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**FRAMEWORK AGREEMENT**  
**HOME CARE AND DOMICILIARY SUPPORT FOR ADULTS**

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**Responsible Cabinet Member - Councillor Veronica Copeland,**  
**Adult Services Portfolio**

**Responsible Director - Murray Rose, Director of People**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To seek Cabinet approval for the award of contracts for the provision of Home Care and Domiciliary Support for Adults.
2. To seek Cabinet approval to increase the number of Providers on the Framework Agreement from 15 to 18.
3. To seek Cabinet approval to increase the number of preferred Providers from 7 to 10.

**Summary**

4. At their meeting held on the 5 March 2013, Cabinet agreed the strategic procurement of a Framework Agreement for Home Care and Domiciliary Support for Adults with eligible social care needs.
5. The individual tender submissions were evaluated by a panel consisting of Council Officers from Commissioning, Contracting and Procurement.
6. In accordance with the Procurement Strategy for this tender, submissions were evaluated on a 20% price and 80% quality ratio.
7. Given the quality of the submissions and the small margins between success and failure expanding the Framework from 15 to 18 and increasing the preferred provider element from 7 to 10 would ensure greater choice for local people.
8. The Evaluation Panel recommends the award of contracts to the highest scoring tenderers as set out in paragraph 31 of this report.

## Recommendation

9. It is recommended that Cabinet approve the Evaluation Panel's recommendation to award contracts as detailed in paragraph 31 of this report.

## Reasons

10. The recommendation is supported by the following reasons :-
- (a) In accordance with the agreed selection criteria, the tender process identified these organisations as the most suitable contractors to achieve the outcomes identified within the service specification.
  - (b) Appointing a range of contractors will ensure that there is a diverse range of Providers who are able to meet local need and the challenging personalisation agenda.

**Murray Rose**  
**Director of People**

## Background Papers

Cabinet Report: Domiciliary Care and Housing Related Support Contract 5 March 2013

Mark Humble: Extension 3821

S17 Crime and Disorder	This decision will not have an impact on Crime and Disorder
Health and Well Being	This decision will ensure that support is in place to ensure people can continue to have choice and control over their social care support, and remain living independently as possible in their own homes
Carbon Impact	This decision will not have an impact on Sustainability.
Diversity	This decision will not have an impact on Diversity
Wards Affected	All
Groups Affected	Those with assessed eligible needs for Adult Social Care
Budget and Policy Framework	This decision is within the current framework
Key Decision	Yes
Urgent Decision	No
One Darlington: Perfectly Placed	The services procured contribute to delivery of the Community Strategy – People are healthy and supported
Efficiency	Efficiency savings will be made procuring under one framework agreement by applying a standard domiciliary care rate and applying criteria for the enhanced rate.

## **MAIN REPORT**

### **Information and Analysis**

#### **Brief Background to Report**

11. The provision of home care and support for adults experiencing difficulties due to ageing, illness or impairment is an essential service that supports and maintains people's wellbeing and independence for as long as it is safe and practicable for them to remain in their own home.
12. There is evidence to support that through the commissioning of home care and support individuals are prevented from having to be admitted to hospital, or being discharged sooner because an effective support system could be identified for a return home.
13. Effective support can also mean that people will have their needs met in their own communities and reduce the risk of them having to leave the area to have their needs met.
14. Home care and support offered in the right way can both maintain and increase independence. Increasing independence will be reflected by a need for a reduction in paid support.
15. There has been a significant shift, at both a national and local level, over a number of years in trying to ensure that people are only admitted to residential or nursing care homes when it is accepted that to remain at home would pose potential risk to the safety of self or others or the cost to the Council is over and above what can be expected to be good value for money.
16. There are an increasing number of older people in Darlington with a projected growth over the next 15 years and beyond. Advances in medical science and technology also means that people with long term illnesses, impairments and/or a learning disability are living longer and needing more complex care and support arrangements to be put in place.
17. The existing agreements in relation to Domiciliary Care and Housing Related Support are due to end at 30 September 2013.
18. The procurement strategy for the new support models was approved at the March 2013 meeting of Cabinet.
19. The tender was advertised through the North East Purchasing Organisation (NEPO) Portal.

#### **Evaluation of Tenders**

20. An open tender exercise was undertaken. The Business Questionnaire was evaluated as the first part of this process and tenders were required to meet the standards in order to move onto the second stage of the evaluation.

21. Out of the 33 tenderers who submitted a bid 28 were successful in the first stage of the process and their bids were evaluated as detailed below.
22. Tenderers were asked to submit a methodology statement, for the 80% quality score in respect of the following areas:-
  - (a) Aims, Objectives and Outcomes (50 Points);
  - (b) Partnership Working (10 Points);
  - (c) Safeguarding (10 Points);
  - (d) Quality Assurance/Continuity and Reliability of Care and Support (10 Points).
23. A financial audit was undertaken for each tender.
24. Tenderers were required to sign a Health and Safety declaration as well as completing the Health and Safety questionnaire appropriate to their organisation, unless they were accredited for health and safety with recognised bodies.
25. The following submissions were deemed non-compliant and were excluded from the evaluation process:-
  - (a) Contractor 1 – Failed to provide a methodology statement for evaluation.
  - (b) Contractor 7 – Provided a pricing schedule which exceeded the ceiling rate as stated in the tender documentation.
  - (c) Contractor 18 – Failed to provide a fully completed pricing schedule.
  - (d) Contractor 19 – Provided a pricing schedule which exceeded the ceiling rate as stated in the tender documentation.
  - (e) Contractor 23 – Provided a pricing schedule which exceeded the ceiling rate as stated in the tender documentation.
  - (f) Contractor 26 – Submitted incorrect tender documentation.
26. The report to Cabinet in March 2013 recommended that the 15 highest scoring compliant tenders were placed on the Framework, with the top seven scorers being identified as preferred Providers.
27. Following evaluation a number of potential issues have arisen:-
  - (a) The points difference between number 7 on the list and number 10 on the list is between 74.33% and 71%.
  - (b) The difference between number 15 and number 18 is between 61.54% and 60.17%.
28. The returned tenders indicate a high quality of service available. The small percentage gap between number 15 and number 18 also poses the potential that a Provider could seek a review and given the small percentage difference an alternative reading of the tender documentation may result in them moving up the list and impacting on another Provider, which may trigger a further review.

29. Given the high quality of the returns, if all of those 18 Providers that scored over 60% are awarded a place on the Framework, this would ensure even greater choice for local people who need social care support.
30. Of these 18 Providers, if all of those who scored more than 70% were awarded a place on the Framework as preferred Providers, then this would again ensure greater choice for local people.
31. The following recommendations are made to Cabinet in relation to the Home Care and Support Tender. The list of contractors is attached to this report at **Appendix 1** which is exempt from publication under Schedule 12A of the LGA 1972).

The top 18 contractors to be awarded a place on the Framework Agreement are:-

<b>Contractor</b>	<b>Score</b>
Contractor No 10	78.67%
Contractor No 24	78.50%
Contractor No 31	77.02%
Contractor No 12	76.83%
Contractor No 16	75.76%
Contractor No 8	75.43%
Contractor No 15	74.33%
Contractor No 4	73.11%
Contractor No 2	71.86%
Contractor No 33	71.00%
Contractor No 3	68.50%
Contractor No 20	67.08%
Contractor No 28	64.33%
Contractor No 32	62.23%
Contractor No 25	61.54%
Contractor No 22	61.06%
Contractor No 30	60.50%
Contractor No 29	60.17%

32. As part of the tendering process all tenderers were required to submit a service implementation plan which will be monitored closely by officers to support a smooth service transition, this will include:-
  - (a) Any changes in relation to TUPE;
  - (b) Individual transfer to any new Provider;
  - (c) Care and support plan reviews;
  - (d) As part of the service implementation process working groups will be established for key officers, stakeholders, and service Providers to support a seamless service implementation.
33. A draft communication plan has been developed to inform key stakeholders of the planned changes.

## Outcome of Consultation

34. A Provider event was held on the 23 January 2013 at the Dolphin Centre. The event was set up to provide an opportunity for Providers and the Council to assess current and future costs of providing homecare and to understand the procurement process in tendering for an outcome based Domiciliary and Housing Related Support.
35. The main challenge coming from the event centred on the inability of Providers to provide a quality service if current rates remain or a reduction in fee levels is made. The main issues raised related to meeting workers' pay rates ahead of the National Minimum Wage; fuel price increases; increased statutory holiday pay; increase in National Insurance contributions; and administration and management overheads.
36. Other related negative comments:-
  - (a) Due to the good relationships and good quality of care currently offered, the feeling for some new Providers is that there are fewer opportunities available.
  - (b) Brokerage/call off, needs to be seen to be fair to all Providers on the Framework
37. Positive comments highlighted the good relationship Providers have with Commissioning and Contracting Team, and the support that is provided from them, in particular through Provider Forums. They also agreed it was important to maintain a wide and diverse range of provision that affords flexibility and responsiveness.
38. Other key stakeholders were consulted through two public events and the local LINK undertook some individual work with current users of services. This work informed the outcomes identified within the service specification.