

Cabinet

1 October 2024

Gateway 1 Procurement Commencement: Medway Integrated Community Equipment Service (MICES) Recommissioning

Portfolio Holder: Councillor Teresa Murray, Deputy Leader

Report from: Jackie Brown, Assistant Director of Adult Social Services

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Procurement Overview

Total Contract Value (estimated): £25.2m. (£2.6m p.a. Better Care Funding and an additional £200k p.a. from the Disability Facilities Fund Grant)

Regulated Procurement: Yes

Proposed Contract Term: 60 months with options to extend for two further 24-month extensions.

Summary

This report seeks permission to commence the procurement of the Medway Integrated Community Equipment Service Contract.

1. Recommendation

1.1. The Cabinet is requested to agree the procurement of Medway Integrated Community Equipment Service as per preferred option 5 identified in paragraph 7.2.1.

2. Suggested reasons for decision

2.1. Population is living longer and an increase in patient complexity.

2.2. There are longer waits for access to elective (planned) care and treatment in hospital. Social care services are seeing similar challenges, with an increase in people awaiting social care intervention and assessment. This has increased the amount and specialism of the requirement for loaned equipment being used to provide more support children and adults health and social care needs.

- 2.3. Brexit, the Suez Canal blockage, COVID-19 pandemic, the war in Ukraine and the issues of piracy in the Red Sea, had a major impact on supply and distribution costs of equipment and the cost of raw materials worldwide.
- 2.4. The cost-of-living crisis has had an impact on self-funding options for service users who are less likely now, to purchase their own equipment.
- 2.5. The provision of the loaned equipment contract includes servicing and maintaining equipment within the financial envelope. The burden of maintaining all loaned equipment serviced and maintained is increasing as demand increases annually.
- 2.6. Annual uplifts are important within the new contract to help mitigate and ensure that future increasing demands placed on this contract are met. Uplifts will not exceed the increase rate of the Better Care Fund (BCF).
- 2.7. Whilst there has been a focus on increasing collection and recycling rates, a lower funding envelope could result in no providers or limit providers bidding for this service.
- 2.8. In line with many other Local Authorities who have extended contract lengths (See Table 1) to assist providers in investing, researching, recommending and acquiring of new technologies that allows care to be carried out in a variety of ways including virtually.

Table 1

Area	Year	Initial Term	Extensions	Full Term
Kirklees	2024	5	5	10
Devon	2024	5	2	7
Essex	2023	5	2	7
Derbyshire	2023	7	3	10
Bedford, Luton and Milton Keynes	2023	5	5	10
Warwickshire	2023	5	5	10
Shropshire, Telford & Wrekin	2023	5	2	7
Cornwall	2023	5	3	8
Kent	2023	5	2	7
Wirral	2023	5	3	8

- 2.9. For future providers to want to invest in these technologies they must have surety that any investments made in new technologies, will be given time to evolve into a mature market so that returns on any investments can be realised.
- 2.10. The percentage of equipment ordered by either ASC or NHS teams fluctuates throughout the year depending on the time of year. ASC order more equipment in winter for example

- 2.11. The majority of equipment prescribed is to support individuals to live independently in the community thus improving hospital discharges and preventing hospital readmission.
- 2.12. A longer contract with appropriate non-performance clauses, would better support the introduction of new technologies and practices.

3. Budget & Policy Framework

- 3.1 Funding for this procurement will be through the Better Care Fund. The Better Care Fund operates under a Section 75 pooled budget agreement between Medway Council and NHS Kent and Medway (NHS KM)
- 3.2 The Better Care Fund is used to keep residents' needs central to any arrangements associated with their care provision by the use of loaned equipment in Medway.
- 3.3 Medway Council has a statutory duty under the Care Act 2014 (Adult Social Care Only), Chronically Sick and Disabled Persons Act 1970, Children and Families Act 2014, National Health Service Act 2006 and the Health and Safety at Work Act 1974.
- 3.4 It also supports a number of Medway Council's strategies and plans including Medway Councils Adult Social Care Delivery Plan, Long Term Plan, Climate Change Action Plan, Kent and Medway Integrated Care Strategy as well as supporting the Local Health system and local Health and Care Partnerships.
- 3.5 It supports the NHS England's Long-Term Plan by supporting personalised care to adults and children and enables them to live independently for longer in their own homes.
- 3.6 The Medway People Strategy 2021-2025 which sets a partnership approach across the system for the best possible outcomes for Medway residents, enabling residents to live independent and fulfilled lives into old age.
- 3.7 The Levelling Up the United Kingdom White Paper February 2022 aims to increase healthy life expectancy and narrow the gap between the highest and lowest areas by 2030.
- 3.8 Links to the strategic priorities of NHS Kent and Medway who are the Integrated Care Board (ICB) for the Kent and Medway Integrated Care System (ICS); as well as reflecting the related plans for the Medway and Swale Health and Care Partnership.
- 3.9 MICES supports and improves opportunities for discharge from acute hospitals, mainly Medway NHS Foundation Trust (MFT).
- 3.10 The service supports both the demand from acute hospitals referring into the Integrated Care and Reablement Service (ICRS) service and Adult Social Care providing packages of care for those patients who

have the same, reduced or new levels of care requiring support via the provision of loaned equipment.

- 3.11 The service supports Adult Social Care Occupational therapy team and Paediatric teams to deliver support to adults and children living the community to prevent, or delay, hospital admissions and the need for a social care package of care.
- 3.12 The aim of the service is to provide equipment both in the short and long term to support reablement and independence and to help adults and children living in their own homes for as long as possible.
- 3.13 It also reduces costs associated with the care of service users whilst it helps, support, prevent, reduce or delays the need for packages of care and support.

4. Background Information and Procurement Deliverables

4.1. Background Information

- 4.1.1. The aim of the service is to supply, deliver, fit, install, adjust, repair, refurbish, collect, decontaminate, recycle and dispose of items of equipment requested by authorised prescribers.
- 4.1.2. The chosen provider will have the task of procuring equipment (both standard and complex) including paediatric as requested by authorised prescribers. The equipment will meet all current standards and guidance as set by the Medical and Healthcare Product Regulatory Agency (MHRA) and identified within the NHS Controls Assurance Standards.
- 4.1.3. They will also provide on site technical advice, working with practitioners/ clinicians, attending joint visits and advising clinicians on all aspects of minor adaptations and technicalities around equipment.
- 4.1.4. Delivering the right items of equipment for daily living to service users on short or long term loan basis to service users' homes within timescales as instructed by the prescriber and authorised officer.
- 4.1.5. The service provider will support the patients long term plan by helping more people to live independently at home for longer; bring together different professionals to coordinate care better; develop more rapid community response teams to prevent unnecessary hospital spells, and speed up home discharge; improve carers equipment support and give more people more say about the care they receive and where they receive it, particularly towards the end of their lives.
- 4.1.6. To support the delivery of the NHS personalisation agenda and the social care services use of personal budgets. To deliver a service that meets the requirements of the Children and families Act 2014, which

includes equipment provision in health and social care services for eligible children, young adults and the general population of Medway.

4.1.7. To improve and maintain health and wellbeing through increased independence, choice, control, dignity and quality of life and to support the delivery of end of life care in a care environment chosen by the patient. To collect equipment from the service user's home or community setting when no longer required.

4.1.8. Reduce carbon footprint and environmental impact through recycling and using local resources.

4.1.9. To coordinate service planning through a multi-agency or multi-disciplinary plan that offers a timely, flexible, prompt and responsive service.

4.2. Procurement Deliverables

4.2.1. As part of the successful delivery of this procurement requirement, the following procurement project outputs / outcomes within the table below have been identified as key and will be monitored as part of the procurement project delivery process. (See Table 2)

Table 2

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?
1. A New Equipment loan contract	Services will be reprocured and in place by the 01/09/2025	Medway Council	Service in place on the 01/09/2025
2. Key Stakeholder & engagement will take place to support specification development	<ul style="list-style-type: none"> • Specification • Feedback from Statutory users of the service, service users and providers 	Medway Council/ Partnership Commissioning Steering Group	Procurement Board GW3 March 2025
3. Fully engaged providers	<ul style="list-style-type: none"> • Provider event held. • Feedback from current providers 	Medway Council/ Partnership Commissioning	CADMT/ JCMG & Procurement Board GW3 March 2025

4. Aligned to National and local targets within Medway	Specification and KPIs	Partnership Commissioning Steering Group	25/05/2023 & through KPI development on award
5. Medway Council will meet its statutory obligations.	Services will be reprocured and in place by the 01/09/2025	Medway Council	Services in place on the 01/09/2025
6. Climate change and social value	Specification and KPI's.	Medway Council	Procurement Board GW3 March 2025

5. Parent Company Guarantee/Performance Bond Required

5.1. A parent company guarantee may be required but this would depend on the successful bidder having a parent company.

6. Procurement Dependencies and Obligations

6.1. Project Dependency

6.1.1. This project is standalone (with no linkage to any other procurement projects or procurement programmes) or a procurement project that is dependent upon and connected to other procurement projects/ programmes.

6.2. Statutory/Legal Obligations

6.2.1. The services are embedded with other statutory and non-statutory services supporting both health and social care enabling the Council to meet its statutory obligations under:

6.2.2. The Care Act 2014 imposes statutory requirements on Medway Council:

6.2.2.1. To ensure people have access to assessment of need regarding their daily living so that they can receive a loan of equipment promoting independence for longer, preventing hospital admission, reducing care costs, or delayed hospital discharge

6.2.2.2. The Care Act stipulates under the section entitled Charging and Financial Assessment Guidance under 8.11

'The Local Authority must not charge for certain care and support which must be arranged free. This includes community equipment (aids and minor adaptations). Aids must be provided free of charge whether

provided to meet or prevent / delay needs. A minor adaptation is one costing £1000 or less'

6.2.2.3. With regard to specialist disability equipment, it states that 'specialist disability equipment must be provided free of charge by the local authority if it is part of meeting your assesses eligible needs'.

6.2.3. The Children and Families Act 2014: Requires Local Authorities to ensure that young carers caring role does not become excessive or inappropriate and the provision of loaned equipment will support this.

6.2.4. The Health and Social Care Act 2022 removes barriers which stop the system from being integrated with different parts of the NHS working better together and reduces bureaucracy across the system by joining up care for people, places, and populations.

6.2.5. Medway Council has a statutory duty under the Care Act 2014 (Adult Social Care Only), Chronically Sick and Disabled Persons Act 1970, Children's and Families Act 2014, National Health Service Act 2006 and the Health and Safety at Work Act 1974.

6.2.6. Also, a quality commissioned MICES will align with the guidance and policies from Government, NHS and Local Government Associations.

6.3. Procurement Project Management

6.3.1. The management of this procurement process will be the responsibility of the Category Management team.

6.4. Post Procurement Contract Management

6.4.1. The management of any subsequent contract will be the responsibility of the Head of Adult Partnership Commissioning.

6.4.2. To ensure the needs of the requirement are met and continuously fulfilled post award, the following KPIs that support the delivery of the project outcomes as outlined in 4.2.1 will be included in the tender and will form part of any subsequent contract. See Table 3 for KPIs.

Table 3

Title	Short Description	%/measurement criteria
Priority and Timelines	All orders delivered within set timescales as indicated within the measurement criteria.	99% within 4 hours of receiving an order
	If this is not met then the provider shall waive all service charges for all out of time episodes.	95% by 5pm next working day

Title	Short Description	%/measurement criteria
		<p>95% by 5pm by the 5th working day after the order is placed on the system</p> <p>Within reasonable time frame depending on agreed lead times</p>
Collection	<p>The collection of items no longer required. Bereavement collections 3 to 5 days</p> <p>Standard Collection 5 days</p> <p>Care Home collections (to be arranged by provider at conclusion of 6 week loan period)</p> <p>Automated telephony system requests for collections</p>	<p>99% collected within 3-5 working days after bereavement</p> <p>95% by 5pm on the 5th working day of receiving notification on the system</p> <p>98% collection from care homes</p> <p>Use of an automated telephony system to improve collection rates</p>
Stock Availability	<p>General Stock Availability</p> <p>Critical Stock Availability</p>	<p>The stock unavailability measure for all stock lines will be less than 5%</p> <p>The stock unavailability measure for critical items will be 100% or a close technical equivalent (CTE) made available</p>

Title	Short Description	%/measurement criteria
Equipment Recycling and environmental	<p>Recycling rates for standard and complex equipment.</p> <p>Any scrapped equipment to be credited</p> <p>Reporting on improvements in decarbonisation, CO2 offset and reduction and added social value</p>	<p>95% is the target for recycling stock. This includes the stripping down of equipment for parts.</p> <p>Any monies generated to be used monies to further support contract provision</p> <p>Reports to be developed during mobilisation</p>
Maintenance of Equipment	<p>All Pre-Planned Maintenance (PPM's) to be carried out as scheduled at intervals and utilising techniques correlating to all manufacturers guidelines</p> <p>Equipment under warranty</p> <p>Electrical items e.g. hoists both critical and non-critical</p>	<p>100% to be completed within 10 working days of the agreed dates set out in the maintenance schedules.</p> <p>Repairs to be completed within agreed timescales. 100% same day or a CTE made available.</p> <p>Within agreed timescales. 100% within 5 working days or a CTE made available</p>
Value for Money	Contract activities completed within specified times i.e. a timed joint visit	95% attendance of joint visits as requested and scheduled prior to 5pm, within 5 working days of

Title	Short Description	%/measurement criteria
		the order being placed
Special Equipment	<p>Order and completion of special equipment orders within defined time frames. A clear track and trace system to be in place with the expected lead time data included</p> <p>Support training of prescribers including any updates</p> <p>Attendance at weekly equipment panels and at pre-arranged equipment review groups (ERG's)</p>	<p>85% completed within 14 days unless manufacturers lead times are longer</p> <p>100% Support both digital and face to face training events both in depot and on-line.</p> <p>100% Provider Occupational Therapy support at all weekly panels and ERG's when applicable</p>
Ongoing Service User Satisfaction	Ensure the overall ongoing satisfaction rates of service users with both the equipment and the care and support received	Min 25% of service users to be contacted monthly to provide reflective practice, lessons learned and development opportunities for the service
Complaints Process and Resolutions	<p>Complaints will be monitored on an ongoing basis and shall be rated for severity, minimised with swift action and resolved as quickly as possible.</p> <p>Complaints involving other third parties e.g. subcontractors or manufacturers.</p> <p>Formal complaints</p>	<p>Monthly complaints to be less than 0.25% of total activity</p> <p>Must be fully resolved within 5 working days</p> <p>Must be responded to</p>

Title	Short Description	%/measurement criteria
		within 3 working days and fully resolved within 28 days
Items sent not fit for purpose	Items sent out damaged, dirty or not working correctly	100% replaced without charge and within 24 hours or sooner
Items lost or damaged	Items lost or damaged whilst in the possession of the provider (including in transit wherever it occurs)	100% of items whether core, specialist or non-stock items will be replaced without charge based on a new for old basis and free of charge

6.4.3. The KPI's as denoted within paragraph 6.4.2 will be monitored on an ongoing fortnightly, monthly, quarterly and annual basis. Regular reports will be provided to the appropriate forum and those not performing will be reported to the next available CADMT/JCMG meeting for discussion and for agreed remedial actions.

7. Market Conditions and Procurement Approach

7.1. Market Conditions

7.1.1 The market conditions for the procurement of a new MICES contract are highly competitive with a small number of national providers available within the marketplace.

7.1.2 Economies of scale, supply chain and data security are paramount to achieving the best value for the taxpayers of Medway.

7.2. Procurement Options

7.2.1. The following is a detailed list of options considered and analysed for this report:

Option 1 – Do nothing:

This option would mean the service would not be recommissioned and service users with loaned equipment would not be maintained, an increase in care costs and this would also mean the Council is not meeting its Statutory Obligations.

This option would free up approximately £2.2million pa of the Better Care funds (at current contract values).

Option 2 – Extend the current contract:

Not viable as the current maximum contract extension has been used.

Option 3 – Utilise a framework or existing contract to meet this need:

A framework is not a viable option for this contract.

Option 4 – Fund the statutory elements only:

Statutory services include the provision of loaned equipment t the value of £1000.00 or less. Means testing would need to be applied to all for any additional equipment costs above £1000.00 per person.

This will see savings to the BCF be displaced to core Medway Council budgets via an increase in the costs of care packages, increase in hospital admissions, delayed discharges and number of referrals for costly services and the increase in the number of residents seeking help and support, putting added pressure on services and impacting on the quality of life of local residents.

This would not be an option that would be recommended due to the potential additional costs and delays within the system and on the impact on the quality of life of our service users this could cause.

Option 5 – Open market procurement:

This will:

- Stimulate the current market.
- Recommission the MICES as approved at CADMT on 11 March 2024 and JCMG on 16 May 2024
- Use of one set of mutually agreed Key Performance Indicators (KPI's)
- A single point of contact to address relevant issues, risks and opportunities.
- Strategic outcomes achieved by effective collaborations working relationships.
- Maximise the use of community resources
- Improvement in the reuse, recycling and collection of all community loaned equipment by a targeted ongoing campaign with all key stakeholders and partners.

- Demonstrate best value for money

7.3. Contractual synergies

7.3.1. There is an opportunity for the current Tissue Viability and Wound Therapy Service (TVWTS) equipment element to sit within the MICES contract. At the time of writing this report insufficient evidence was available to make a decision on its viability due to the current governance timelines in place.

7.3.2. The tissue viability equipment within the MICES contract i.e. Airflow mattresses and high-grade pressure care above stage 3 are currently out of scope within the current contract. The data and financial information appertaining to this element of the contract are being explored alongside any process changes required and could form a variation to this contract in the future, if viable.

7.4. Advice and analysis

7.4.1 The preferred option is Option 5 to conduct a competitive procurement process. It is recommended that the contract duration will be for 60 months with two 24-month extension periods starting from 1 September 2025.

7.4.2 Analysis of the current services financial performance has identified a need for an increase in the financial envelope of approx. £300k to allow for future rises in supply chain and equipment costs.

7.4.3 A further increase in budget of £100k allows for the expected increase in equipment costs that the 'rightsizing' exercise currently being undertaken in Adult Social Care Enablement Team will require.

7.4.4 Continuation of the £200k DFG funding to support minor adaptations.

7.4.5 Agree to an annual uplift in line with the ICB uplifts that are applied to other contracts funded by the BCF.

7.5. Evaluation Criteria

7.5.1. The award criteria for the tender will be a ratio of 70% quality and 30% price.

7.5.2. Whilst not finalised at this stage, Officers propose to evaluate bidders against the following quality criteria within the tender. (See Table 4)

Table 4

#	Question	Weighting (%)	Purpose
1	Quality Explain what it takes to deliver an effective,	15%	To demonstrate the provider has the ability to keep the service relevant and current

#	Question	Weighting (%)	Purpose
	innovative and high-quality 21 st century community equipment service using a range of platforms including digital.		especially in relation to keeping track of technical innovation and advances in materials, recyclability and adaptability within the sector
2	Quality Describe the service delivery model you will use to achieve the aims, outcomes and KPIs of this contract?	15%	To demonstrate the provider understands the requirements to fulfil the functions of the service
3	Quality Describe how your service will work collaboratively in with key stakeholders and other organisations to ensure service delivery	15%	To demonstrate the provider is willing to work collaboratively with other key stakeholders within the health and care partnership.
4	Quality Demonstrate how you will support the delivery of services that address inequalities within communities and improve the social determinants of the health of the population, and what you will do support/innovate within this contract?	15%	To demonstrate providers' understanding of health inequalities and the Levelling up Agenda and how they will work to target the social detriments of health. It should also show how the services will work in collaboration to improve the local populations health, by targeting area needs to support improvement and prevention
5	Presentation To be confirmed	10%	The presentation question will be based on bringing to life the proposed service model, mobilisation and meeting the aims and objectives of the contract
6	Finance and Social Value Completed tender pricing schedule and Social Value Spreadsheet	30%	Social Value is taken as part of the 30% financial marking at 5%. It would be expected to see how the service will support the local economy, employment (Apprenticeships, volunteering, career avenues, local training options, etc) and any other social value that could be embedded within the contract.

8. Risk Management

8.1. Commissioners have evaluated the risks involved with this contract and have listed them in the table below (see Table 5).

Table 5

Risk	Description	Action to avoid or mitigate risk	Risk rating
Providers may choose not to submit bids.	Providers may choose not to submit bids for several reasons including profitability, ability to deliver and contract length. Medway could be left without a service.	Increase budget, give annual uplifts to and extend length of contract. Agreed by JCMG on 16/05/24.	DII
Commissioning timeline is not met	The commissioning timeline is not met, causing a delay in service implementation and possible service gaps, as notice will have been served on current contracts.	Regular communication between commissioners and Category Management officer to ensure timelines are followed, issues/obstacles identified and mitigated prior to causing delays.	DII
Contract is not awarded.	Insufficient number of providers submit a tender or the recommissioning time frame falls outside of the end date of the termination of the contract.	Provider engagement event held with several providers to give an outline of the contract, working in Medway and areas for development to stimulate market interest. Ensure all key governance dates are met.	DI
Budget overspends	MICES core and special equipment. This is an activity-based contract therefore the cost	This part of the budget will be funded by K & M ICB. With it sitting within the MICES	CIII

	fluctuates month on month.	contract this will give opportunity to monitoring and review potential savings through supply chain.	
Inaccurate data on the system	<p>The data transfer at the start of current contract was inaccurate from the previous provider, much of the functions were paper based. E.g. equipment in care homes not registered, PPM's out of date for some time resulting in faulty equipment presenting a risk to service users and complaints, deceased services users still showing as having equipment on site, not all equipment on loan recorded to individual service users.</p> <p>Prescribers not updating contact details for service users or next of kin when placing an order.</p>	<p>Extensive work has been carried out with care homes highlighting equipment recorded at the address and collections being co-ordinated with by system generated collections.</p> <p>A data cleanse was carried out for all PPM's out of time and priority of risk raised with Medequip. They continue to be reviewed monthly.</p> <p>A data cleanse has been completed for deceased service users with equipment on site and they will be reviewed, and collections raised monthly.</p> <p>Prescribers are continually reminded of the importance of obtaining service users correct and current contact details when placing an order on the system to ensure successful collections at the end of the loan period.</p>	BIII

For risk rating, please refer to the following table (please **retain** table in final report):

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

9. Consultation

- 9.1. This report is based on the experiences of the MICES service delivered by the incumbent provider, commissioning offices, prescribing teams, prescribers, NHS and Adults Social Care colleagues and other key stakeholders.
- 9.2. This report is based on the experiences of the MICES service delivered by the incumbent provider, commissioning offices, prescribing teams, prescribers, NHS and Adults Social Care colleagues and other key stakeholders.
- 9.3. Commissioners have and will continue to consult with key stakeholder groups, such as Service Users, Service Providers, Prescribers, Senior Management teams and have held a provider market event as part of the commissioning process on 10 July 2024.
- 9.4. At the time of writing this report, the final evaluations of results, surveys, meetings and the engagement events will be conducted in and concluded in September 2024.

10. Service Implications

10.1. Financial Implications

- 10.1.1. The procurement requirement and its associated delivery are funded from existing revenue and capital budgets. Funding is provided through the Better Care Fund for revenue and through the Disabled Facilities Grant for capital.

10.2. Legal Implications

- 10.2.1. This procurement activity will be above the FTS threshold and therefore an FTS notice will be required.
- 10.2.2. 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").
- 10.2.3. 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.

10.2.4. 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.

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

10.2.6. This report has been presented as a Process 3 procurement, and therefore the report must be presented to Cabinet.

10.3. TUPE Implications

10.3.1. TUPE will apply in the event a new provider is awarded the contract. Medway Council will work with the current provider and new provider to facilitate TUPE as applicable. Currently this would affect 17.73 FTE staff that are currently in the employ of the incumbent provider.

10.4. Procurement Implications

10.4.1. The new Procurement Act 2023 comes into force from October 2024. If the procurement process is commenced prior to this Act coming into force, then the preceding Public Contracts Regulations 2015 will apply to this procurement. If the procurement process is initiated when the new Act is in force, then accordingly the new regulations would apply. Due to the limited market the Open procedure is the preferred option; it should be noted that the Open procedure is available under both sets of procurement regulations and the principles are broadly the same.

10.5. ICT Implications

10.5.1. There are no ICT implications in this report.

10.6. Climate Change implications

10.6.1. Medway Council has a climate change action plan which will develop further over the coming years. Providers will be required to implement and adhere to the plan's recommendations.

10.6.2. Providers will be required to have an environment policy that aligns with Medway's declared ambition to become carbon neutral by 2050. All Council officers have a responsibility to reduce carbon emissions and improve the environmental outcomes in regard to a clean and green future.

11. Social, Economic & Environmental Considerations

11.1. In line with Medway Council's Social Value Policy, officers will include the following standard outcomes and measures (the units have also been included for illustrative purposes) within the tender. Whilst there will be no commitment for bidders to deliver against every line, the accumulative value provided by each bidder will be scored and form part of the price evaluation score.

11.2. The Social Value commitment from the winning bidder will be transposed into contractual KPIs.

Outcomes	Measures	Standard Units
More local people in employment	No. of local direct employees (FTE) hired or retained (for re-tendered contracts) on contract for one year or the whole duration of the contract, whichever is shorter	No. people FTE
More local people in employment	Percentage of local employees (FTE) on contract	%
Improved skills	No. of staff hours spent on local school and college visits e.g. delivering careers talks, curriculum support, literacy support, safety talks (including preparation time)	No. staff hours
Improved skills	No. of weeks of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+	No. weeks
More opportunities for local MSMEs and VCSEs	Total amount (£) spent in LOCAL supply chain through the contract	£
More opportunities for local MSMEs and VCSEs	Meet the buyer' events held to highlight local supply chain opportunities	£ invested including staff time
Social Value embedded in the supply chain	Percentage of contracts with the supply chain on which Social Value commitments, measurement and monitoring are required	%

Creating a healthier community	Initiatives taken or supported to engage people in health interventions (e.g. stop smoking, obesity, alcoholism, drugs, etc.) or wellbeing initiatives in the community, including physical activities for adults and children	£ invested including staff time
Carbon emissions are reduced	Savings in CO2 emissions on contract achieved through de-carbonisation (specify how these are to be achieved)	Tonnes CO2e
Sustainable Procurement is promoted	Percentage of procurement contracts that includes sustainable procurement commitments or other relevant requirements and certifications (e.g. to use local produce, reduce food waste, and keep resources in circulation longer.)	% of contracts
Social innovation to create local skills and employment	Innovative measures to promote local skills and employment to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.	£ invested - including staff time and materials, equipment or other resources

Lead Officer Contact

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Appendices

None.

Background Papers

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

Description of Document	Location	Date
Chronically Sick and Disabled Persons Act	https://www.legislation.gov.uk/ukpga/1970/44?time=16111111&time=false	1970
Health and Safety at Work Act	https://www.legislation.gov.uk/ukpga/1974/37/2022-04-21/data.pdf	1974
Environmental Protection Act	https://www.legislation.gov.uk/ukpga/1990/43/contents	1990

Children's Act	https://www.legislation.gov.uk/uksi/2005/1972/contents/made https://www.legislation.gov.uk/uksi/1996/785/made/data.pdf	1989 & 2004
Prevention and Control of Healthcare-associated Infections in Primary and Community Care	https://www.nice.org.uk/guidance/cg139/resources/healthcareassociated-infections-prevention-and-control-in-primary-and-community-care-pdf-35109518767045	2003
National Service Act	https://www.legislation.gov.uk/ukpga/2006/41/data.pdf	2006
Transforming Community Equipment Services (TCES)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/215781/dh_124196.pdf	2006
Putting People First: A Shared Vision and Commitment to the Transformation of Adult Social Care	https://www.thinklocalactpersonal.org.uk/assets/Resources/Personalisation/Localmilestones/A_shared_vision_and_commitment_to_the_transformation_of_Adut_Social_Care.pdf	2007
Aiming High for Disabled Children	https://www.pmguk.co.uk/data/page_files/publications%20and%20reports/2007/R.AiminghighforDisabledChilden.pdf	2007
Producer Responsibility Obligations (Packaging Waste) Regulations	https://www.legislation.gov.uk/uksi/2007/871/contents/made	2007
Health and Safety Executive (HSE) Legislations	https://www.legislation.gov.uk/uksi/2008/960/contents/made	2008
Waste Batteries and Accumulators Regulations	https://www.legislation.gov.uk/uksi/2009/890/contents	2009
A Vision for Adult Social Care: Capable Communities and Active Citizens	https://assets.publishing.service.gov.uk/media/5a7ce54ced915d36e95f0507/dh_121850.pdf	2010
Healthy Lives, Healthy People: Our Strategy for Public Health in England	https://assets.publishing.service.gov.uk/media/5a74fd1640f0b6360e472767/dh_127424.pdf	2010
National Institute for Health and Care (NICE)	https://www.legislation.gov.uk/uksi/2013/259/made	2012

Childres and Families Act	https://www.legislation.gov.uk/ukpga/2014/6/data.pdf	2014
The Care Act	https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted	2014
Care and Support Statutory Guidance (issued under the Care Act 2014)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315993/Care-Act-Guidance.pdf	2014
The Care and Support (Eligibility criteria) Regulations	https://www.legislation.gov.uk/uksi/2015/313/contents/made	2014
DCB1605 Accessible Information	https://www.england.nhs.uk/wp-content/uploads/2017/08/accessilbe-info-specification-v1-1.pdf	2015
Environmental Act	https://www.legislation.gov.uk/ukpga/2021/30/enacted/data.pdf	2021
Health and Social Care Act	https://www.legislation.gov.uk/ukpga/2022/31/contents	2022
Joint Commissioning Management Group – Medway Integrated Community Equipment Service (MICES) Recommissioning of the Service	https://medway2.sharepoint.com/:w:/r/sites/AdultsCommissioning/_layouts/15/Doc.aspx?sourcedoc=%7B4EC654C4-63E8-4EEA-A3C5-F779F714638E%7D&file=MICES%20JCMG%20May%202024%20Final%20SI%20and%20GT.docx&action=default&mobileredirect=true	2024