



1. Brooke Mead home care contract

- 1.1. The contents of this paper can be shared with the general public.
- 1.2 This paper is for the Health & Wellbeing Board meeting on Tuesday 31st January 2017
- 1.3 Author/s of the Paper and contact details:
Christian Smith, Commissioning Officer, Brighton & Hove Council.
Christian.smith@brighton-hove.gov.uk Claire Rowland, Commissioning and Performance Manager, Brighton and Hove Council.
Claire.rowland@brighton-hove.gov.uk

2. Summary

2.1 In summary, this report seeks approval to procure and award a contract for home care to support people living at Brooke Mead extra care scheme.

3. Decisions, recommendations and any options

- 3.1 It is recommended that Health & Wellbeing Board authorise the Executive Director of Health and Adult Social Care to:
 - (i) procure and award a contract for home care to support people living at Brooke Mead extra care scheme with a term of five years and;



- (ii) agree an extension (or extensions) of up to two years to the contract referred to in 3.1(i) above subject to satisfactory performance by the provider.

4. Relevant information

4.1 Brooke Mead is a Council owned, purpose built, extra care housing, dementia friendly scheme which is currently being built. The scheme is situated on Albion Hill in Brighton and is funded by the Homes and Communities Agency as detailed in the Councils allocations policy. It will have 45 self contained flats with double bedrooms and en suite facilities.

4.2 The home care contract is a joint agreement between the Council and Clinical Commissioning Group, as they have agreed to adopt a shared approach to purchasing services for care delivery at Brooke Mead. The contract will include a commitment to pay the living wage as recommended by the Living Wage Foundation.

4.3 The length of the contract will be five years with an optional extension(s) of up to two further years. This will bring this into line with the other city home care contracts which commenced on the 5th September 2016.

4.4 The contract is due to commence in Spring/Summer 2017 with a staged implementation, but the commencement date will be governed by the completion date of the build of the scheme.

4.5 The procured home care provider will be required to maintain an office at the scheme and provide care workers on site 24 hours a day, 7 days a week providing care and support to tenants who have eligible needs. Care and support will be provided as agreed in line with individuals care and support plans.

4.6 The provider will be required to be registered with the Care Quality Commission, meet the requirements of the specification and be able to demonstrate that they can provide value for money.

4.7 The tender process will be undertaken in accordance with the Public Contracts Regulations 2015, under the remit of the 'light touch regime'.

4.8 The tender will be conducted using the Council's e-procurement system, South East Shared Services and will be advertised on OJEU and Contracts Finder.



4.9 The contract will be awarded based on a 60% quality and 40% price split, with potential providers expected to demonstrate how they will deliver a high quality home care service, including staff recruitment and retention, working with a range of service users and a robust implementation plan.

4.10 Potential providers will be required to maintain an active CQC registration, evidence their financial stability and hold the required levels of insurance.

4.11 The value of this contract is likely to be in the region of £900,000 per annum.

5. Important considerations and implications

5.1 Legal

5.1.1 The services required by the proposed home care contract fall within Schedule 3 of the Public Contracts Regulations 2015 (SI 2015/102) and the procurement of those services is therefore subject to what is frequently referred to as the “light touch regime”. The value of the procurement exceeds the financial threshold (£589,148.00) at which an advertisement is required to be placed in the Official Journal of the European Union (OJEU). The opportunity will therefore be advertised across the European Union satisfying the requirement to seek value for money. The procurement process is not unduly proscribed but must accord with the fundamental public procurement principles of transparency, fairness and equal treatment. The OJEU notice is a fundamental procurement document and it is important the notice reflects the extent to which variation of the contract over its life is permitted to reflect changing circumstances and developments in best practice and further the provisions relating to the requirement to pay the living wage and the potential for a TUPE transfer.

5.1.2 Consideration must also be given when letting service contracts to the provision of social value (Public Services (Social Value) Act 2012).

5.1.3 It is a function of the Health and Well Being Board to oversee and make decisions concerning Adult Social Care. Section 5 of the Care Act 2014 imposes duties on the Local Authority to facilitate and shape the market so that it meets the needs of all people in its area who need care and support, regardless of how it is arranged or funded. The duties imposed require the Local Authority to ensure the market provides



diverse, high quality, sustainable options to meets needs now and in to the future.

Lawyer consulted: Isabella Sidoli and Sandra O'Brien Date: 12/01/2017

5.2 Finance

- 5.2.1 The tender price is likely to be in the region of £900k as outlined in the report. If all of the rooms have a single occupancy, the average unit cost will be £385 per week per client.
- 5.2.2 This contract is funded within the proposed Community Care budget going forward.

Finance Officer consulted; Sophie Warburton Date: 09/01/2017

5.3 Equalities

- 5.3.1 Work is ongoing into the Equalities Impact Assessment which was used for the main home care contract.

5.4 Sustainability

- 5.4.1 The recommendations of this report are intended to support the care market to be sustainable by paying fees which are fair.

5.5 Health, Social Care, Children's Services and Public

- 5.5.1 The contract will be a joint Council and NHS Health Clinical Commissioning Group contract

6. Supporting documents and information

- 6.1 The report entitled Extra Care Housing Home Care Tender for Brooke Mead and Vernon Gardens 2017 was agreed at the Procurement Advisory Board 5th December 2016.

