

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**Dated 15<sup>th</sup> May 2019**

**PORTFOLIO HOLDER DELEGATED DECISION**

**By**

**Councillor Stephen Hayes (Portfolio Holder for Adult Social Care)**

**REPORT AUTHOR: Dylan Owen  
Head of Transformation for Adult Services**

**SUBJECT: Development of Supported Living Framework**

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**REPORT FOR: Decision**

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**1. Summary**

1.1 In 2014, the provision of support for adults with a learning disability in supported properties was procured via a framework (expired 2015) on 5 year contracts. The existing provision comprises of 23 contracts, all due to expire between November 2019 and April 2020.

1.2 This request is for the development and procuring of a new Framework for a Supported Living service (approved List of providers) based on a new service specification.

1.3 The purpose of the Framework is to:

- Replace the previous Framework which expired in 2015 Supplier Framework.
- Pull together individual spot contracting arrangements held with external providers.
- Support adding social, environmental and economic value through good procurement practice.
- Ensure that the Council has access to consistent high quality care providers.
- Ensure that the Council secures best 'market value' in terms of cost and quality of service, driving out any potential cost savings.
- Provide a more robust mechanism to avoid non-compliance and negate use of spot contracts; thereby reducing scope for inequality of access and outcomes.
- Ensure legally compliant and transparent commissioning.

- 1.4 It is anticipated that the Framework will be procured in May2019.
- 1.5 Once the Framework is implemented, it is proposed that the Lotting and Procurement timetable options appraisal document will be submitted to Portfolio Holder for approval. This is to support the improved risk management of services, and to reduce the potential of any one provider becoming 'too big to fail'.

## 2. **Background**

- 2.1.1 The current procurement of Supported Living services from external providers is achieved through a number mechanisms including legacy individual placement agreements from the previous framework contracting arrangements and 'spot purchasing' of individual care packages.

## 3 **Proposal**

- 3.1.1 This report seeks agreement to develop and implement a 'Accommodation and Support for a Good Life (Supported Living / Supported Housing) Framework'

### Setting up the Framework

- 3.2 Setting up the Framework would be undertaken via an advertisement in the Official Journal of the European Union (OJEU), from which providers could apply to be approved by completing a prequalification questionnaire focusing on providers' financial and technical capabilities.

All providers eligible to join the Framework will be required to undertake a qualification process covering quality aspects. Financial qualification will be undertaken at the Lotting and mini competition stage which will allow for individual providers to be regularly reviewed alongside their respective financial sustainability to help maintain appropriate liquidity / cash flow.

- 3.3 Once a provider has been included on the Framework providers will then be able to bid for care packages commissioned via the Framework. Bids received for mini competitions will then be assessed using both cost and quality measures. It is proposed that this will be undertaken using the Bravo eTender Wales portal and will be fully compliant with EU procurement regulations.

The procurement process will be open, fair and transparent in compliance with the County Council's Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015.

- 3.4 The Framework will be run using Bravo (or any subsequent replacement service), therefore the system will be a fully electronic commissioning approach for setting up and maintaining a list of pre-approved providers reducing the administration required to maintain the Framework.

- 3.5 Whilst the Council would benefit from using the Framework to procure the above services in the future, the Council can choose when to use the Framework and when it would perhaps prefer to procure services through different mechanism allowing for increased flexibility where appropriate.

#### **4. Options Considered / Available**

- 4.1 On the 18<sup>th</sup> March 2019 an Options appraisal was considered by the Steering group whose membership included the following council officers:

Rachel Evans – Change Manager - Live Well  
Rachel Williams - Senior Manager- Mental Health & Disabilities  
Hazel Dukes – Senior Manager Social Care Delivery  
Jacqueline Pugh – Finance Manager – Corporate Finance  
David Moody – Strategic Commissioning Manager – Live Well  
Angela Williams – Procurement Specialist  
Samuel Evans – Contracts Monitoring Officer

The following options were considered:

**Option 1** - Develop a Dynamic Purchasing System (DPS).  
**Option 2** - Develop an Accommodation and Support for a Good Life (Supported Living / Supported Housing) Framework

#### **4.2 Preferred Choice and Reasons**

- 4.2.1 Option 2: Develop and implement a new Supported Living Framework

Please see attached **appendix 1** for full options appraisal and recommendation.

- 4.2.2 Anticipated Benefits

Having a Framework in place the procurement process will be open, fair and transparent in compliance with the County Council's Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015

**5. Impact Assessment**

5.1 Is an impact assessment required? Yes

5.2 If yes is it attached? Yes

**6. Corporate Improvement Plan**

This proposal will contribute towards the following aims and objectives:

- Contribution to the Corporate Improvement Plan although this contribution would be limited at the framework stage.
- Supporting individuals who have a disability to live independently in supported living environments supports Vision 2025
- The framework also supports The Health and Care Strategy's intention to support independent living and a choice of appropriate accommodation and support options

**7. Local Member(s)**

The proposal will affect all electoral divisions.

**8. Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

If so, please provide their comments

Impacts and mitigation has been considered and detailed within the Impact assessment

**9. Communications**

Have Communications seen a copy of this report? Yes

Have they made a comment? No proactive media action required at Framework stage.

**10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

**Legal:**

Legal: The recommendations can be accepted from a legal point of view

**Finance:**

The Finance Manager notes the content of the report and can confirm Corporate Finance are a member of the Steering group where the Options appraisal was undertaken. At this stage to develop and implement the preferred option of a framework has no cost implications.

**Commercial Services:**

Commercial Services have contributed to the option appraisal and the Steering Group and the previous framework will be reviewed to ensure that lotting and service delivery are updated to accord with future requirements. Full account will also be take of any TUPE requirements within the framework and subsequent mini-competitions.

**11. Scrutiny**

Has this report been scrutinised? YES

The Health and Care Scrutiny Committee met on 5 April 2019

**12. Statutory Officers**

12.1 The Solicitor to the Council (Monitoring Officer ) commented as follows : “ I note the legal comments and have nothing to add to the report.”

12.2 The Head of Finance (Section 151 Officer) notes the comments from Finance and Commercial services. The procurement framework will ensure that the procurement process is open, fair and transparent and is compliant with the County Council’s Standing Orders on Procurement and Contracts and the Public Contract Regulations 2015, this will provide assurance of value for money.

### 13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he/she should declare it, complete the relevant notification for and refer the matter to Cabinet for decision.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
To develop and implement a new supported living framework as outlined in the report	As set out within 4.2 and 4.2.1 of this report

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y – Engagement within budget.</b>

<b>Relevant Local Member(s):</b>	<b>N/A</b>
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<b>Person(s) To Implement Decision:</b>	<b>Dylan Owen</b>
<b>Date By When Decision To Be Implemented:</b>	<b>April 2019</b>

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