

# **Adult Social Care Scrutiny Commission Report**

## **SCE Procurement Plan 2024-2025**

ASC Scrutiny Commission Date: 29 August 2024

Lead Deputy City Mayor: Cllr Sarah Russell

Lead director/officer: Kate Galoppi

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## **Useful information**

- Ward(s) affected: All
- Report author: Michelle Larke, Head of Strategic Commissioning
- Author contact details: 454 1781
- Report version number: 2

### **1. Summary**

1.1 This report provides the Adult Social Care (ASC) Scrutiny Commission with an overview on the anticipated procurement activities to be undertaken by the Social Care and Education (SCE) department during 2024-2025.

### **2. Recommended actions/decision**

2.1 The Adult Social Care Commission is asked to note the report and to indicate if they would like more information about a particular entry and or to be involved in developing the specification, depending on where the item is in the procurement process.

### **3. Scrutiny / stakeholder engagement**

3.1 This report provides the Adult Social Care Scrutiny Commission with an overview on the anticipated procurement activities to be undertaken by the SCE department during 2024-2025.

### **4. Background and options with supporting evidence**

4.1 Appendix 1 details the anticipated procurement activities to be undertaken by the Social Care and Education (SCE) department during 2024-2025.

### **5. Detailed report**

- 5.1 As per the government's transparency code, the Procurement Plan must be published on the council's website.
- 5.2 Inclusion of a contract in the plan does not necessarily mean that the procurement will go ahead. As with all expenditure, anticipated contracts will be subject to a commissioning review and ongoing challenge as to whether they are required, and whether/how they should be procured. This review process may impact on the anticipated value and/or duration of contract.
- 5.3 More specifically, a number of contracts will include clauses for the annual review of price. Whilst this does not form a guarantee of a minimum price increase each year, the price for some contracts delivered by the Independent Sector would need to have regard to inflationary impacts on costs and/or any legislative changes which impact the cost-of-service delivery. Examples would include annual increases in wage costs such as the National Living wage and any changes to statutory minimum thresholds for employer pension contributions; and consumer

price inflation (CPI) on other non-payroll running costs. Additionally, any anticipated changes to demography linked to trends in respect of the cohort of individuals being supported through a service is also built into the forecasts of future contract costs.

5.4 The Procurement Plan informs potential suppliers of major market activity. It also provides an overview of significant procurement activity and to enable links and efficiencies to be achieved.

5.5 It is also worth noting that extensive work is being done, in collaboration with corporate procurement colleagues to ensure that as a contracting Authority we are ready for the changes brought about by both the Provider Selection Regime (PSR), which came in force in January 2024 (The PSR is a set of rules for procuring health care services in England) and rules governing public procurement. The transformation of public procurement represents a big change for all public bodies, and for us as a council. The Procurement Act (2023) and the new regime this Act introduces will go live in October 2024.

## **6. Financial, legal, equalities, climate emergency and other implications**

### 6.1 Financial implications

Inclusion of contracting activity on the attached Plan is a statement of intent and is subject to the necessary funding being available. The Plan provides a basis for challenge and a more strategic approach to achieving value for money through major procurement activity.

### 6.2 Legal implications

Each procurement activity will need to follow due process in accordance with internal and legislative requirements, with advice from ASC Procurement Services and Legal Services

### 6.3 Equalities implications

These will be considered a part of each procurement process, as appropriate.

### 6.4 Climate Emergency implications

These will be considered a part of each procurement process, as appropriate.

### 6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

## **7. Background information and other papers:**

7.1 None.

## **8. Summary of appendices:**

8.1 Appendix 1 – SCE Procurement Plan 2024-2025 Entries.

**9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

9.1 No.

**10. Is this a “key decision”? If so, why?**

10.1 No.

## Social Care and Education Procurement Plan 2024-2025 Entries

| No. | Name of Contract   | Lead Officer      | Estimated Annual Value | Estimated Full Contract Value | Anticipated Start Date | Duration of New Contract | Procurement Status   | Lead Member  |
|-----|--|-------------------|------------------------|-------------------------------|------------------------|--------------------------|--|--------------|
| 1   | <p><b>Participation Service for people 18+ (adults)</b></p> <p>(This service will facilitate the participation of people accessing support in the commissioning processes that support the design and review of adult social care (ASC) services).</p> | Leanne Karczewski | £36,000                | £180,000                      | 01/07/2025             | 3+2 Years                | Commissioners have extended this out of contract for one further and final year until 30.06.25 whilst commissioners consider further options for this service. Commissioners have undertaken extensive engagement with people drawing on support as part of this contract for example with Local Leaders and the groups that are funded, We Think, Loud-Speaker, the Autism Advisory Group and the Making it Real Group early in 2023 and in 2024. | Cllr Russell |

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| 2   | <p><b>Best Interest Assessors</b></p> <p>(Provision to carry out Best Interest Assessments under the DOLS (Deprivation of Liberty Safeguards) responsibilities under the Mental Capacity Act 2005 (MCA). The MCA DOLS exist to ensure that no one is deprived of their liberty without good reason. There are Best Interest Assessors within the Council but sometimes there is a need to use external assessors)</p> | Caroline Ryan | £150,000.00            | £300,000.00                   | 01/04/2025             | 2 Years                  | <p>Contract has been extended to 31/03/2025 whilst commissioners undertake a procurement exercise to secure these arrangements from April next year. A service review is underway with an anticipated procurement starting in the Autumn.</p> <p>Note this was delayed as commissioners anticipated the implementation of the new Liberty Protection Safeguards which was intended to replace the Deprivation of Liberty Safeguards (DoLS). However, the Government announced (April 2023)</p> | Cllr Russell |

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|     |   |               |                        |                               |                        |                          | this would be delayed, commissioners have undertaken a review to ensure this aspect of our statutory work can continue and is fit for purpose.   |              |
| 3   | <p><b>Paid Persons Representatives</b><br/> (Provision of a Paid Person Representatives (PPR) for those people who are being assessed under Deprivation of Liberty Safeguards (DOLS) and where there are no friends or family that could take this role. A PPR is appointed to protect their interests throughout the process. DoLS PPR may cover in a residential setting,</p> | Caroline Ryan | £175,000.00            | £350,000.00                   | 01/04/2025             | 1 Year                   | <p>Contract has been extended to 31/03/2025 whilst commissioners undertake a procurement exercise to secure these arrangements from April next year. A service review is underway with an anticipated procurement starting in the Autumn.</p> <p>Note – see note above re Liberty Protection Safeguards (LPS).</p> | Cllr Russell |

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|     | such as a care home or hospital or in the community)  |                    |                        |                               |                        |                          |  |              |
| 4   | <b>Adult Social Care Telecare</b><br>(Provision of telecare services)                               | Jagjit Singh-Bains | £185,715               | £1,300,000                    | To be confirmed        | 4+3 Years                | Commissioning review to be undertaken and upon conclusion procurement to be undertaken. Engagement with people who draw on support will be undertaken during any initial assessment of needs and subsequent reviews of support provided. | Cllr Russell |
| 5   | <b>Supported Living Scheme and Independent Living Scheme (TR/HR) and Move on Accommodation (TE)</b> | Caroline Ryan      | To be confirmed        | To be confirmed               | To be confirmed        | To be confirmed          | Following the procurement that was advertised commissioners are considering the next steps for Tilling and Hamelin Road in terms of the model itself and   | Cllr Russell |



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|     |   |               |                        |                               |                        |                          | the routes to procure the accommodation required. A paper will be brought through for Lead Member consideration in August 2024, this will also include anticipated plans for the move on accommodation.  |              |
| 6   | <p><b>Liberty Protection Safeguards</b></p> <p>(The Liberty Protection Safeguards will be replacing the Deprivation of Liberty Safeguards. It is a significant piece of legislation in relation to social care, changing the framework that we use to authorise deprivation of liberty for those who lack</p> | Caroline Ryan | To be confirmed        | To be confirmed               | 01/04/2025             | To be confirmed          | Awaiting the Government's published code of practice. National consultation on the guidance was undertaken – however the Government have confirmed implementation will be delayed. Following its publication, commissioning review to be concluded. As part of the review, commissioners | Cllr Russell |

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|     | capacity to decide where to live, and it will apply to 16- and 17-year-olds as well as adults)  |               |                        |                               |                        |                          | possibly to undertake engagement with people who draw on support. Procurement anticipated to commence following conclusion of the commissioning review.  |              |
| 7   | <b>Adult Mental Capacity Professionals</b><br>(Once the Liberty Protection Safeguards are implemented, requirement to have the provision of Adult Mental Capacity Professionals to undertake assessments) | Caroline Ryan | To be confirmed        | To be confirmed               | 01/04/2025             | To be confirmed          | Commissioners await to understand the implications of Liberty Protection Safeguards for this new contract. National consultation on the guidance was undertaken, however Government have confirmed implementation will be delayed. Upon publication a commissioning review will be undertaken. Commissioners possibly to undertake engagement with | Cllr Russell |

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|     |   |                   |                        |                               |                        |                          | people who draw on support as part of the Liberty Protection Safeguards commissioning review.   |              |
| 8   | <b>Pathway 2: Rehabilitate, Reable and Recover (RRR) Discharge to Assess (D2A) services in Leicester and Leicestershire</b> | Leanne Karczewski | TBC                    | TBC                           | TBC                    | TBC                      | <p>A full commissioning review is underway around the future model of these services in advance of the current contracts ending.</p> <p>LOT 1 Therapy Led services has been varied and is now providing a RRR service for those with High Dependency – contracts ends 31.03.25 with an option to extend for an up to 12 months.</p> <p>ICB/System colleagues are currently reviewing to determine whether to terminate at the end</p> | Cllr Russell |

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|     |  |                   |                        |                               |                        |                          | <p>of March 25 with a new service procured or whether to extend for the final year.</p> <p>LOT 2 services providing RRR for those requiring 24 hr residential bed are also being reviewed with a decision to either terminate in 30.06.25 and recommission to extend for an up to 24 months until 30.06.27.</p> |               |
| 9   | <p><b>Residential and Nursing Care Placements</b></p> <p>Note that arrangements are being done in unison with our neighbouring LLR councils to ensure specifications are</p> | Leanne Karczewski | TBC                    | TBC                           | TBC                    | TBC                      | This is currently subject to a full review which commissioners are undertaking with a full procurement being undertaken in the autumn. A series of market engagement events with care homes and with people who reside in our care homes in Leicester has   | Cllr Russell. |

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|     | aligned albeit the contractual T&Cs will differ between the Local Authorities. These specifications have been done in collaboration with the ICB and LPT as well as our neighbouring LAs to ensure that arrangements for those more complex i.e. Learning Disabilities, people who are autistic, those with Mental Health and people living with dementia have detailed expectations in terms of the level and standard of care expected from our specialist and OP care homes. |                 |                        |                               |                        |                          | already been undertaken. The arrangements are being done in unison with Leicestershire County Council and with Rutland County Council to ensure we have a unified specification – however the T&Cs of our contracts, due to necessity, will differ. |              |
| 10  | <b>Dementia Support Service</b>   | Natasha Bednall | To be confirmed        | To be confirmed               | 01/04/2025             | To be confirmed          | This is a jointly commissioned service  | Cllr Russell |

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|     |  |                   |                        |                               |                        |                          | and whilst the existing contract end date is 31/03/2026 there is a possibility that this will need to be reprocedured earlier than anticipated. Commissioners continue to liaise with the County Council and ICB officers to understand the options in relation to this service. |              |
| 11. | <p><b>Short breaks services</b></p> <p>Overnight planned short breaks for people with Learning Disabilities and autistic people in the city.</p> | Leanne Karczewski | TBC                    | TBC                           | 01/04/2025             | TBC                      | Engagement is planned with families and people with Learning Disabilities and Autism to understand our options for securing an appropriate short breaks offer for people in the city. Opportunities are also being explored with our NHS colleagues and county colleagues to     | Cllr Russell |

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|     |  |                   |                        |                               |                        |                          | look at joint commissioning options.  |              |
| 12. | <p><b>Leading Better Lives</b></p> <p>Funding has been secured through the Better Care Fund to support and develop a prevention and early action offer for the city.</p> | Leanne Karczewski | £35,000                | £35,000                       | 01/04/2025             | 1 year                   | The Leading Better Lives project has an opportunity to coproduce an early action/preventative strategy for the city. This funding could provide a commissioned opportunity to secure appropriate arrangements to support the delivery and/or implementation of this strategy. | Cllr Russell |