.4 Other Issues

There are no other issues that could potentially impact the remainder of this contract term.

#### 4.1.5 TUPE Issues

Further to guidance from Legal Services, Human Resources and the Strategic Procurement Team, it was identified at Gateway 1 that as this is a Services related procurement contract, TUPE did apply.

The recommended contract award at Gateway 3 resulted in 3 employees being affected by TUPE and transferring as a result of the incumbent provider from the old contract not being successful as part of the previous procurement tender process.

Further to this, there are no further TUPE issues to consider at this stage.

### **5. Risk Management**

#### **5.1 Risk Categorisation**

This contract is classified as a high risk procurement due to the nature of the service provision. The service users often have chaotic lives and need support to maintain their tenancy. Without this service, these people would have a high risk of becoming homeless putting additional pressure on emergency services e.g. hostels and temporary accommodation.

## **6. Consultation**

### **6.1 Internal (Medway) Stakeholder Consultation**

As part of this ongoing procurement contract management, the following mandatory internal stakeholder consultation is required. IN TOUCH are committed to consulting with service users concerning any significant changes in the services provided. They also undertake annual surveys of service users satisfaction.

### **6.2 External Stakeholder Consultation**

As part of this ongoing procurement contract management, the following mandatory external stakeholder consultation is required. The Commissioning Executive Group of the Supporting People programme includes key external stakeholders including Housing Services, DAAT, Probation, Youth Offending Team and NHS Medway. As part of any re-commissioning of this service, the views of these stakeholders will be taken into account.

## **7. Strategic Procurement Board – 9 March 2011**

7.1 The Strategic Procurement Board considered this report on 9 March 2011 and recommended its approval to Cabinet.

## **8. Financial, legal and procurement implications**

### **8.1 Financial Implications**

8.1.1 There are no financial implications arising directly from the contents of this report. The current contract is operating within the budget set for the service.

8.1.2 Detailed finance and whole-life costing information is contained within Section 2.1 Finance and Whole-Life Costing of the Exempt Appendix.

### **8.2 Legal Implications**

8.2.1 This procurement contract and its associated delivery as per the preferred option highlighted at Section 4.1 'Preferred Option' and the recommendations at Section 9, has the following legal implications which the Cabinet must consider. The contract is for a term expiring on 29 November 2012. The Council could only terminate the contract in accordance with the terms of the contract, for e.g. a material breach of contract. There is no suggestion that any such breaches are occurring in this contract

### **8.3 Procurement Implications**

8.3.1 This contract and its associated delivery as per the preferred option highlighted at Section 4.1 'Preferred Option' and the recommendations at Section 9, has the following procurement implications which the Cabinet must consider.

8.3.2 Strategic Procurement has provided ongoing support and guidance for this project right from its inception.

- 8.3.3 This report is the second of an annual report required by the Contract Procedure Rules (CPR). The performance of the contract to date is reported to be doing well in line with the agreed specification and Key Performance Indicators (KPI) apart from earlier issues, which have subsequently been addressed.
- 8.3.4 Although the contract term is a long way from expiry, the client department is advised to engage the market early to ensure all potential options are fully appraised to ensure a viable solution capable of meeting user requirements is chosen.
- 8.3.5 Furthermore, consideration should also be given to the aggregation of this service requirement with similar contracts that may be procured in the future to enable the client department realise synergies and economies as opposed to the currently staggered approach. This approach will effectively address the contract management issues of running the contract with limited staff resources that could be encountered when the contract is let in the future meeting the central government agenda of “More for less”.
- 8.3.6 It is critical that lessons learned from this particular project will be made widely available to prevent a repeat of the earlier problems, which the client department encountered.

## 9. Recommendation

- 9.1 The Cabinet is asked to approve the continuation of the current contract and subject the contract to further Gateway 4/5 reporting to Strategic Procurement Board/Cabinet, as set out in paragraph 4.1 of the report.

## 10. Suggested reasons for decision(s)

- 10.1 The recommendations contained within Section 9 ‘Recommendations’ above are provided on the basis of the current service provider having achieved the outcomes set in the service specification and there being no significant risks or issues identified with current service delivery.

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## Background papers

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

<b>Description of document</b>	<b>Location</b>	<b>Date</b>
Gateway 1 Report	<a href="http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?lId=2478">http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?lId=2478</a>	27/01/09
Gateway 3 Report	<a href="http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?lId=3334">http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?lId=3334</a>	04/08/09