

# Report

## **Council 29 June 2017 – Health and Social Care Reports Edinburgh Integration Joint Board**



### **Executive Summary**

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1. The City of Edinburgh Council on 29 June 2017 considered the following reports by the Chief Officer of the IJB:
  - 1.1. Independent Advocacy Services
  - 1.2. Framework Agreement for Day Support Services for Adults with Learning Disabilities.
2. These reports are submitted to the Joint Board for information.

### **Recommendations**

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3. The Joint Board is asked to note the reports and the decision by the City of Edinburgh Council to approve the recommendations as submitted.

### **Main report**

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4. The City of Edinburgh Council considered the report Independent Advocacy Services on 29 July 2017. It was agreed:
  - 4.1. To approve the award of contacts to AdvoCard and to Partners in Advocacy for the provision of Independent Advocacy services from 1 July 2017 for three years, with annual options to extend for a maximum of two further years. Total estimated contact value, including possible extensions, was £3,900,000.
5. The City of Edinburgh Council also considered the report Framework Agreement for Day Support Services for Adults with Learning Disabilities. It was agreed:
  - 5.1. To approve the establishment of a Framework Agreement for Day Support Services for Adults with Learning Disabilities for three years, commencing 2 October 2017 to 1 October 2020, with an option to extend for up to a further 12 months.
  - 5.2. To approve the award of the following twenty providers onto that Framework Agreement:

Active Healthcare Services  
Autism Initiatives  
Capability Scotland  
Carr Gomm  
Clayton Care Limited  
Columcille Ltd  
Community Integrated Care  
CrossReach  
ENABLE Scotland  
Garvald Edinburgh  
Inclusion Alliance  
Leonard Cheshire Disability  
Places for People Scotland Care & Support  
Scottish Autism  
The Action Group  
The Redwoods Caring Foundation  
The Richmond Fellowship Scotland Limited  
Tiphereth Ltd  
Upward Mobility Ltd  
Visualise Scotland

## Key risks

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6. See attached reports.

## Financial implications

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7. See attached reports.

## Involving people

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8. See attached reports.

## Impact on plans of other parties

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9. See attached reports.

## Report author

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## Appendices

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<b>Appendix A</b>	Independent Advocacy Services – report by the Chief Officer of the IJB
<b>Appendix B</b>	Framework Agreement for Day Support Services for Adults with Learning Disabilities - report by the Chief Officer of the IJB

# The City of Edinburgh Council

**10.00am, Thursday, 29 June 2017**

## **Independent Advocacy Services**

**Contract Ref: CT 0173**

**Item number**

**Report number**

**Executive/routine**

**Wards**

### **Executive Summary**

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This report seeks Council's approval to award contracts for the provision of Independent Advocacy Services to AdvoCard and to Partners in Advocacy from 1 July 2017 for a period of three years, with annual options to extend for a maximum of two further years.

These two contracts will replace similar contracts which end on 30 June 2017.

The total estimated value of the contracts, including extensions, is £3,900,000.

### **Links**

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**Coalition Pledges**

**Council Priorities**

**Single Outcome Agreement**

## Independent Advocacy Services

### 1. Recommendations

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- 1.1 It is recommended Council approves the award of contracts to AdvoCard and to Partners in Advocacy for the provision of Independent Advocacy Services from 1 July 2017 for three years, with annual options to extend for a maximum of two further years. Total estimated contract value, including possible extensions, is £3,900,000.

### 2. Background

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- 2.1 There is a statutory requirement for the Edinburgh Health and Social Care Partnership (EHSCP) to make provision for independent advocacy services for people in receipt of health or social care services. The Scottish Independent Advocacy Alliance (SIAA) principles and standards define an independent advocacy organisation as “an advocacy organisation that is structurally, financially and psychologically separate from service providers and other services”.
- 2.2 The Scottish Government has issued guidance to ensure that advocacy is sufficiently independent to avoid compromise.
- 2.3 The Council currently has contracts in place with Partners in Advocacy (two contracts) and AdvoCard (one contract) for provision of independent advocacy in respect of:
- 2.3.1 Older people and people with physical disabilities (Partners in Advocacy)
  - 2.3.2 People with learning disabilities (Partners in Advocacy)
  - 2.3.3 People with mental health support needs and carers of people with mental health support needs and / or learning disabilities (AdvoCard)

### 3. Main report

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- 3.1 A Future Contract Opportunity (FCO) notice was published on the Public Contracts Scotland website on 7 March 2016 and 17 organisations registered interest.
- 3.2 The initial procurement plan was to undertake co-production followed by an appropriate procurement process with award of contracts in September 2016 and a contract start date of 1 December 2016.

- 3.3 On 8 September 2016 the Finance and Resources Committee approved the extension of current contracts to 30 June 2017 to allow additional time for consultation and co-production with service users as detailed in section 9 of this report.
- 3.4 Based on feedback from current and potential service providers, the Advocacy Project Board agreed that the procurement should be a 'Competitive Procedure with Negotiation', which satisfied the provider preference for an opportunity to make presentations to the evaluation panel and allow for face-to-face negotiation as necessary.
- 3.5 The requirement was split into two "lots", namely Independent Advocacy for People with Mental Health Support Needs and Unpaid Carers (Lot 1) and Independent Advocacy for People with Learning Disabilities, Adults with Autistic Spectrum Condition, Older People and Adults with Physical Disabilities (Lot 2).
- 3.6 On 5 November 2016, a Contract Notice was published on the Public Contracts Scotland (PCS) website, together with related documents, including a final draft service specification. Three formal Requests to Participate (RTPs) were received by the deadline of 5 December 2016.
- 3.7 On 8 December 2016, an Invitation to Tender (ITT) was published, together with related documents, including the service specification. Two tenders were received by the deadline of 20 January 2017; one for each of the two Lots.
- 3.8 Following evaluation, the tender submitted by AdvoCard for Lot 1 scored 86.88% and the tender submitted by Partners in Advocacy for Lot 2 scored 70.69%.

#### **4. Measures of success**

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- 4.1 A new service specification was developed through the procurement process, which meets the needs of people who use independent advocacy services in Edinburgh.

#### **5. Financial impact**

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- 5.1 The total cost of Independent Advocacy Services in 2016/17 was jointly funded by City of Edinburgh Council and NHS Lothian (NHSL) and was £836,000. Following agreement with NHSL to reserve part of its contribution for specialist advocacy provision at the Royal Edinburgh Hospital for people from East, Mid and West Lothian, the jointly funded 2017/18 budget for Edinburgh based service users is £783,446.
- 5.2 The estimated contract value for Lot 1 is £530,000 per annum, which provides 20,010 hours of service per annum.
- 5.3 The estimated contract value for Lot 2 is £250,000 per annum, which provides 10,000 hours of service per annum.

- 5.4 The overall estimated value of both contracts is £780,000 per annum, which is within the allocated budget of £783,446.
- 5.5 The costs associated with procuring these contracts are estimated at between £10,001 and £20,000.

## **6. Risk, policy, compliance and governance impact**

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- 6.1 There are no risk, policy, compliance or governance impacts arising from this report.

## **7. Equalities impact**

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- 7.1 There are positive equality impacts arising from this report as it facilitates access by vulnerable people to independent advocacy services. An Integrated Impact Assessment (IIA) has been undertaken.

## **8. Sustainability impact**

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- 8.1 The sustainability risk has been assessed as low and no mitigating actions are required. There are no impacts on carbon, adaptation to climate change and sustainable development arising directly from this report.
- 8.2 The successful tenderers have offered community benefits in support of volunteers and service users, including free training and representation in governance and management arrangements, as well as placement opportunities for social workers

## **9. Consultation and engagement**

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- 9.1 A Future Contract Opportunity (FCO) notice was published on the Public Contracts Scotland website on 7 March 2016 and seventeen organisations registered interest.
- 9.2 Consultation was conducted from 15 August to 22 September 2016 and involved using a targeted approach to seek the views of current service users and unpaid carers. Current providers were also consulted to discuss their perspectives. In addition, a brief questionnaire was issued to mental health officers, NHS community mental health teams and social work practice teams to seek their feedback.
- 9.3 The total number of service users and carers who responded to the consultation was 133. The total number of staff involved in the consultation was 69.
- 9.4 In total there were 13 consultation events held during the period of the consultation. Out of the total, nine were facilitated by Council and NHS officers and four were facilitated by staff of the current providers of independent advocacy.

- 9.5 There were also 63 individual responses to the consultation questions from service users and carers.
- 9.6 The draft service specification was continuously developed throughout the period of consultation and coproduction to take account of input from the wide range of stakeholders.

## 10. Background reading/external references

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- 10.1 Scottish Independent Advocacy Alliance website <http://www.siaa.org.uk>

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## 11. Links

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<b>Coalition Pledges</b>	P30 – Continue to maintain a sound financial position including long-term financial planning
<b>Council Priorities</b>	CP2 – improved health and wellbeing: reduced inequalities CP3 – Right care, right place, right time CP4 – Safe and empowered communities
<b>Single Outcome Agreement</b>	SO2 – Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
<b>Appendices</b>	Appendix 1 – Summary of Tendering and Tender Evaluation Processes



# Appendix 1

## Summary of Tendering and Tender Evaluation Processes

Contract	Independent Advocacy Services Contract Ref: CT 0173
Contract period (including any extensions)	1 July 2017 to 30 June 2022
Estimated contract value	Lot 1 £2,650,000 (including extensions) Lot 2 £1,250,000 (including extensions)
Standing Orders observed	2.5 EU Principles have been applied 2.13 Commercial and Procurement Services provided resource to undertake tendering 3.2 Director has responsibility for all contracts tendered and led by their Directorate 5.1 Tenders evaluated on basis of most economically advantageous tender
Portal used to advertise	Public Contracts Scotland
EU Procedure chosen	Competitive Procedure with Negotiation
Tenders returned	2
Tenders fully compliant	2
Recommended suppliers	Lot 1 Advocard Lot 2 Partners in Advocacy
Primary criterion	Most economically advantageous tender to have met the qualitative and technical specification of the client department
Evaluation criteria and weightings and reasons for this approach	Quality 70% Price 30% Quality was considered more important than price in the context of the service.
Evaluation Team	Council officers from Health & Social Care and a representative of NHS Lothian with relevant experience
Consideration of procurement methodology and processes to ensure SME friendly	Future Contract Opportunity (FCO) notice was published on the Public Contracts Scotland website on 7 March 2016. Extended consultation with all key stakeholders. Logging of requirements.

# The City of Edinburgh Council

10am, Thursday, 29 June 2017

## Framework Agreement for Day Support Services for Adults with Learning Disabilities

Contract Ref: CT 0171

Item number

Report number

Executive/routine

Wards

### Executive Summary

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This report seeks the approval of Council to establish a Framework Agreement for Day Support Services for adults with learning disabilities, and to award twenty providers onto the Framework Agreement.

The term of the Framework Agreement will be three years, commencing 2 October 2017 to 1 October 2020, with an option to extend for up to a further 12 months. The total estimated value of contracts that may be awarded under the Framework Agreement, including extensions, is £28,000,000.

### Links

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<b>Coalition Pledges</b>	P43
<b>Council Priorities</b>	CP2, CP3
<b>Single Outcome Agreement</b>	SO2

## Framework Agreement for Day Support Services for Adults with Learning Disabilities

Contract Ref: CT 0171

### 1. Recommendations

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- 1.1 It is recommended Council approves the establishment of a Framework Agreement for Day Support services for Adults with Learning Disabilities for three years, commencing 2 October 2017 to 1 October 2020, with an option to extend for up to a further 12 months; and
- 1.2 approves award of the following twenty providers onto that Framework Agreement:
- Active Healthcare Services
  - Autism Initiatives
  - Capability Scotland
  - Carr Gomm
  - Clayton Care Limited
  - Columcille Ltd
  - Community Integrated Care
  - CrossReach
  - ENABLE Scotland
  - Garvald Edinburgh
  - Inclusion Alliance
  - Leonard Cheshire Disability
  - Places for People Scotland Care & Support
  - Scottish Autism
  - The Action Group
  - The Redwoods Caring Foundation
  - The Richmond Fellowship Scotland Limited
  - Tiphereth Ltd
  - Upward Mobility Ltd
  - Visualise Scotland

### 2. Background

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- 2.1 The Edinburgh Health and Social Care Partnership spends approximately £6,800,000 per annum on externally provided day support services for adults with learning disabilities.
- 2.2 Half of this amount is spent on services that support people from a day centre, and half is spent on community based support. Some support is on a shared basis, i.e.

provided to a group of service users and some is provided on a one to one basis. A total of 500 service users receive these externally provided services at an average cost of £13,600 per service user, per annum.

- 2.3 Establishing a Framework Agreement for procurement of these services will reduce the administrative burden on both the Council and providers. This will be done by:
- (a) simplifying the procurement procedure by reducing or avoiding multiple, repetitive submission of tender documents
  - (b) introducing a single service specification for all day service models which reflects current national 'best practice' guidance and the outcome of local co-production activity;
  - (c) using standard Framework Agreement Terms and Conditions.

### 3. Main report

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- 3.1 The aim of the service is to provide high quality care and support for adults with learning disabilities under Self Directed Support Option 3, where the Council arranges a service on behalf of an individual. The Council intends that an additional outcome of the procurement project will be to establish guide prices that can be used for budgeting for Direct Payments and Individual Service Funds under Options 1 and 2 of Self Directed Support.
- 3.2 Published in 2013, '*Keys to Life*' sets out the Scottish Government's ten year strategy for improving the quality of life for people with learning disabilities, who form the majority of day service users in Edinburgh. Many aspects of the strategy are also relevant to the lives of people with physical and other disabilities, a number of whom also use day services. '*Keys to Life*' identifies four overarching outcomes for day support services which they should strive to help people achieve:
- (a) A Healthy Life: people with disabilities enjoy the highest attainable standard of living, health and family life;
  - (b) Choice and Control: people with disabilities are treated with dignity and respect and protected from neglect, exploitation and abuse;
  - (c) Independence: people with disabilities are able to live independently in the community with equal access to all aspects of society; and
  - (d) Active Citizenship: people with disabilities are able to participate in all aspects of community and society.
- 3.3 In terms of EU procurement regulations, these services fall under the 'light touch' regime. Although the 'light touch' regime is not subject to the full rigours of EU procurement regulations, there is a requirement for openness, transparency and fair and equal treatment, as well as a requirement to comply with the Public Contracts (Scotland) Regulations 2015, the 2016 Regulations, the Procurement of Care and Support Services 2016 (Best Practice), and the Council's Contract Standing Orders.

- 3.4 In support of the strategic aims of *'Keys to Life'* and acting on behalf of the Edinburgh Health and Social Care Partnership Integration Joint Board (IJB), the Council published a Prior Information Notice (PIN) on the Public Contracts Scotland (PCS) website on 7 December 2015 and 32 organisations expressed interest.
- 3.5 An extensive co-production exercise followed, which included consultation with service users and their carers and engagement with third sector day support providers in order to inform the development of a new single Service Specification. Further detail can be found under Section 9 of this report.
- 3.6 The Council published a Contract Notice on the Public Contracts Scotland (PCS) website on 12 January 2017 and an Invitation to Tender (ITT) was published on the Public Contracts Scotland-Tender (PCS-T) website the same day. A total of 33 organisations registered interest.
- 3.7 Twenty organisations submitted tenders by the deadline of 14 February 2017.
- 3.8 Tenders were evaluated on the basis of the most economically advantageous tender (MEAT), with a weighting of 70% for quality and 30% for price. This weighting was agreed by a project team of representatives from Health and Social Care, based on a shared understanding that quality is of greater importance than price for this type of service. A summary of the tender process is provided at Appendix 1 of this report.
- 3.9 Evaluation of the commercial (price) content of the bids was undertaken by the Council's Commercial and Procurement Services (CPS), based on the offer price per service user per hour for Building Based Services (Lot 1) and Community Based Services (Lot 2). Detail about combined Technical (Quality) and Commercial (Price) scores for each Lot is provided at Appendix 2 of this report.
- 3.10 Taking account of service user needs and wishes, accessibility and availability of services, the Council will award contracts to the highest ranked provider (as established at the point of the framework agreement award). If the provider declines the business, the next highest scoring provider will be awarded the business and so on.

## 4. Measures of success

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- 4.1 There is an established single Service Specification for all day support services for adults with learning disabilities, which reflects current national 'best practice' guidance and the outcome of local co-production activity, together with standard Terms and Conditions.
- 4.2 There is an established list of prices for these services and future payments will only be made for periods of actual service delivery.

## 5. Financial impact

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- 5.1 The maximum value of contracts placed during the lifetime of the framework agreement, including possible extension, is estimated to be £28,000,000.
- 5.2 There are no direct savings anticipated via this contract agreement. The 2016/17 budget for disability day care services was £6.8m. This will increase in 2017/18 by £197,200 as a result of implementation of the Living Wage uplift rather than because of the new contract. The new contract is for new business only and given there is a relatively low rate of turnover among the client group no further increase in overall spend is anticipated in 2017/18. However, the framework agreement will introduce greater transparency to service and price offers and will therefore enable service users, carers and assessors to make better informed decisions about the allocation of resources or personal budgets.
- 5.3 The costs associated with procuring this framework agreement are estimated to be from £10,001 to £20,000.

## **6. Risk, policy, compliance and governance impact**

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- 6.1 The Health and Social Care Contracts Team will be responsible for the management of the Framework Agreement and related contracts and for monitoring key performance indicators. This will mitigate any risk that contracts might fail to meet requirements.

## **7. Equalities impact**

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- 7.1 There are positive equality impacts arising from this report as the Framework Agreement will provide people with disabilities and their carers with the tools needed to make informed and affordable choices in respect of day services. An Equalities and Rights Impact Assessment (ERIA) has been undertaken.

## **8. Sustainability impact**

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- 8.1 The sustainability risk has been assessed as low and no mitigating actions are necessary. There are no impacts on carbon, adaptation to climate change and sustainable development arising directly from this report.
- 8.2 A range of community benefits were offered by bidders including:
  - (a) targeted recruitment and training within Edinburgh;
  - (b) supported employment for people with learning disabilities;
  - (c) supporting local businesses;
  - (d) volunteering placements for school pupils;
  - (e) workforce training;

## 9. Consultation and engagement

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- 9.1 Co-production with service users and carers took place from 29 February to 13 June 2016.
- 9.2 Four easy read consultation questions were sent to all service users and carers and were developed to seek views on how people with learning disabilities would like to spend their day and what support should be like.
- 9.3 A variety of communication methods were used in the consultation. This took the form of questionnaires, online responses and four facilitated local meetings.
- 9.4 The outcome of the consultation and engagement process was used to develop the Service Specification in conjunction with third sector day support providers.

## 10. Background reading/external references

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- 10.1 *'Keys to Life, Improving Quality of Life for People with Learning Disabilities'*, Scottish Government, 2013

<http://www.gov.scot/Resource/0042/00424389.pdf>

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## 11. Links

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<b>Coalition Pledges</b>	P43 - Invest in healthy living and fitness advice for those most in need
<b>Council Priorities</b>	CP2 - Improved health and wellbeing: reduced inequalities CP3 - Right care, right place, right time
<b>Single Outcome Agreement</b>	SO2 - Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
<b>Appendices</b>	Appendix 1 - Summary of the Tender Process Appendix 2 - Combined Technical (Quality) and Commercial (Price) Scores for each Lot

Appendix 1 - Summary of the Tender Process

Day Support Services for Adults with Learning Disabilities Framework Agreement -  
Contract Ref: CT 0171

Contract	Framework Agreement for Day Support Services for Adults with Learning Disabilities - Contract Ref: CT 0171
Contract Period (including any extensions)	1 September 2017 to 31 August 2021
Estimated value of contract	£28,000,000 (total including extension)
Standing Orders observed	2.3 EU Principles have been applied 2.5 Health, social care and community services shall be procured in accordance with the Act 3.2 Director has responsibility for all contracts tendered and let by their Directorate 5.1 Tenders evaluated on basis of most economically advantageous tender
Portal used to advertise	Public Contracts Scotland
EU Procedure chosen	Open
Tenders Returned	20
Tenders fully compliant	20
Recommended Providers	Active Healthcare Services Autism Initiatives Capability Scotland Carr Gomm Clayton Care Limited Columcille Ltd Community Integrated Care CrossReach ENABLE Scotland Garvald Edinburgh Inclusion Alliance



	<p>Leonard Cheshire Disability</p> <p>Places for People Scotland Care &amp; Support</p> <p>Scottish Autism</p> <p>The Action Group</p> <p>The Redwoods Caring Foundation</p> <p>The Richmond Fellowship Scotland Limited</p> <p>Tiphereth Ltd</p> <p>Upward Mobility Ltd</p> <p>Visualise Scotland</p>
Primary Criterion	Most economically advantageous tender to have met the qualitative and technical specification
Evaluation criteria and weightings and reasons for this approach	<p>Quality (70%)</p> <p>Price (30%)</p> <p>This weighting was agreed by a project team of representatives from Health and Social Care, based on a shared understanding that quality is of greater importance than price for this type of service.</p>
Evaluation Team	Council officers in Health and Social Care

Appendix 2 – Combined Technical (Quality) and Commercial (Price) Scores for Lot 1

Provider	Technical (Quality) Score	Commercial (Price) Score	Total Score
Active Healthcare Services	28.00	18.86	46.86
Autism Initiatives	35.00	19.37	54.37
Capability Scotland	55.13	16.71	71.83
Columcille Ltd	40.25	18.46	58.71
CrossReach	49.00	20.63	69.63
Garvald Edinburgh	35.88	16.96	52.83
The Redwoods Caring Foundation	38.50	28.70	67.20
Tiphereth Ltd	37.63	17.17	54.79
Upward Mobility Ltd	31.50	30.00	61.50
Visualise Scotland	43.75	15.35	59.10

Combined Technical (Quality) and Commercial (Price) Scores for Lot 2

Provider	Technical (Quality) Score	Commercial (Price) Score	Total Score
Active Healthcare Services	28.00	29.09	57.09
Autism Initiatives	35.00	28.17	63.17
Capability Scotland	55.13	27.04	82.17
Carr Gomm	53.38	26.68	80.06
Clayton Care Limited	34.13	27.43	61.55
Community Integrated Care	40.25	29.06	69.31
CrossReach	49.00	30.00	79.00

ENABLE Scotland	39.38	27.41	66.79
Inclusion Alliance	56.88	27.71	84.59
Leonard Cheshire Disability	46.38	29.23	75.61
Places for People Scotland Care & Support	53.38	29.18	82.55
Scottish Autism	37.63	25.44	63.06
The Action Group	35.00	27.99	62.99
The Richmond Fellowship Scotland Limited	48.13	28.95	77.08
Upward Mobility Ltd	31.50	24.62	56.12
Visualise Scotland	43.75	23.41	67.16