

Cabinet

27 August 2024

Gateway 3 Contract Award: Assessment Bed Service

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

Report from: Dr David Whiting, Deputy Director of Public Health

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Procurement Overview

Total Contract Value: £1.215M

Project Budget: N/A

FTS reference number: 2024/S 000-017581

Contract Term: 18 months + option to extend for a further 12 months

Contract Start Date: 01/10/2024

Initial Contract End Date: 31/03/2026

Extension End Date: 31/03/2027

Tender Process Overview

Process used: Open Procedure

Evaluation criteria used (Q/P): 70/30%

Suppliers expressed an interest: 43

Tenders received: 4

Parent Company Guarantee/PB Required: None

Summary

This report seeks permission to award the procurement of the Assessment Bed Service Contract.

1. Recommendation

- 1.1 It is recommended that the Cabinet agrees to award the contract to the provider named at 2.2.1 of the Exempt Appendix as they have been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation table contained within 2.1.1 of the Exempt Appendix.

2. Suggested reasons for decision

- 2.1. The procurement of the Assessment Bed Service will deliver a service that will enable the following:

Outcomes Focused Care – To ensure the care received supports the achievement of individual outcomes to maximise independence, wellbeing and choice.

Introduce an Alternative Pathway – Working alongside existing rehabilitation and reablement services, to maximise options in our local health and social care system.

Maximise Independence – For residents, who, following a stay in the service return to their own home; requiring none, or some ongoing care, or discharged into alternative accommodation in the community e.g. extra care, or residential care.

Digital Innovation/Transformation – To ensure that patients returning home are supported to remain as independent with the use of assistive technology, such as Telecare or Telehealth equipment.

3. Background Information

3.1 Budget & Policy Framework

- 3.1.1 The provision of the Assessment Bed Service is key to Medway Council achieving its strategic objective of ensuring adults maintain their independence in the community and live healthy lives.

The service also supports Adult Social Care's vision to improve outcomes for its citizens by focusing on;

- Prevention
- Early intervention and recovery
- Enabling
- Safeguarding

- 3.1.2 Within the Health and Care Partnership and Kent and Medway Integrated Care System, Medway Council has a role to play as part of the system to ensure timely discharges from acute hospitals.

- 3.1.3 The procurement has links with and reflects the related plans and strategic priorities of the Medway and Swale Health and Care Partnership (ICP), who are the ICP for Kent and Medway Integrated Care System (ICS) and those of the NHS Kent and Medway Integrated Care Board (ICB), (NHSKM).

- 3.1.4 Medway does not have any community hospitals, commissioned discharge to assess beds, or assessment beds for adults with dementia or with complex and challenging behaviours.

- 3.1.5 Discharge to assess refers to when a person who has been in an acute hospital setting is now considered medically stable. They no longer require an acute setting but do require further support and assessment to determine long term needs, or short-term support to return to independence.
- 3.1.6 Assessments for long term care and support needs should be undertaken in the most appropriate setting and at the right time for the person, which is usually not in hospital. Evidence demonstrates any additional time a person spends in hospital when they no longer require acute care can have a negative impact on the person's wellbeing and on acute provider services.
- 3.1.7 For older people experiencing complex and/or behaviours that challenge, associated with their recent acute stay, planning their discharge into an assessment bed affords a period to settle and achieve an optimal baseline prior to social care assessment(s).
- 3.1.8 A failure to facilitate a supply of assessment beds could result in higher numbers of admissions to residential care, with subsequent higher social and financial costs. Having access to assessment beds increases the ability to discharge patients from hospital in a timely manner, avoiding increased length of stays and deconditioning.

3.2 Statutory Legal Obligations

- 3.2.1 Under the Care Act 2014, Medway Council has a statutory duty to provide residential care to its residents.
- 3.2.2 The Care Act 2014 forms the basis of statutory duties for Local Authorities. A fundamental principle of the Care Act requires that local authorities promote an individual's identified outcomes. Under the Act, local authorities can provide or commission services to meet the needs of those it assesses as eligible for services.
- 3.2.3 This commissioning activity supports, NICE guidelines: Transition between inpatient hospital settings and community or care home settings for adults with social care needs (NG27), 1 December 2015, as well as the recently updated Department of Health & Social Care Statutory Guidance 'Hospital Discharge and Community Support Guidance '(updated 26 January 2024) to improve discharge pathway patient flow from acute settings.

3.3 Background Information and Procurement Deliverables

- 3.3.1 Medway Council commissioned 9 assessment beds within a new and confined unit at Victory Care Home from 8 May 2017. The contract

ended on 7 May 2021 without being extended as the assessment beds criteria did not meet Discharge to Assess (D2A) or post COVID needs.

- 3.3.2 Since the ending of this contract, older people discharged from hospital who may have benefited from a period of assessment have been placed into long-term residential care setting.
- 3.3.3 A legacy of the impact of COVID upon hospital discharge routes has led to care homes being at capacity, meaning the Brokerage Team have difficulties in sourcing placements for Medway residents needing long term care.
- 3.3.4 Whilst not a new pressure, Medway Council has difficulty sourcing placements for those with complex needs and or challenging behaviours. This difficulty has been amplified recently by the lack of capacity in the local market.
- 3.3.5 Assessment beds will provide care for up to six (6) weeks, during which time the resident settles which in turn allows Adult Social Care to better assess their long-term care requirements. Whilst assessment beds will primarily be used for older people being discharged from hospital, a small number of residents in the community will also access the service.
- 3.3.6 The intention of the service is to reduce length of stay at the acute, reduce complex needs and or challenging behaviours to a point where residents can be safely accommodated in a standard residential care placement or even discharged to their own home with a package of care.
- 3.3.7 As part of this services a dedicated social work resource will be funded to facilitate assessments, source long term care arrangements and ensure community-based services are in place to support citizens as part of the long-term care planning process.

3.3.8 The table below sets out the procurement process chronology and onward timeline dates.

Project Phase	Action	Date
	GW1 CADMT	30 January 2024
	Consultation – 10-day premarket engagement activity (EOI)	9 to 19 February 2024
	JCMG	22 February 2024
	GW1 Procurement Board	25 March 2024
	GW1 Cabinet	9 April 2024
Service Specification	Finalise Invitation to Tender (ITT) – Specification, Selection Questionnaire, Terms & Conditions, etc.	June 2024
Tender Stage	Issue ITT	7 June 2024
	ITT close	8 July 2024
	Tender Evaluations	9 – 11 July 2024
Gateway 3	GW3 CADMT	19 July 2024
	GW3 Procurement Board	12 August 2024
	GW3 Cabinet	27 August 2024
Contract Award	Contract Award	September 2024
Mobilisation	Mobilisation	September 2024
Implementation	Service go Live	October 2024

3.4 Parent Company Guarantee/Performance Bond Required

3.4.1 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 £250K unless otherwise agreed by the Council's Monitoring Officer in conjunction with the Council's Chief Financial Officer as part of the Procurement Gateway Process for Category B procurements.

3.4.2 Commissioners requested that the requirement for a Performance Bond be waived for this procurement, based on the additional costs to bidders who may be deterred from participating in the procurement process. Procurement Board agreed to waive this requirement at Gateway 1.

4. Procurement Process

4.1. Procurement Process Undertaken

4.1.1. The service has been procured using the open procedure with the invitation to tender advertised on the Find a Tender Service (FTS) and the Kent Business Portal.

4.1.2. Bidders were asked to complete a selection questionnaire (SQ) to enable an assessment of the bidders' background, technical and professional ability and financial standing. Bidders were required to pass the SQ phase. As well as the SQ bidders were asked to respond

to seven technical questions to establish quality of the service to be provided.

4.2. Evaluation Criteria Used

4.2.1. Tenders were evaluated based on Quality 70% and Cost 30%.

4.2.2. The below table illustrates the evaluation criteria used as part of the tender.

#		Question	Weighting
1		<p>Please provide full details of your ability to deliver the Assessment Bed Service in accordance with the service specification using examples of delivering previous similar services including;</p> <p>Please detail how you propose to care for individuals with a range of needs including those with; dementia, complex health needs, complex social care needs and behaviours that challenge.</p> <p>How you deliver safe, supportive, enabling care and ensure that people's preferences, needs, and values are met.</p> <p>Outline your priorities in delivering the Assessment Bed Service to improve patient flow from the acute service.</p> <p>Please outline any innovative approaches that your organisation has taken when delivering similar services.</p> <p>In addition to the above, briefly confirm;</p> <p>Please state the care home you intend to deliver the service at and provide the current Care Quality Commission (CQC) rating of this home.</p> <p>Whether you have a dedicated/separate/secure area or</p>	15%

		<p>wing of the registered care home that you can provide 8 assessment beds in.</p> <p>Within this area or wing, do you have office space available to accommodate a weekly MDT meeting for staff (4 or 5 attendees). This space may also be used for consultation purposes.</p>	
2		<p>Please provide a brief description (with a structure chart to be attached to your submission) showing the structure and staffing resource for the delivery of this service. <i>(All suppliers, except for sole traders are expected to provide this chart)</i></p> <p>Alongside the structure chart, please detail the following within the text box below:</p> <p>A description of the roles and responsibilities of management, office staff and care workers including the number/size of the workforce.</p> <p>The experience and qualification requirements of management personnel and care staff and training to support people with complex needs or behaviour that challenges.</p> <p>How your organisation recruits and retains employees, including staff development and supervision.</p> <p>Details of how your organisation builds workforce resilience.</p> <p>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).</p>	15%
3		<p>Provide a description of any partnership arrangements you may have with other stakeholders;</p>	10%

		<p>examples of 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 <p>How will you work with/engage with system partners and health professionals to meet an individual's care and support needs in relation to;</p> <p>Improving their physical health and wellbeing Improving their mental health and wellbeing Maximising independence</p>	
4		<p>Please 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 also be made to your own organisations Safeguarding policies and procedures.</p> <p>Alongside this information, please detail the following within the text box below.</p> <p>Please demonstrate how your organisation complies with the Mental Health Capacity Act 2005, and how you ensure that those within your care are free from harm, abuse and neglect.</p> <p>How will you prioritise safeguarding for everyone?</p>	10%
5		<p>Please provide details of how your organisation;</p> <p>Develops care plans that are outcomes focused. Delivers enablement focused care to everyone using the service, including</p>	10%

		details of how you will work towards increasing independence. Continuously monitor and record individual outcomes.	
6		Social Value is an important deliverable within Medway Council's procurement activities and as such, the Council has adopted the national TOMs (Themes, Outcomes and Measures) from the Social Value Portal as the foundation for identifying and generating Social Value. Bidders will be scored on the total financial offering of social value, which will subsequently form KPIs within the contract. The Council reserves the right to challenge proposals and failure to satisfactorily explain how the quantities will be delivered, will result in those elements not being included in the final evaluation and possibly a failed tender. Bidders completed the separate (ITT Document no 4a) and included it in their tender response.	10%

4.3. Contract Management

4.3.1. Contract management will be the responsibility of the Head of Adults Partnership Commissioning and Better Care Fund Lead.

4.3.2. It is proposed that the below table is used for the purpose of further reporting.

Contract Start Date	Initial Contract End Date	Extension Period in months	Reprocure Period in months	Project Extension Review (GW4) Date	End of project review (GW4) Date
01 October 2024	31 March 2026	12	9	01 October 2025	01 July 2026

For the above table, it is assumed that the:

- Extension period must be greater than the reprocure period.
- Project Extension date (if applicable) gives officers sufficient time to reprocure the service should the extension not be granted.
- End of Project date mandates officers present a contract management report to board prior to starting a new procurement process.

4.4. Post Procurement Contract Management

4.4.1. The management of the contract will be the responsibility of the Adults Partnership Commissioning Team.

4.4.2. The Provider will be required to maintain a service data spreadsheet. This will include service level data as well as citizen outcome information. Data will be reported to Medway Council monthly and collated/reported quarterly. This data will be reviewed at monthly monitoring meetings to determine provider performance.

4.4.3. To ensure the needs of the requirement are met and continuously fulfilled post award, the following KPIs form part of the contract.

#	Title	Short Description	% measurement criteria
1	Referral to assessment	Assessment time frame post referral is carried out within 4 hours	90%
2	Referral acceptance	Provider accepting or declining the referral on the same day	90%
3	Occupancy	Total bed occupancy in days	95%
4	Length of stay	Length of stay within an assessment bed < 2 weeks	10%
		Length of stay within an assessment bed 2.1 to 4 weeks	20%
		Length of stay within an assessment bed 4.1 to 6 weeks	60%
		Length of stay within an assessment bed over 6 weeks	<10%
5	Patient volume	Number of patients who pass through an assessment bed annually	88
4	Service outcomes	Patient is discharged home (with or without a package of care)	50%
5	Data capture	Completion of monthly data dashboard	95%
6	Service user outcomes	Patients/ or families report a positive experience of care	90%

5. Risk Management

- 5.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. The following table considers the significant risks arising from this report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Financial	Providers may bid at a high price meaning the cost of the service increases significantly, or may decide not to bid due to budget	<p>A price cap 'per bed per week' has been put in place as part of the tendering process.</p> <p>Robust financial review of tender submissions will be undertaken, and prices will be discussed at contract management meetings.</p>	CII
Procurement	Failure to attract sufficient successful bids	<p>The provider market will be kept informed of the Council's commissioning intentions and timelines.</p> <p>We have carried out a pre-engagement activity, where we asked providers for their Expression of Interest (EOI) in providing this service.</p> <p>This has enabled commissioning officers to gauge the level of interest being expressed.</p>	CI
Contract Delivery	Provider fails to fulfil contractual obligations	<p>Commissioners will work in partnership with providers to ensure early identification of issues.</p> <p>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.</p>	CIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
Legal	Unsuccessful bidders slowing down the process by challenging the award decision	Robust procurement process in line with best practice and Public Contracts Regulations 2015.	CIII
Reputational	Reputational	The service fails to deliver the quality outcomes set, therefore affecting community and stakeholder perception of the Council. Regular contract management and performance reviews.	CII

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate 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 funded from the Better Care Fund as agreed by the Joint Commissioning Management Group 22 February 2024.

6.2. Legal Implications

6.2.1. This procurement activity was above the 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 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 Process 3 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.
- 6.3. TUPE Implications
 - 6.3.1. TUPE does not apply to this procurement process.
- 6.4. Procurement Implications
 - 6.4.1. An open procurement process was conducted to ensure as many bidders as possible could bid for the requirements.
- 6.5. ICT Implications
 - 6.5.1. There are no ICT implications.
- 6.6. Climate Change implications
 - 6.6.1. The Assessment Beds specification requires that providers are aware of, and help to support, Medway Council's Climate Change Action Plan 2022, which has 11 set priorities, which include engaging with local businesses to encourage them to become carbon neutral by 2050.
 - 6.6.2. The specification includes 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 reducing single use plastic, waste minimalization and using alternative fuels and forms of transport.
 - 6.6.3. The service model supports this by appointing a provider to operate the Assessment Bed Service within Medway's geographical boundary.

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Appendices

Appendix 1 – Diversity Impact Assessment
Exempt Appendix – Financial Analysis

Background Papers

[Medway Adult Social Care Strategy](#)

[Medway Council People Strategy](#)

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

[Medway Council Aging Well Strategy](#)