

## Wiltshire Council

### Cabinet

14 June 2016

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**Subject:** 'Help to Live at Home' service commissioning

**Cabinet Member:** Cllr Keith Humphries

**Key Decision:** Y

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#### Executive Summary

Help to Live at Home (HTLAH) is the Wiltshire Council service that delivers care and housing support in people's homes across the county. The service has won national recognition for being in the vanguard of outcomes-based, person-centred commissioning.

There are currently eight contracts for HTLAH providers which commenced in September 2011, covering the whole of Wiltshire. These were for a term of 5 years, with the potential for 2 x 1 year extensions.

Since 2011, there have been two retendering exercises due to issues with incumbent providers. This has resulted in new contracts being awarded for the same terms.

Three of the original contract areas (currently Mihomecare and Leonard Cheshire) have been successfully tendered and the new contracts are due to commence in September 2016. Two further areas (currently Somerset Care at Home) are coming to the end of their term and we require authority to award the extension period. The remaining three contract areas are due for extension or renewal in September 2018.

Due to the extremely tight timescales for re-tendering the service and mobilisation of the new contracts by September 2016, Adult Care Commissioning and the Procurement Service have been working together to progress the retender process. The service specification for HTLAH has been refreshed and a new set of evaluation criteria has been produced. The tender for the three HTLAH contract areas, West 1, East 2 and North 1, was published on 1<sup>st</sup> April 2016.

The Adult Care Community Commissioning Team will work closely with both Leonard Cheshire and Mihomecare over the coming months to ensure a smooth transition of care to any new provider.

**Proposal(s)**

It is proposed that:

1. The contracts with Somerset Care Ltd are extended for the full extension available, West 2 until September 2018 and North 2 until April 2019
2. Following the recent tender process that the contracts currently held by Mihomecare and Leonard Cheshire for HTLAH are awarded to the preferred provider(s) identified through the current tender process.
3. That authority is delegated to the Corporate Director and Associate Director for Adult Services, in consultation with the Cabinet Member for Health (including Public Health and Adult Social Care), to finalise the terms of the contracts and to agree the extension with Somerset Care Ltd.

**Reason for Proposal(s)**

- (a) To ensure continued service delivery by Somerset Care within the West 2 and North 2 areas.
- (b) To progress with awarding the tenders to the preferred provider(s) within the North 1, East 2 and West 1 areas

Maggie Rae  
Corporate Director

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### Purpose of Report

1. The purpose of this paper is twofold:
  - a. To update Cabinet regarding the outcome of the recent 'Help to Live at Home' (HTLAH) tender process and request approval to award to the preferred provider(s), and,
  - b. To seek authorisation to extend two contract lots with an incumbent Provider.

### Relevance to the Council's Business Plan

2. These registered services support the Council's business plan by delivering high quality support to both customers and their carers enabling customers to remain in their family home for as long as possible, and as part of their communities

### Background

3. The current HTLAH contracts in place are set out below:

<b>Provider</b>	<b>Contract Area</b>	<b>Main Towns</b>	<b>Contract End Date</b>	<b>Potential Extension End Dates</b>
Somerset Care at Home	West 2	Bradford on Avon, Westbury, Warminster	04.09.16	04.09.17 04.09.18
Somerset Care at Home	North 2	Chippenham, Corsham, Box	15.04.17	15.4.18 15.4.19
Mihomecare	West 1	Trowbridge, Melksham	04.09.16	04.09.17 04.09.18
Mears	East 1	Devizes	29.09.18	29.9.19 29.9.20
Mears	South 1	Amesbury, Durrington	29.09.18	29.9.19 29.9.20
Mears	South 2	Salisbury, Tisbury	29.09.18	29.9.19 29.9.20
Leonard Cheshire	East 2	Marlborough,	04.09.16	04.09.17

Disability		Pewsey		04.09.18
Leonard Cheshire Disability	North 1	Wootton Bassett, Calne, Cricklade, Malmesbury	04.09.16	04.09.17 04.09.18

- It had been the intention of Adult Care commissioning to extend all current arrangements in line with the available contact extensions to 2018 and 2020. This was on the basis that it would allow time to develop the learning gained over the four years of this innovative contract and enable us to deal with the changing relationship with the NHS, and the requirements of the Better Care Fund and the Care Act 2014.

### **Main Considerations for the Council**

- In January this year, Leonard Cheshire gave notice that they did not want to take up the offer of an extended contract on the terms offered by the Council. Following a period of negotiation with the Associate Director for Commissioning and Housing, Leonard Cheshire confirmed their decision not to take up the offer of extension in early March.
- In addition, Adult Care Commissioning has recently taken the view that the Mihomecare contract should not be extended. This was following a CQC inspection published in December 2015 with a rating of "Requires Improvement", and difficulties experienced by the company in achieving contract performance, culminating in missed scheduled visits over the weekend of 18-20 March.
- CQC inspected MiHomecare in April of this year and have given them verbal feedback that they are still falling short of the standards required. MiHomecare have voluntarily placed themselves under embargo for new packages of care until they can assure themselves, CQC and the Council that they are safe to resume taking on new packages.
- The contracts with Somerset Care have been working well and we are currently developing the service with them. On this basis, and with a view to not tendering such a large part of the county in one go, we are requesting that we make use of the extension clauses within the current arrangements.

### **Overview and Scrutiny Engagement**

- The Health Select Committee have been closely involved with HTLAH and in 2014 established a task group to explore the extent to which the service was fulfilling its objectives, achieving value for money and learning any lessons from provider CQC reports. Its final report was endorsed by the Committee in November 2015 and an executive response provided in March 2016.
- The Chair and Vice Chair of the Health Select Committee have been briefed regarding the contents of this paper.
- In order to complete the formal award process and allow the preferred provider(s) the maximum transition period for implementation of the contract, the Chairman of Council, Councillor Richard Britton, has given his consent to

exempt the decision from call-in by Scrutiny. In make the decision, in accordance with the constitution, the Chairman considered that the proposed Cabinet decision was reasonable and was urgent.

### **Safeguarding Implications**

12. A key part of the business of adult social care is in managing risk and in supporting others to be as independent as possible whilst managing the inherent risks as part of their vulnerability.
13. There are no specific implications in relation to safeguarding children and young people.

### **Public Health Implications**

14. There are no direct public health implications.

### **Procurement Implications**

15. These services have been procured in accordance with Wiltshire Council regulations.

### **Equalities Impact of the Proposal**

16. The service is provided for all eligible customers.

### **Environmental and Climate Change Considerations**

17. Ensure service providers fully implement the Public Health England "Heatwave Plan for England - supporting vulnerable people before and during a heatwave". The specific advice relating to Care home managers and staff, should also be applied to people in their own home.

### **Risk Assessment**

18. Comprehensive risk assessments are in place in Adult care.

### **Risks that may arise if the proposed decision and related work is not taken**

19. Services will need to be provided in these areas outside of a contract in the short term while a process of framework agreements was established

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

20. Services delivered under these contracts are monitored and reviewed on a regular basis and provide quality performance data.

### **Financial Implications**

21. These contracts are not 'block' and therefore we only pay for the service that we receive

## **Legal Implications**

22. Advice from Legal has been taken and acted upon throughout the tender process

## **Options Considered**

23. The following additional options were considered:

- a. Current HTLAH provider 'buying out' the contract areas being tendered
- b. Mini tender competition between existing providers

## **Conclusions**

24. Having considered the options available and the requirements of our Customers, it has been determined by officers to seek an extension for the contracts that are appropriate and to award the remaining ones following the conclusion of the tender process.

**James Cawley (Associate Director, Adult Care Commissioning and Housing)**

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