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|  | Officer Key Decision |
| | Report to the Corporate Director of Community Health and well-being |
| | Cabinet Member for Community Health and Wellbeing |
| AUTHORITY TO AWARD CONTRACT FOR ADULT SOCIAL CARE HOMECARE FRAMEWORK | |

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| Wards Affected: | All |
| Key or Non-Key Decision: | Key Decision |
| Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act) | Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)” |
| No. of Appendices: | 3 Appendix 1 – List of Bidders (exempt) Appendix 2 – Evaluation Grid Appendix 3 – Social Value Commitments |
| Background Papers: | None |
| Contact Officer(s): (Name, Title, Contact Details) | Edwin Mensah Team Manager (Community and Preventative Services) Community Health & Wellbeing Edwin.Mensah@brent.gov.uk Andrew Davies Head of Commissioning, Contracting and Market Management, Community Health & Wellbeing Andrew.Davies@brent.gov.uk |

1.0 Executive Summary

- 1.1 This report concerns award of the Homecare Framework for Adult Social Care. This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and, following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Corporate Director of Community Health and Well-being in consultation with the Cabinet Member for Community Health and Wellbeing:

2.1 Approves the award of contracts for Homecare Framework to the providers listed below:

- MiHomecare
- Change Social Care Solutions
- Standard Nursing Agency and Care Services Ltd
- Westminster Homecare Ltd
- Vista Care Solutions
- Allfor Care
- Unique Personnel (UK) Limited
- KT's Care Angels Ltd
- Supreme Company and Sons Ltd
- MNA Home Care Services Ltd
- Field's Care Ltd
- De Vere Care
- Respect Care Services Ltd
- Goldsmith Personnel Ltd
- Kind Solutions Ltd
- Bluebird Care
- Brookes HomeCare Services Ltd
- Prime way Care
- Graceful Care
- Care 4 All Ltd
- Onecare-uk

for a period of 2 years with the option to extend by up to two years for a period of 1+1 year at a total value of up to £16m (£4m per annum).

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 Strategic Priority 5 of the Borough Plan, A Healthier Brent, states that the Council will make sure that health and social care services meet local needs.
- 3.2 In particular, the Council will ensure that adults with care and support needs are able to access support services that are responsive to their needs and will work with residents as partners in their own care and support.
- 3.3 The homecare service provides support to Brent residents to maximise their independence by using a strength based approach giving the service user greater choice in who they receive care from.

Background

- 3.4 The Council requires additional providers to provide the homecare services for adult social care in the borough. Council officers have undertaken a procurement exercise and identified contractors providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for a Homecare Framework (the "Contract").
- 3.5 Cabinet approval to invite tenders for a supplementary Homecare Framework was sought and obtained on 18th July 2022 with a view to appointing providers to a framework that will supplement the patch based lead provider model that was implemented for Homecare in 2021. The supplemental framework is set up to allow homecare packages to be awarded by calling off from the framework when lead providers on the main homecare contract have capacity issues or are unable to accept the homecare packages due to complexity. 20 providers would be awarded a place on the home care framework. The Invitation to Tender set out that the Council reserves the right to award to more than 20 providers based on need if the provider's scores are within 0.5% score of the 20th ranked provider.

The Procurement Process

- 3.6 The new contract will be let under the Council's contract terms and conditions for a two year period with the option to extend for a further two years on a one year + one year basis. Officers also procured a Reablement Service as part of the initial procurement process. It was considered that it was critical to procure and award the Reablement Services contract ahead of this homecare requirement due to savings targets that are dependent on a more effective Reablement offer. The homecare tender was therefore delayed to prioritise resources to award the Reablement services contract.
- 3.7 Advertisements were placed on Find a Tender service, the London Tenders Portal and Contracts Finder on 12 August 2022 and bidders were provided with a draft specification, details of the tender approach and were invited to complete a Selection Questionnaire (SQ) using the Council's Electronic Tendering Facility. 167 contractors subsequently completed the SQ by the deadline of 3pm, 27 September 2022.
- 3.8 Shortlisting was carried out on the basis of the bidders' financial viability, technical ability and previous experience between 3rd November 2022 and 8th November 2022. 91 providers who passed the SQ were invited to tender for the homecare framework on 5 April 2023 by completing quality, social value and pricing proposals using the Council's Electronic Tendering Facility.
- 3.9 All bidders received the same Price score as the Council fixed the price bidders will be paid. Therefore, the tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following criteria:

| Award criteria | Weighting |
|---------------------------------|-----------|
| Quality | 90.00% |
| Comprised of: | |
| Q1 Communication | 17% |
| Q2 Diversity | 16% |
| Q3 Recruitment and resources | 11% |
| Q4 Delivering Homecare services | 13% |
| Q5 Building relationships | 19% |
| Q6 Safeguarding | 14% |
| Social value | 10% |
| Total | 100% |

Evaluation process

- 3.10 The tender evaluation was carried out by a panel of Officers from Adult Social care.
- 3.11 All tenders had to be submitted electronically no later than 19th May 2023, 1pm. 74 out of the 91 invited to bid submitted a tender. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender. The panel met between 23rd October 2023 and 7th February 2024 where each submission was marked by the whole panel against the award criteria. This involved officers together evaluating and moderating 7 quality questions and 3 social value questions which took considerable amount of time and resources to ensure a compliant and thorough process was undertaken.
- 3.12 47 out of the 74 tenderers were excluded because they did not meet the required quality threshold. 6 tenderers did not rank high enough to be shortlisted. Therefore, 21 tenderers were awarded a place on the homecare framework.
- 3.13 The names of the winning tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted the contractors with the highest score and who Officers recommend award of the contracts to, are:

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| • MiHomecare | Contractor 10 |
| • Change Social Care Solutions | Contractor 19 |
| • Standard Nursing Agency and Care Services Ltd | Contractor 21 |

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|---------------------------------|----------------|
| • Westminster Homecare Ltd | Contractor 23 |
| • Vista Care Solutions | Contractor 29 |
| • Allfor Care | Contractor 42 |
| • Unique Personnel (UK) Limited | Contractor 58 |
| • KT's Care Angels Ltd | Contractor 65 |
| • Supreme Company and Sons Ltd | Contractor 66 |
| • MNA Home Care Services Ltd | Contractor 84 |
| • Field's Care Ltd | Contractor 88 |
| • De Vere Care | Contractor 102 |
| • Respect Care Services Ltd | Contractor 104 |
| • Goldsmith Personnel Ltd | Contractor 112 |
| • Kind Solutions Ltd | Contractor 121 |
| • Bluebird Care | Contractor 132 |
| • Brookes HomeCare Services Ltd | Contractor 147 |
| • Prime way Care | Contractor 152 |
| • Graceful Care | Contractor 158 |
| • Care 4 All Ltd | Contractor 162 |
| • Onecare-uk | Contractor 166 |

3.14 The contracts will commence on 1st September 2024 subject to the Council's observation of the requirements of the standstill period noted in paragraph 6.3 below.

4.0 Stakeholder and ward member consultation and engagement

4.1 This contract has borough wide implications, but specific consultation has not been carried out with ward councillors. However, the homecare market and social workers were engaged in the process to enable Officers garner their views and experiences and understand where improvement to services can be made.

5.0 Financial Considerations

5.1 Cabinet on 18th July 2022 delegated authority to the Strategic Director Community Wellbeing (now Corporate Director for Community Health Wellbeing) in consultation with the Lead Member for Adult Social Care (now Cabinet Member for Community Health and Wellbeing) to award the contracts.

5.2 The cost of the Contract will be funded from Adult Social care.

- 5.3 The total value of the contracts to be awarded to the 20 providers at today's prices, including the extension option, is estimated to be up to £16m. The value during the initial term of the contracts will be up to £8m, with an option to extend for a period of up to a further two years at a value of up to £8m.
- 5.4 Whilst the value of the contract has been highlighted, the price is linked to London Living Wage which means there is a risk that the contract could be in excess of the figure stated.

6.0 Legal Considerations

- 6.1 The collective value of the contracts to be called off under the Homecare Framework over the lifetime of the framework is in excess of the Public Contracts Regulations 2015 (the "PCR 2015") threshold for Schedule 3 Services and the award of the is therefore governed by the PCR 2015. Section 3 of the report outlines how the Contract was procured in accordance with the PCR 2015.
- 6.2 The award is also subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations in that Cabinet approval would ordinarily be required to award the contracts. However, on 18th July 2022, Cabinet delegated authority to the Strategic Director, Community Wellbeing (now Corporate Director for Community Health and Wellbeing) in consultation with the Lead Member for Adult Social Care (Now Cabinet Member for Community Health and Wellbeing) to award the contracts on completion of the procurement.
- 6.3 The Council must observe a mandatory minimum 10 calendar day standstill period under the PCR 2015 before the Contract can be awarded. Therefore once the Corporate Director for Community Health and Wellbeing has determined which tenderers should be awarded the Contract, all tenderers will be issued with written notification of the Contract award decision. A minimum 10 calendar day standstill period will then be observed before the Contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the PCR 2015. The standstill period will run concurrently with the Council's usual call-in process. Subject to there being no call-in, after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the Contract can commence.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.

7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.6 The Homecare Framework will be deliver service vulnerable people who are disadvantaged due to their disability and/or health conditions.

7.7 An Equalities Impact assessment was completed and there are no negative impacts identified.

8.0 Climate Change and Environmental Considerations

8.1 The Homecare Framework requires successful providers contribute to and support amenity improvements in Brent local parks. Please see appendix 4 for more information.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 This service is currently provided by external contractors and there are no implications for Council staff arising from retendering the Contract.

10.0 Communication Considerations

10.1 None

Related documents:

Authority to Invite Tender for Adult Social Care Homecare Framework – Cabinet decision dated 18th July 2022

Report sign off:

Rachel Crossley
Corporate Director Community
Health and Wellbeing