

Public Document Pack



NOTICE OF MEETING

Meeting	Executive Member for Adult Social Care and Health Decision Day
Date and Time	Wednesday, 21st June, 2017 at 3.00 pm
Place	Mitchell Room, Ell Court, The Castle, Winchester
Enquiries to	members.services@hants.gov.uk

John Coughlan CBE
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

AGENDA

KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

1. HELP TO LIVE AT HOME SERVICE (Pages 3 - 12)

To consider a report of the Director of Adults' Health and Care requesting permission to approve the spend under the proposed Help To Live at Home Open Framework.

NON-KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

**2. APPOINTMENTS TO HEALTH ORGANISATIONS (OUTSIDE BODIES)
(Pages 13 - 14)**

To consider a report of the Director of Transformation and Governance on appointments to Health Organisations (Outside Bodies).

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING:

The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact members.services@hants.gov.uk for assistance.

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Adult Social Care and Health
Date:	21 June 2017
Title:	Help to Live at Home Service
Report From:	Director of Adults' Health and Care

Contact name: Caroline Wright-Roberts

Tel: 01962 847427

Email: caroline.wright-roberts@hants.gov.uk

1. Executive Summary

- 1.1. The purpose of this paper is to request permission from the Executive Member for Adult Social Care and Health to approve the spend under the proposed Help to Live at Home Open Framework.
- 1.2. It is proposed the open framework would run for a period of up to seven years from August 2017 on a 5+2 year basis, allowing for call off contracts to be let within 30 days of going live if required. Contracts issued under the open framework could be for short or long term requirements, using the flexibility in the open framework to procure contracts based on local need when required. It is intended that the Hampshire Clinical Commissioning Groups (CCGs) would also be able to use the open framework to call off contracts for care at home.
- 1.3. The proposed seven year framework takes account of the need to promote stability in the market and to support stable provision for individual service users, as well as investment by providers in staff, training and new technologies.
- 1.4. This paper seeks to
 - Set out the background to the proposed approach
 - Set out the key issues
 - Outline proposed procurement and contract arrangements
 - Set out the financial impacts
 - Set out briefly the next steps required to deliver the framework

2. Contextual information

2.1. Scope

The service scope for the Help to Live at Home Open Framework includes:

- The provision of Care and Support at Home services

- The provision of externally contracted reablement services, known as REACT.
- The provision of Extra Care services.
- CCG requirements for people requiring care in their own homes

The framework is intended to be used to provide services to older people, people with a physical disability and people with mental health needs.

2.2. Background

The current contracts and purchasing arrangements for Care at Home, REACT and Extra Care services are procured and commissioned separately. The expiry dates for the current arrangements are detailed in table 1.

Table 1. Expiry dates for current contractual arrangements

Service Provision	Expiry date
Care at Home Framework	30 September 2018
Care at Home lead contracts	29 March 2018 and 2 x contracts 31 March 2018
REACT contracts	13 June 2018
Extra Care contracts	30 September 2023

It is proposed that there is a transition period between the current Care at Home framework expiring and the new Help to Live at Home open framework commencing. This is to safely manage the transition of existing packages with minimal disruption and to allow for continuity of care in addition to setting up contracts for new business requirements. REACT contracts will be awarded through the open framework to commence June 2018.

It is proposed that the framework would also allow for contracts to be called off for existing and new care and support services in extra care schemes. It is not proposed to transition existing contracts for such care provision.

2.3. Current issues

The current contractual arrangements have led to a degree of inflexibility in the service users care pathway and a whole systems approach is required.

Capacity to meet the demands of Hampshire residents is challenging in certain areas of the county due to workforce pressures. This results in pressures in alternative care services and hospitals.

3. Future direction

- 3.1. The proposed framework approach and service design for the Care and Support services has been co-produced with the provider market and wider stakeholders including CCG colleagues to ensure services are commissioned and aligned to the needs of Hampshire's residents.
- 3.2. Aims and objectives of the framework include:
 - Attract a high quality and reliable workforce and grow sufficient capacity to meet demand– by offering commercially viable contracts that enable providers to attract and retain a reliable workforce
 - Reduce the use of higher cost care options – by increasing usage of contracts procured under the framework
 - Enable the County Council's Transformation Programme to be realised – by enabling growth of community based care services
 - Offer a localised approach to service delivery – by contracting bespoke and creative services based on need and local demographics.
 - Maximise independence through reablement and strength based working – by ensuring that the contracts support strength based working and contracting with providers who demonstrate these values
 - Enable effective pathways for service users, including hospital pathways – by working in a whole systems approach with CCG and Health colleagues
- 3.3. Combining the procurement for Care and Support at Home, REACT and Extra Care services would demonstrate a clearer joined up approach. The framework would be used as a platform to engage with a wide provider market for similar services which could support creative working and create efficiencies.
- 3.4. It is proposed that the Framework include flexibility to allow for arrangements under S75 NHS Act 2006 if desired in the future. This would allow for further integration between Hampshire County Council and NHS commissioning.

4. Contract Arrangements and Tender Process

- 4.1. The proposed procurement approach would be to establish an open framework under the Public Contract Regulations 2015 taking account of the flexibility of the Light Touch Regime for Social and Other specific services to call off specific contracts to meet needs and demands of Hampshire residents.
- 4.2. The proposed open framework would allow for providers to submit proposals, against set criteria, to join. Unlike a traditional framework, providers could apply to join at any time and if initially unsuccessful could also re-apply in the future.
- 4.3. The proposed open framework would support providers to evidence areas of expertise and express interest for the different services which would be contracted under it. This would then establish providers who would be

invited to tender (as part of a mini competition) to bid for call off contracts for the following services:

- Care and Support at Home services (new and existing business)
 - CCG requirements for Home Care
 - REACT
 - Extra Care – care and support elements
- 4.4. It is proposed that the Help to Live at Home open framework commences in August 2017, allowing for call off contracts to be let within 30 days of going live if required. The open framework duration would be for a maximum of seven years awarded on a 5+2 year basis. The duration of contracts called off through the framework for REACT, Care and Support at Home and Extra Care requirements could continue beyond the life of the framework. The length of contracts offered under the Framework will be flexible and will vary to take account for example of the nature of the service, the needs of the individual service user and requirements of the County Council

5. Finance

- 5.1. It is expected that the proposed total maximum spend under the framework would be £800m, this includes an amount to allow for CCG spend for home care services to support eligible NHS Continuing Health Care provisions.
- 5.2. Whilst a maximum spend level for the seven years has been estimated for this approval the annual spend will be monitored and will take account of the annual budget approved by Full County Council.
- 5.3. In each of the years of the framework the value of the contracts called off would be subject to a significant number of variables including;
- volume changes due to demographic and complexity changes,
 - volume changes due to departmental service design changes, e.g. transformation programmes and beyond,
 - price changes due for example to changes in the living wage and annual fluctuations to inflation.
- 5.4. It is proposed that any inflationary uplifts to the unit rates paid under the framework would be considered annually. Any level of inflation considered would take into account all pertinent information relevant at the time of the decision and will not be based on a fixed level per year or by necessarily by zone.
- 5.5. It is intended that the framework would commence from August 2017 and is likely to initially focus on Care and Support at Home Services whilst the other services including Extra Care and REACT are expected to follow later.
- 5.6. As outlined above, the fluidity of demand for services means that forecasting the cost of future service provision under the framework is

challenging, however it is understood that if the County Council does not implement the new framework cost pressures for care would continue to rise. There are known future financial pressures that will affect the service provision, therefore the proposed framework aims to mitigate the impact of these as far as possible. In addition any element of pressure that cannot be mitigated through the implementation of the framework would be managed as part of the County Council's transformation programme.

6. Consultation and Equalities

- 6.1. A full Equalities Impact Assessment has been carried out and it highlighted that the service is likely to have a positive impact on age and disability. The framework aims to grow capacity to meet local needs and demands of Hampshire residents, to ensure that all residents are offered high quality and consistent services county wide.
- 6.2. This service is an inclusive service. It will provide opportunities for people to be active participants in the delivery of their care services as they will be central to the production of their reablement and care plan. The overall service will support people to remain or regain independence by working with them to achieve outcomes that are meaningful to them and the lives they wish to live. The service will have a positive social impact on the lives of the people using the service as it will support them to make choices about their future and where possible enable people to live at home with a minimum number of interventions necessary for independence.
- 6.3. The changes proposed to the service aim to ensure a smooth transition from reablement services into long term care if required with the aim that people using this service will experience improved health and emotional wellbeing, increased levels of independence and be part of their community and be reabled to live safely, independently and with dignity. The service would link with other services available in the community thus aiming to support people's health and wellbeing.
- 6.4. This service will be available to people of all faiths and race. Cultural and faith needs will be respected during the delivery of this service and during any activities undertaken as part of this service as per the service specification.
- 6.5. Tenderers will be tested and scored during mini competitions on how they intend to meet the equalities requirements of the contract to ensure inclusivity. The service will be available to men and women who are transgender and men and women regardless of their sexual orientation or marital status. No negative impacts are expected for those categories listed as low or no impact.
- 6.6. Several provider engagement events have been held to raise awareness and contribute to the design of the new framework. There are further

market engagement events planned for July 2017 to prepare the market for the release of the framework in August 2017.

- 6.7. Service users were also consulted about the current service via the Health Watch survey throughout autumn 2016 and learning from this has fed into the design of the service. The commissioning team held focus groups with services users and providers in summer and autumn of 2016 to inform the new service model.
- 6.8. Outcome focused performance measures will be built into the Service Specification and the contracts will be monitored regularly to ensure quality and service user outcomes are being fully met.
- 6.9 It is for the Executive Member as decision maker to have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act and advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. Key Risks and Issues

Key issues include:

- 7.1. Future workforce planning by the County Council and service providers needs to ensure that the vision for services is implemented to embed working practices that support the development of person centred services which are focussed on outcomes, strength based approach methodology and embeds a reablement model of care and support.
- 7.2. The need to offer sustainable business with providers to support quality in service delivery and a sustainable workforce.

Key headline risks include:

- 7.3. Due to the macroeconomic factors including workforce challenges affecting this market there is a risk that demand for services will not be sufficiently met by contracted providers. Widening the scope of the framework and tendering for outcome based services, should attract wider provider interest due to the increased tender opportunities that this presents.
- 7.4. There is a risk that current packages may be affected, should a provider fail to qualify for the framework or choose not to bid. Should this occur there are various options available through the use of the framework to manage this risk, such as running mini competitions through the framework.

8. Legal implications

- 8.1. Under the Care Act 2014 the County Council has a duty to meet the eligible needs for care and support for people for whom the County Council is responsible.
- 8.2. The Help to Live at Home Open Framework will be tendered in accordance with the Public Contracts Regulations 2015.

9. Recommendation

- 9.1. That the Executive Member for Adult Social Care and Health gives approval to spend up to £735 million for contracts awarded under the Help to Live at Home Open Framework to commence August 2017 for a period of up to 7 years on a 5 + 2 basis.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	Yes
Maximising well-being:	Yes
Enhancing our quality of place:	Yes

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Hampshire Adult Care at Home Framework	<u>Reference</u> 7429	<u>Date</u> 27 April 2016
Direct links to specific legislation or Government Directives		
<u>Title</u> The Care Act 2014		<u>Date</u> 2014

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2 Equalities Impact Assessment:

A full Equalities Impact Assessment has been carried out and it highlighted that the service is likely to have a positive impact on age and disability. The framework aims to grow capacity to meet local needs and demands of Hampshire residents, to ensure that all residents are offered high quality and consistent services county wide.

This service is an inclusive service. It will provide opportunities for people to be active participants in the delivery of their care services as they will be central to the production of their reablement and care plan. The overall service will support people to remain or regain independence by working with them to achieve outcomes that are meaningful to them and the lives they wish to live. The service will have a positive social impact on the lives of the people using the service as it will support them to make choices about their future and where possible enable people to live at home with a minimum number of interventions necessary for independence.

The changes proposed to the service aim to ensure a smooth transition from reablement services into long term care if required with the aim that people using this service will experience improved health and emotional wellbeing, increased levels of independence and be part of their community and be reabled to live

safely, independently and with dignity. The service would link with other services available in the community thus aiming to support people's health and wellbeing.

This service will be available to people of all faiths and race. Cultural and faith needs will be respected during the delivery of this service and during any activities undertaken as part of this service as per the service specification.

Tenderers will be tested and scored during mini competitions on how they intend to meet the equalities requirements of the contract to ensure inclusivity. The service will be available to men and women who are transgender and men and women regardless of their sexual orientation or marital status. No negative impacts are expected for those categories listed as low or no impact.

2. Impact on Crime and Disorder:

2.1 This service is expected to have a positive impact on crime and disorder as people will be empowered to stay independent within their own homes and communities.

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The Framework proposed is not expected to result in a negative impact to the County Council's carbon footprint or energy consumption, the framework would not increase activity, therefore should not lead to increased energy consumption. Extra Care new build schemes will be built according to up to date building regulations and energy efficiency requirements. This service is not expected to have implications with regards to climate change as providers will be expected to zone and plan routes for efficient travel.

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Adult Social Care and Health
Date:	21 June 2017
Title:	Appointments to Health Organisations (Outside Bodies)
Report From:	Director of Transformation and Governance - Corporate Services

Contact name: Jackie Taylor

Tel: 01962 847479

Email: jackie.taylor@hants.gov.uk

1. The Decision: (PROPOSED)

- a) That the Executive Member for Adult Social Care and Health be requested to make appointments to Health Organisations (Outside Bodies) as detailed below. The term of office to expire in May 2021.

HEALTH ORGANISATIONS (OUTSIDE BODIES)

Name of body and number of representatives required	Previous Representatives	Appointment(s) until May 2021
Frimley Health NHS Foundation Trust 1 Governor representative	Councillor Wall	
Hampshire Hospitals NHS Foundation Trust 1 Governor representative	Councillor Reid	
Portsmouth Hospitals NHS Trust 1 Governor representative	Councillor Edgar	
Portsmouth City Council Health Overview and Scrutiny Panel 1 Co-opted Panel Member representative	Councillor Keast	
Solent NHS Trust 1 Governor representative	Councillor Latham	
Southern Health NHS Foundation Trust	Councillor Joy	

1 Governor representative		
Surrey & Borders Partnership NHS Foundation Trust 1 Governor representative	Councillor Chadd	
University Hospital Southampton NHS Foundation Trust 1 Governor representative	Councillor Gibson	

b) That the Executive Member notes that Chase Community Hospital, Bordon, Steering Board has been disbanded and a County Council appointment is no longer required.

2. Reason(s) for the decision:

2.1 To maintain County Council representation on committees and bodies within the community.

3. Other options considered and rejected:

3.1. Not to make appointments, which would cease County Council representation.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted:

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

21 June 2017

**Executive Member for Adult Social Care and Health
Councillor Liz Fairhurst**