

# Finance and Resources Committee

10:00, Thursday 10 October 2019.

## Award of Contracts to the Open Framework for Support Services under Options 2, 3 & 4 of 'The Social Care (Self-Directed Support) (Scotland) Act 2013'

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

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- 1.1 This report seeks the approval of the Finance and Resource Committee to appoint 18 providers to the Open Framework for Support Services under Options 2,3 &4 of The Social Care (Self-Directed Support) (Scotland) Act 2013. This report has also been submitted to the Education, Children and Families Committee for consideration on 8 October 2019.
- 1.2 The Framework duration will be for 48 months starting from the 1 November 2019.
- 1.3 The total estimated maximum value of call off contracts to the Council, is £4,000,000. This will be dependent on the mix of direct payments and option 2,3 and 4 services agreed with the service user.

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## **Award of Contracts to the Open Framework for Support Services under Options 2, 3 & 4 of The Social Care (Self-Directed Support) (Scotland) Act 2013**

### **2. Executive Summary**

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- 2.1 Under the Children (Scotland) Act 1995 Local Authorities have a duty to provide for disabled children, young people and their families, in line with their individual needs.
- 2.2 As such it is recommended that the Finance and Resources Committee approve the award of 18 providers to the open Framework, who will provide care and support to Edinburgh's Children and Young People with disabilities and their families, in line with Options 2, 3 & 4 of the Social Care (Self-Directed Support) (Scotland) Act 2013.

### **3. Background**

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- 3.1 The Scottish Government introduced The Social Care (Self-Directed Support) (Scotland) Act in 2013. The Act places a legal duty on local authority social work departments to offer people who are eligible for social care, a range of choices over how they receive their social care and support.
- 3.2 Self-Directed Support includes a range of options to ensure everyone can exercise choice and control:
  - 3.2.1 Option 1 – A Direct Payment to the supported person / family
  - 3.2.2 Option 2 – Funding Allocated to a provider of choice
  - 3.2.3 Option 3 – the Council can select and arrange appropriate support on behalf of the supported person
  - 3.2.4 Option 4 – A combination of the above options.
- 3.3 The Integrated Children's Services Plan 2017 – 2020 set out a vision that 'Edinburgh's children and young people enjoy their childhood and achieve their potential' including a number of objectives:

- 3.3.1 Every child and young person will have good wellbeing and achieve the best possible health.
  - 3.3.2 Equity amongst children and young people and their families will be advanced.
  - 3.3.3 Children and young people, their families and their communities will be empowered to improve their wellbeing.
- 3.4 This Open Framework is intended to meet the Scottish Governments requirements for the provision of Self-Directed Support for The City of Edinburgh Council as a local authority to encourage growth in the market place and offer more choice to families. The project will be put in place to offer greater control and accountability over Duty of Care and the price agreed for individual support, including the terms and conditions over how that support is delivered.
- 3.5 As part of this, the current procurement of services supports more than 135 disabled children and young people. In line with self-directed support (SDS) legislation, the support is customised to each individual and is normally contracted for no longer than 12 months at each time
- 3.6 Providers who register to join the Open Framework will have no guarantee of work and the Terms and Conditions of the agreement will only be 'activated' once the supported person chooses to use a specific provider. The contract call-off will be supported by an Individual Support Agreement (ISA) which will be drawn up. This will detail the type and nature of the support to be offered with a clear pricing structure.

## 4. Main report

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- 4.1 In March 2019 a Prior Information Notice (PIN) was published on Public Contracts Scotland (PCS) to invite providers or those with an interest in support services under self-directed support to attend a co-production event.
- 4.2 This event was attended by 19 organisations on 10<sup>th</sup> April 2019, to fully discuss the upcoming requirement in full, advise organisations of the new process, share draft documents for review and comment and how this would impact the implementation of The Social Care (Self-Directed Support) (Scotland) Act 2013 within Edinburgh. This allowed for a question and answer session and the Power Point presentation was shared with the providers who noted interest.
- 4.3 The proposals were well received by the organisations involved in the co-production event.
- 4.4 On completion of co-production, a contract opportunity was published via PCS for an Open Framework; which allows the Council to re-open the opportunity on a yearly basis to encourage further capacity building. As this is social care type service, the tender was published in accordance with the Public Contracts (Scotland) Regulations 2015 with the Light Touch Regime applied.

4.5 The Framework was split into 6 lots according to the support required;

Category/Lots	Title	Explanation *
1	Short breaks for Children, Young People and their families	These may include but are not limited to daytime, overnight or longer breaks for families or individuals, for example.
2	Activities for Children, Young People and their families	These may include but are not limited to weekly clubs, sports groups or befriending either within specialist provision or in community based activities, for example.
3	Emotional and Mental Health Support for Children, Young People and their families	These may include but are not limited to group and/or one to one work with children or families, counselling, mediation and services to promote good mental wellbeing, for example.
4	Practical Support for Children, Young People and their families	These may include but are not limited to support with personal care within the home, assistance to the family such as a cleaner, sitting services, for example.
5	Support to Young People towards independence	These may include but are not limited to skills based groups such as cooking and handling money, one to one training, travel training, for example.
6	Any other support which the family feel will best support them and has been agreed by the Council.	Anything else which the family request or any other types of support which does not fall into the categories above.

- 4.6 Bids were received from 18 providers. All tenders received were evaluated based on most economically advantageous tender (MEAT), weighted 50:50 for quality and price. Due to the nature of the service families can choose their own support, as such both quality and price were equally weighted. Details of the evaluation criteria can be found in Appendix 1.
- 4.7 All providers were assessed as meeting the quality criteria and the price was based on the proposed rate of support per service user. Scoring breakdown in detailed in Appendix 2.
- 4.8 Please note, allocation on the call off contract to each provider will not be based solely on ranking but also on the service user's specific needs, existing provision and the capacity available from providers.
- 4.9 The designated Contract Manager from Communities and Families will be responsible for monitoring delivery and reporting of Community Benefits by the individual providers.

## **5. Next Steps**

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- 5.1 Subject to approval, the services will commence from 1<sup>st</sup> November 2019, and allow the Council to meet its statutory obligations with regards to the provision of support services to disabled children, young people and their families.
- 5.2 All providers have been kept in communication throughout this process and are aware that award of contract is dependent upon committee approval.
- 5.3 The open framework opportunity may be re-opened on a yearly basis. This will be dependent on circumstances, for example if there is a new provider on the market or a new offer from established providers and / or if there is a better model of provision within the lots.

## **6. Financial impact**

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- 6.1 The providers have agreed to a fixed pricing structure for a minimum of 1 year, with price increases being in line with Consumer Price Index. Any intention to amend costs should be made in writing by 1 February prior to each new financial year. There will be an expectation of an open book for this process with a full explanation offered for any proposed price increase. The benefit of this will be easier contract management, clearer expectations and greater financial stability.
- 6.2 The proposals from all providers have been within agreed budget. The SDS budget is £1.005m a year and support commissioned under options 2, 3 and 4 will be managed along with direct payments to ensure total commitments do not exceed the budget available.
- 6.3 Financial assessments have been completed for all providers. Every provider passed the financial assessment, however there will be close monitoring throughout the contract term. In addition, all providers who receive over £500,000 per annum will be added onto the Financial Assessments Monitoring Log.
- 6.4 All providers whose annual value of this contract exceeds £25,000 will be expected to provide Community Benefits as per their tender submissions. This will be monitored through the contract manager within Communities and Families.
- 6.5 The costs associated with procuring this contract are estimated to be between £20,001 and £35,000.

## **7. Stakeholder/Community Impact**

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- 7.1 Stakeholders have been involved in this process. Please refer to 'main body' for full explanation of stakeholder involvement within the process.
- 7.2 An Integrated Impact Assessment has been completed and all recommendations have been addressed throughout the process.

- 7.3 The contracts ensuing from this procurement are mostly with established providers, therefore there will be a reduced learning curve (reduced training requirements). For every supported person, there will be a detailed ISA (Individual Service Agreement) which will be linked to Communities and Families “Edinburgh Wellbeing Outcomes”.
- 7.4 The outcome of awarding these contracts will be to ensure good quality support services under self-directed support for children and young people with disabilities, and their families. The operation will also allow for flexibility of choice under the options of SDS.
- 7.5 No significant environmental impacts are expected to arise from this contract.
- 7.6 This procurement has adhered to police on Sustainable Procurement and Implementing Community Benefits guidance.
- 7.7 The success of these contracts will be measurable against Key Performance Indicators which are detailed within the specification.

## **8. Background reading/external references**

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- 8.1 [file:///H:/Edinburgh\\_Childrens\\_Services\\_plan\\_2017\\_2020\\_summary.pdf](file:///H:/Edinburgh_Childrens_Services_plan_2017_2020_summary.pdf)
- 8.2 <http://www.selfdirectedsupportscotland.org.uk/self-directed-support>.

## **9. Appendices**

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- 9.1 Appendix 1 Summary of Tendering and Tender Evaluation Processes
- 9.2 Appendix 2 Ranking

**Appendix 1 – Summary of Tendering and Tender Evaluation Processes**

<b>Contract</b>	<b>CT2223</b>	
Contract Period	4 years	
Estimated Total Contract Value (including extensions)	£4,000,000	
Procurement Route Chosen	Open OJEU tender for an Open Framework Agreement	
Call off Contracts to be Awarded	18 awards onto the Open Framework	
Price / Quality Split	<b>Quality 50</b>	<b>Price 50</b>
	<b>Criteria</b>	<b>Weighting (%)</b>
Evaluation Criterion and Weightings	<b>Service Provision</b>	50%
	<b>Outcomes and Monitoring</b>	30%
	<b>Communication and Reporting</b>	20%

## **Appendix 2 – Ranking**

Lot 1 – Short Breaks for Children, Young People and their families.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>The Richmond Fund</b>	40.38	50	90.38	1
<b>The Action Group</b>	35.75	47.92	82.98	2
<b>ENABLE</b>	35.25	45.23	80.48	3
<b>Mochridhe</b>	31.75	47.93	79.68	4
<b>Lothian Autism – Base Camp</b>	34.5	40.13	74.63	5
<b>Lothian Autism - SAT</b>	32.13	39.38	71.50	6
<b>Aberlour</b>	40.13	31.15	71.27	7
<b>FirstHand Lothian</b>	29.38	40.17	69.54	8
<b>Lothian Autism - Respite</b>	27.75	30.28	58.03	9

Lot 2 – Activities for Children, Young People and their families.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>People Know How</b>	44.88	48.89	93.76	1
<b>Capability Scotland</b>	47.75	45.48	93.23	2
<b>Mochridhe</b>	36.63	50.00	86.63	3
<b>Lothian Autism – Base Camp</b>	36.75	41.86	78.61	4
<b>Lothian Autism - SAT</b>	34.00	41.08	75.08	5



<b>FirstHand Lothian</b>	31.63	41.90	73.53	6
<b>Barnardos – Sibling Group</b>	30.63	32.02	62.65	7
<b>Lothian Autism – Respite</b>	28.50	31.59	60.09	8
<b>Barnardo’s – ADS Group</b>	30.63	22.09	52.72	9
<b>Barnardo’s – Holiday 5 hrs</b>	30.63	21.52	52.15	10
<b>Barnardo’s - Holiday 3 hrs</b>	30.63	14.92	45.54	11

Lot 3 – Emotional and Mental Health Support for Children, Young People and their families.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>Link Living</b>	40.13	50.00	90.13	1
<b>Penumbra</b>	45.75	39.64	85.39	2
<b>People Know How</b>	42.38	42.72	85.10	3
<b>Sacro</b>	41.88	33.80	75.68	4
<b>First Hand Lothian</b>	31.00	36.62	67.62	5
<b>Venture Trust – IYF</b>	40.00	18.31	58.31	6
<b>Venture Trust – WT</b>	40.00	12.03	52.03	7
<b>With Kids</b>	39.00	12.30	51.30	8
<b>CrossReach</b>	34.00	13.98	47.98	9
<b>Barnardo’s</b>	23.00	5.82	28.82	10

Lot 4 – Practical Support for Children, Young People and their families.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>The Action Group</b>	39.75	49.24	88.99	1
<b>Mochridhe</b>	33.75	50	83.75	2
<b>ENABLE</b>	38.50	44.31	82.81	3
<b>First Hand Lothian</b>	25.75	41.90	67.65	4

Lot 5 – Support to Young People towards independence.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>The Action Group</b>	44.63	47.20	91.83	1
<b>With YOU</b>	45.63	46.04	91.67	2
<b>Link Living</b>	40.13	47.66	87.78	3
<b>People Know How</b>	38.13	46.86	84.99	4
<b>Richmond Fellowship</b>	34.13	50.00	84.13	5
<b>Capability Scotland</b>	39.50	43.59	83.09	6
<b>Mochridhe</b>	31.25	47.93	79.18	7
<b>Scottish Autism</b>	37.50	40.34	77.84	8
<b>FirstHand Lothian</b>	25.88	40.17	66.04	9
<b>Barnardo's</b>	38.13	15.11	53.23	10

Lot 6 – Any other support which the family feel will best support them and have been agreed by the Council.

<b>Supplier</b>	<b>Quality Score 50/100</b>	<b>Cost score 50/100</b>	<b>100% of Tender to Final Score</b>	<b>Rank</b>
<b>Barnardo's – Parents and Carers</b>	36.00	50.00	86.00	1
<b>Barnardo's – Practitioner</b>	36.00	43.71	79.71	2
<b>Barnardo's – Autism Awareness</b>	36.00	28.65	64.65	3
<b>Barnardo's Sleep</b>	36.00	28.65	64.65	4
<b>Barnardo's Sensory</b>	36.00	28.65	64.65	5
<b>Barnardo's – Learning and Disabilities</b>	36.00	28.65	64.65	6
<b>Richmond Fellowship</b>	38.88	25.09	63.96	7
<b>Scottish Autism</b>	41.75	20.28	62.03	8
<b>The Action Group</b>	36.63	23.73	60.35	9
<b>Mochridhe</b>	34.75	24.09	58.84	10
<b>FirstHand Lothian</b>	30.50	20.19	50.69	11