

## London Borough of Enfield

Cabinet Meeting 21<sup>st</sup> April 2021

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**Subject:** Tendering Extra Care Service

**Cabinet Member:** Cllr Alev Cazimoglu

**Executive Director of People:** Tony Theodoulou

**Key Decision:** KD 5184

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### Purpose of Report

- 1 Extra care housing supports Adult Social Care (ASC) priorities for Older People in Enfield by reducing the number of people who go into long term residential and nursing care as well as reducing the number of preventable hospital readmissions. It also facilitates timely hospital discharge and enable people to die at home with dignity in a supported environment.
- 2 In June 2020 the Strategic Service Development and Procurement Board agreed that the Extra Care Services provided at Alcazar Court and Skinners Court be put out to tender to ensure effective competition, value and quality of service provision for both schemes are maintained.
- 3 Specifications for both schemes were updated. Service users and their families and carers have been actively involved in the procurement process through workshops and surveys undertaken at the schemes.
- 4 The procurement was undertaken in line with the Council's Contract Procedure Rules and the Public Contract Regulations (2015). The value of the contract for Alcazar Court is £3.479m for a 3+2+2 year contract. The value of the contract for Skinner Court is £3.515m for a 3+2+2 year contract. The option to extend will be at the sole discretion of the Council and will be subject to the satisfactory performance of the provider.
- 5 This report recommends that the Cabinet provides its acceptance of the tenders and duly authorises the award of both contracts to the successful Provider

### Proposals

- 6 That Cabinet endorses and agrees to award a 3+2+2 year contract for care and support services at Alcazar Court Extra Care Housing

Scheme and Skinners Court Extra Care Housing Scheme respectively, to the successful service Provider outlined in the corresponding Part 2 Appendix to this report on the basis outlined in paragraph 4 of this report.

- 7 That a Cabinet Member agrees to the formal approval of the 2+2 year extensions periods of the contracts for both Alcazar Court and Skinners Court, subject to satisfactory performance

### **Reason for Proposal**

- 8 The provision of Extra Care accommodation has been and continues to be a priority for the Council. It delivers a model of care which promotes independent living for a range of vulnerable people who would otherwise be at risk of social isolation, admission to hospital or residential care.

### **Relevance to the Council's Plan**

9 **Good homes in well-connected neighbourhood.**

- Extra Care increases housing choice for adults with support and care needs living in the London Borough of Enfield. It allows for good quality, specialist accommodation options to meet the changing needs of existing and emerging communities
- Having good quality, specialist accommodation options to meet the changing needs of existing and emerging communities.

### **Sustain strong and Healthy Communities**

- The initiative supports families/carers, including hard-to-reach groups to have good access to specialist accommodation options in the London Borough of Enfield, so they are empowered to make informed decisions about where and how they are supported to live.
- Extra Care enables older adults with support and care needs to live as fulfilling, independent, healthy lives and contribute to the prevention and early intervention agenda through the development of specialist accommodation options to avoid the need of residential care

### **To Build our local economy to create a thriving place**

- Maximise opportunities for independent living by improving the quality, design and accessibility of specialist accommodation for older people.

- Better understand the changing aspirations of older people in the London Borough of Enfield with regard to specialist accommodation services.
- Support the development of modern, innovative accommodation models that extend choice and empower vulnerable adults to take control of the services they receive in line with the Personalisation agenda and policy direction.
- Ensure the availability of culturally accessible and socially inclusive specialist accommodation services to support Enfield's diverse population of older people and facilitate community cohesion.
- Ensure the availability of accommodation services for older people in the borough that effectively meet the specialist or acute needs of those with long-term conditions, including dementia and stroke, and to appropriately support end-of-life care.

### Reason for Proposal

10 In providing this Model, a number of outcomes for Service Users should be achieved, under-pinned through the Council's ethos of Extra Care, which is *"providing well-designed housing that enables people to self-care for longer and gives them access to care of their choosing as unobtrusively as possible to help them retain independence."* The outcomes associated with this Model are therefore:

- **Working in Partnership** – Provider(s) will bring their own specialist skills and knowledge and create links to the Extra Care community and with statutory health and social care services.
- **Respecting Diversity** Working in partnership with Service Users, families and colleagues to provide care that not only make a positive difference but also do so in ways that respect and value diversity. People are supported to learn or relearn skills which promote independence and to make informed choices within their home environment
- **Enabling Independence:** Service Users will maintain as much independence as possible by adopting an enabling approach to supporting them in daily living and hence improving their quality of life;
- **Feeling Safe & Secure:** However, there will be an appropriate balance between managing risk, choice & safeguarding for individuals and for others; and Service Users should feel that support is provided as safely & securely as they need;
- **Being Healthy, Clean & Comfortable:** Service Users will be facilitated and supported to be as healthy and well as they can, and be clean and comfortable in the delivery of care at all times;
- **Treated with Dignity & Respect in a Person-Centred Way:** Service Users will always be treated with dignity in a way that respects their individual social, cultural, ethnic, religious etc. needs and be at the centre of planning, choosing, managing and financing the care & support that's right for them;

- **Having Company & Contact and Feeling Engaged:** Service Users will be facilitated to have as much company & contact with others as they feel they need and are facilitated to take part in activities and interests that are important to them, including in the wider community
- 11 The proposal will inject healthy competition within care market and ensure value for money and quality of services to service users as well as further enhancement through new specifications and contractual arrangement.

**Background:**

- 12 Extra care housing is a supported housing option which improves the lives of vulnerable older adults with a range of housing related support (Support) and adult social care (Care) needs. It balances independent living with an enhanced sense of security. Service users receive support to manage their tenancies and also have access to a 24hr onsite care service.
- 13 There is no single definitive model for extra care. Local authorities can decide how they wish to commission and implement extra care to meet their own local priorities.
- 14 Extra care housing supports the Health Housing Adult Social Care (HHASC) Commissioning Vision for Older People in the London Borough of Enfield by reducing the number of people who go into long term residential & nursing care as well as reducing the number of preventable hospital readmissions. It also facilitates timely hospital discharge and enables people to die at home with dignity in a supported environment.
- 15 There are two Extra Care Schemes directed provided by Adult Social Care.  
The first scheme Alcazar Court Extra Care Scheme is located at 2 St Mary's Road, Edmonton, London, N9 8NZ. It provides 45 units of accommodation for vulnerable older adults including 3 two-bedroom units and 2 units specifically as a short-stay, enablement option. The main client group is "older adults" However those with additional needs such as learning disabilities, dementia and other neurological conditions may also access the service where they are able to live independently with support under the terms of their tenancy agreement.
- 16 The premises and freehold are owned by the landlord, Clarion. An off-site housing management service is provided by Clarion. Service users live at the scheme under a tenancy agreement. The care and support provider provide the onsite point of liaison between service users and Clarion.
- 17 The second scheme Skinners Court Extra Care Scheme is located at 1 Pellipar Close, Fox Lane, Palmers Green, London, N13 4AE. It provides 43 units of single accommodation and 5 units of 2-bedroom accommodation. Skinner's Company hold the freehold to the facility. The Housing Management is provided by Anchor Hanover under a two-year contractual arrangement with Skinners Company and provide the housing related support to the service users living within the Extra Care

Scheme. Skinners Company also retain 25% of nomination rights to the accommodation within Skinner's Court. Service users live at the scheme under a licence agreement.

- 18 The current Extra Care Service at both schemes is delivered by North London Care and Support Ltd. They initially quoted and won a one-year contract for Skinners Court, which expired in March 2019 and April 2019 for Alcazar Court. The Individual Service Fund (ISF) model was then introduced where 75% of the service users at both schemes agreed to have North London Home Care and Support Ltd undertake their care arrangements under their individual ISF agreement. As part of the ISF arrangement North London Home Care works with each service user to develop a personalised and flexible service in accordance to the details within their support plan and the service user controls how, when and where their care and support is provided.
- 19 The Extra Care ISF are monitored on a quarterly basis by the Enfield Brokerage Team and regular ISF meetings takes place with the Service Development Manager for Older People and North London Homecare. In the past three years, there has been no major concerns with the services provided within each scheme.
- 20 In June 2020 the Strategic Service Development and Procurement Board agreed that the Extra Care Services provided at Alcazar Court and Skinners Court be put out to tender to ensure effective competition, value and quality of service provision for both schemes are maintained. The new contract is scheduled to commence on June 2021.
- 21 A project board was established to work to a project plan. This board Includes
  - Procurement Officer
  - Legal Representative
  - 2 Team Managers from Integrated Locality Team (ILT)
  - Quality Manager from Brokerage
  - Service Development Manager, Older People
- 22 A market testing exercise was undertaken to establish interest and a potential price for both services. 5 Domiciliary organisations and 3 local authorities responded to the market testing questionnaire.
- 23 In September 2020 an independent workshop for service users and their relatives was undertaken. This was to establish what was important to users and their families in terms of the care and support and to ensure the information was included within the final specification. The workshop sessions were held at both schemes using their garden areas in a COVID 19 managed environment. The workshop was then followed up with survey, again aimed at service users and their relatives. The workshop notes and survey were analysed by and Independent advisor working with the Institute of Public Care (IPC).

- 24 The specification for both services were reviewed, updated and agreed by the Project Board, Head of Service for Strategy and Resources and a Service Manager from Strategy and Resources. Two contracts were to be developed each with conditions as with an ISF, relating to how the provider must engage with service users and families and provide evidence of choice, control and flexibility. The specification includes the final annual budget:-

Alcazar Court £497K for 569 hours per week  
Skinner Court £502K for 575 hours per week

Total annual budget £999K

The new contracts for both schemes are for a 3+2 +2 years.

- 25 It was agreed to procure both services as individual Lots. This means potential providers could base their tender on one or both of the schemes. The procurement was undertaken in line with the Councils Contract Procedure Rules and UK & EU regulations

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

- 26 The ISF agreement for Skinners Court expired on 31<sup>st</sup> March 2021 and for Alcazar Court 30<sup>th</sup> April 2021.
- 27 In providing this Model, a number of outcomes for Service Users should be achieved, under-pinned through the Council's ethos of Extra Care, which is *"providing well-designed housing that enables people to self-care for longer and gives them access to care of their choosing as unobtrusively as possible to help them retain independence.*
- 28 Evidence indicates that well managed extra care sites will typically result in fewer people requiring admission to hospital. This reduces pressure on the health care system as well as avoiding the higher levels of social care expenditure typically required following hospital discharge, as well as of course being better for people's wellbeing and independence.
- 29 The market testing exercise demonstrated a buyout care market with a high interest of both local and national care providers who were able to meet the requirements of current specification. Tendering the Extra Care service could help to further build on quality service provision and best value for the Council.

### **Safeguarding Implications**

- 30 Extra Care housing is designed to support older people who have social care needs. It balances independent living with an enhanced sense of security and care aided by the use of assistive technology. With onsite 24-hour care it supports vulnerable people to live safely and independently in the community and by doing so enable them to live healthy and fulfilling lives and achieve their full potential.

## **Public Health Implications**

- 31 Extra Care accommodation with care and support can positively impact on public health outcomes, including reductions in social isolation and/or loneliness; improved nutrition and hydration; increased wellbeing for residents participating in activities, such as exercise classes, and minimising the ill effects of fuel poverty and/or seasonal health risks.

## **Equalities Impact of the Proposal**

- 32 A Predictive EIA has been undertaken. Identified impacts at this stage centre on improved service user experience and outcomes, more people remaining independent within their own homes for longer and further consideration needed of people's natural communities.
- 33 The proposed contracts will require the successful provider(s) to deliver services which are culturally and gender sensitive by providing cultural awareness training for all staff and matching specific language requirements where possible.
- 34 The specification for the schemes requires the successful organisation(s) to provide training for all staff in areas that will raise awareness of issues faced by vulnerable people from different ethnic backgrounds.
- 35 The successful organisation(s) will be monitored to ensure they are complying with these requirements through checking of their records, regular review of services, obtaining service user feedback, monthly monitoring meetings and provision of quarterly performance information to the Council.

## **Environmental and Climate Change Considerations**

- 36 Any provider commissioned to undertake extra care provision will have to demonstrate systems and processes to manage their impacts on the environment. They will be required to provide data to demonstrate their environmental improvements throughout the duration of the contract

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

- 37 Due to the sums involved failure to tender the services may not conform to Procurement regulations as well as demonstrate best value.
- 38 The existing provider has served notice, so we require a new provider to be able to continue the provision of care.

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

- 39 A new contract may present opportunities for the Council to improve service user's quality of life and independence and secure efficiencies. However, the new tender process may create anxiety amongst stakeholder and service users throughout the tender process and have an undesirable effect on transition arrangement for the council. This risk will be carefully monitored throughout the tendering process supported by continuous effective communication with all stakeholders involved.

### **Financial Implications**

- 40 The tender specification does change the current 569 hours for Alcazar Court and 575 hours for Skinners Court per annum. The tender specification price and the revised budget will be £497k for Alcazar Court and £502k for Skinner Court, a total of £999k per annum.

The duration of the contract is up to seven years as stated above, however, there may be annual changes to the contract price which will be agreed between the Council's commissioners and the provider which may change the budget in future years

### **Legal Implications**

- 41 . S.111 Local Government Act (1972) gives a local authority power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council also has a general power of competence in s.1(1) Localism Act (2011) which states that a local authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation

The Council has carried out all procurement exercises in accordance with its Contract Procedure Rules ("CPRs") and, where applicable, the Public Contracts Regulations (2015) ("PCRs (2015)").

In awarding any contracts the Council must continue to adhere to the PCRs (2015), its CPRs and in particular the requirement of CPR 4.2 which states that no contract may be awarded unless there is sufficient budget available for the goods, supplies, services or works being procured and appropriate delegated authority to award the contract, has been provided.

The Council must comply with (and continue to comply with) its obligations relating to obtaining best value under the Local Government (Best Value Principles) Act 1999. In accordance with CPR 4.3 the officer awarding the contract has a duty to demonstrate that best value has been obtained. Further, officers must ensure value for money is being obtained throughout the lifetime of a contract and must comply with CPR 26 which provides guidance on contract management.

The Council must ensure compliance at all times with its Constitution. As this is a Key Decision the Council must comply with the Key Decision procedure.

Any legal agreements (and ancillary documents where relevant) arising from the matters described in this report must be approved in advance of contract commencement by Legal Services on behalf of the Director of Law and Governance.

In respect of any contract with a value of £1m and over (as is the case here), the Council's CPRs (7.2) state that the contractor must be required to provide sufficient security. In accordance with CPR 7.3 'sufficient security', means one of the following:

- (i) parent company, ultimate holding company or holding company guarantee where their finances prove acceptable;
- (ii) director's guarantee or personal guarantee where their finances prove acceptable;
- (iii) performance bond, retained funds or cash deposit; or
- (iv) any other security as determined by Financial Management Services and/or Legal Services.

Evidence of the form of security required **or** why no security was required must be stored on the E-Tendering Portal for audit purposes. The Council should liaise with the Procurement & Commissioning Hub for assistance on this.

The Council will owe duties under the Care Act (2014) to the occupiers of the Extra Care accommodation. Principally, the Council will be obligated to ensure eligible care and support needs are met. Any failure to provide services for the purposes of meeting eligible care and support needs is likely to be unlawful. Securing the provision of care and support services will help the Council fulfil its legal responsibilities to the occupiers.

### **Workforce Implications**

42 Not applicable.

### **Property Implications**

43 Not applicable.

### **Other Implications**

44 Any procurement must be undertaken in accordance with the Councils Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015).

The award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract.

All awarded projects must be promoted to Contracts Finder to comply with the Government's transparency requirements.

A restricted tender procedure was chosen due to anticipated high levels of interest from the market and it was agreed to procure both services as individual Lots.

A market testing exercise was undertaken to establish interest and a potential pricing for services. 5 Domiciliary Providers and 3 local authorities responded to the market testing questionnaire.

The Council advertised the tender opportunity in 11<sup>th</sup> September 2020. 39 organisations expressed an interest at SQ stage. 11 were shortlisted to tender stage based on the responses to SQ.

7 tenders were returned for evaluation. Criteria were 60% Quality (based on responses to Method Statements) and 40% Price.

The CPR's state that a contract of this size must have a nominated contract manager in the LTP, and a contract management plan be put in place and evidence of contract management loaded into the LTP. It is vital that robust contract management take place to ensure that service delivery meets quality and contractual standards. That charges and billing are in line with the contractual agreed pricing.

Evidence of monitoring of Modern Slavery and equalities should also be evidenced.

## **Options Considered**

45 The alternative option considered was: -

- a) To continue to with the ISF arrangement.  
This option could be considered as it is currently working well with good partnership arrangement with service users and North London Homecare and Support Ltd. However, the current structure and arrangement are hindered as personal budgets are pooled and not given to the service users individually to service their ISF. In addition, the current provider does not administer the personal budget.
- b) Should personal budgets be distributed to all the service users to purchase their care as an ISF this may result in a number of providers coming on site which may cause a number of risks in terms of management, responsibility and accountability. It also places service users and staff at increased risk of COVID 19.
- c) To give all service users a Direct Payment to organise their own care. This will have the same impact as b) with a lack of management to oversee and co-ordinate a number of care providers entering the schemes.

- 46 To expose Alcazar Court Extra Care and Skinners Court Extra Care Services to the open care market through a competitive tendering exercise may inject healthy competition within care market and ensure value for money and quality of services to service users as well as further enhancement through new specifications and contractual arrangement.

## **Conclusions**

- 47 In June 2020 the Strategic Service Development and Procurement Board agreed that the Extra Care Services provided at Alcazar Court and Skinners Court be put out to tender to ensure effective competition, value and quality of service provision for both schemes are maintained. The new contract is scheduled to commence on June 2021
- 48 The proposal in this report is for Cabinet to endorse and agree to award a contract for Extra Care & Support Services at Alcazar Court Extra Care Housing Scheme for a period of 3 years from June 2021 to May 2024 (with the option to extend for 2 years to May 2026 plus a further 2 years to May 2028) and to endorse and agree to award a contract for Extra Care & Support Services at Skinners Court Extra Care Housing Scheme for a period of 3 years from June 2021 to May 2024 (with the option to extend for 2 years to May 2026 plus a further 2 years to May 2028).

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### **Report Author:**

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**Date of report 19 March 2021**

### **Appendices**

Part 2

### **Background Papers**

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

Cabinet Report from Cabinet meeting held on 18<sup>th</sup> October 2017