

From: Clair Bell, Cabinet Member for Adult Social Care and Public Health
Richard Smith, Corporate Director Adult Social Care and Health

To: Adult Social Care Cabinet Committee – 13 July 2022

Subject: **EVERYDAY LIFE ACTIVITIES, SKILLS DEVELOPMENT AND TRAINING OPPORTUNITIES FOR PEOPLE IN THE COMMUNITY – DYNAMIC PURCHASING SYSTEM**

Key decision no: **22/00073**

Classification: Unrestricted Report (Restricted Appendix (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information))

Past Pathway of report: None

Future Pathway of report: Cabinet Member decision

Electoral Division: All

Summary: To inform the Cabinet Member on the progress to establish the Dynamic Purchasing System for the purchasing of support for people to engage in everyday life activities, skills development and training opportunities.

Recommendation(s): The Cabinet Member for Adult Social Care and Public Health (in consultation with the Cabinet Member for Integrated Children’s Services) is asked to:

- a) **APPROVE** the creation of the Dynamic Purchasing System for the delivery of Everyday Life Activities, Skills Development and Training Opportunities for People in the Community;
- b) **APPROVE** the opening of the Dynamic Purchasing System on a regular basis to enable new services to join the framework; and
- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health and Corporate Director Children, Young People and Education, to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, to implement the decision.

1. Introduction

- 1.1 The current Community Day Opportunities for Individuals with Disabilities framework contract is due to expire on 30 September 2022 and new arrangements need to be in place by 1 October 2022.
- 1.2 The name of this support was changed from 'Community Day Opportunities for Individuals with Disabilities' to 'Everyday Life Activities, Skills Development and Training Opportunities' following feedback from people with lived experience commenting that 'community opportunities' did not mean anything to them and it is essential that any contract such as this has a title that is meaningful to people.
- 1.3 The new model of provision is based on the Making a Difference Every Day (MADE) approach and design principles which were developed as part of a stakeholder and resident engagement process in December 2021. Provider engagement events were held in January 2022 on the future strategic direction for this support and the development of the specification.
- 1.4 The new service specification (Everyday Life Activities, Skills Development and Training Opportunities) is outcome focused and based on the Making a Difference Everyday (MADE) approach, the Provider Services design principles and align with a Self-Directed Support approach of Adult Social Care.
- 1.5 It is recognised that a traditional approach to 'day opportunities' is reducing in demand, however this is still an important provision for some individuals and their families. The service and support purchased through the new Dynamic Purchasing System is a flexible, adaptable and evolving model which will include traditional day opportunities as well as wider support outside of traditional times and settings. This offer also aligns with other Adult Social Care Projects such as the Micro-Enterprises development.
- 1.6 This report summarises the commissioning intentions, procurement process and evaluation, together with recommendations for the award of these contracts.

2. Commissioning Intentions

- 2.1 To introduce well-managed contracts for adult social care and to have systems and measures in place to manage its day-to-day operational requirements, including:
 - Key Performance Indicators (KPIs). Ongoing management and monitoring of quality ensures that all providers remain compliant to their contractual commitments; and
 - Contract Management. Regular communication with providers continues to strengthen the relationship. Regular analysis of KPIs, and management information for quality of services and improved contract monitoring.

- 2.2 The scope of Everyday Life Activities can cover all social care activities and all vulnerable people. The support is split into two main areas; Everyday Life Activities and Skills Development and Training Opportunities.
- 2.3 A Dynamic Purchasing System (open framework) approach was approved to allow the opportunity to grow the variety and choice of support throughout the lifetime of the framework. There will be a regular opportunity (the first being after six months) to 're-open' the framework to allow more providers to bid to be a part of the framework.
- 2.4 As this is a framework approach, there is not a fixed contract value for any provider entering into the framework. It will be down to the people we support in conversations with social care practitioners to decide what is the right support or activity for them to engage in and therefore purchase from the framework.

3. Procurement Process

- 3.1 The Everyday Life Activities Dynamic Purchasing System is being procured using three contract Lots;
 - Lot 1a: Everyday Life Activities (1:1 or small groups)
 - Lot 1b: Everyday Life Activities (building based / large groups)
 - Lot 2: Skills Development and Training Opportunities
- 3.2 Lots 1a and 2 include the choice of virtual/remote support as well as face to face/in person support, allowing a greater flexibility in support and choice for the people we support, as well as building resilience in providers.
- 3.3 It was decided to run Lot 1b as a 'closed framework'. This means it will not reopen on regular occurrences as the rest of the Dynamic Purchasing System. This is due to the type of provision included within Lot 1b is of a more traditional nature and not fitting in with the future strategic direction for this type of support, while allowing providers to enter the framework at the beginning to give that choice to people that want it.

3.4 Table 1 shows the procurement timetable:

Table 1: Procurement timetable

Event	Date
Prior Information Notice	29 December 2021
Issue of Invitation to Tender (ITT) and Selection Questionnaire (SQ)	30 May 2022
ITT and SQ Return	17 June 2022
Evaluation of ITT and SQ	20 June – 1 July 2022
Recommendation to Award taken to Adult Social Care Cabinet Committee	13 July 2022
Issue award letters	15 August 2022
Mobilisation	16 August 2022 – 30 September 2022
Service Commencement	1 October 2022

3.5 The successful providers for entry onto the Dynamic Purchasing System on this opening round are included in the attached award report attached as Exempt Appendix 1 (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information)

4. Financial Implications

4.1 The actual spend (across Adults and Children's Social Care) for 2021-22 was £9,547,321 (£6,349,221 adults, £3,298,100 children's) for this service provision.

4.2 Due to the COVID pandemic, the spend during 2021/22 was lower than the allocated budget. This has been a result of some services being closed for periods of time. Client charging has also been suspended which impacts on this.

4.3 This new Dynamic Purchasing System allows for flexibility in the fees paid depending on the activity/support delivered and to work with providers and the people we support to use other methods of payment, such as direct payments and individual service funds.

4.4 The Council budget was approved at County Council on 10 February 2022. It is acknowledged that there are significant pressures on the Adult Social Care and Children's and Young People's budgets. As such there are identified savings of £1,000,000 against the Adult Social Care budget for this support.

4.5 This Dynamic Purchasing System is a tool to assist Social Care Practitioners and the people we support and their carers to purchase the support and activities they wish to engage in. In line with the future ways of working and Making a Difference Everyday, the savings identified against the Adult Social Care budget for this area will need to be achieved through the conversations and support planning with the people we support in giving them more control and choice about the activities and support they want within their personal

budget to meet their outcomes, and to ensure that as far as is possible that only providers that are a part of the Dynamic Purchasing System with agreed rates are used.

5. Legal implications

- 5.1 The procurement of this Dynamic Purchasing System has been undertaken in line with the Public Contract Regulations (2015). There will need to be resource allocated at the end point contract award for contracts to be sealed. The new contracts will be taken forward in a way which ensures the Council's statutory responsibilities are discharged accordingly.
- 5.2 These services support people with an assessed care and support need and therefore fall under the guidance laid out by the Care Act (2014).
- 5.3 The Strategic Commissioning Division used the standard Care Services Terms and Conditions of contract.

6. Equalities implications

- 6.1 An Equality Impact Assessment has been carried out (Attached as Appendix 2). There should be no negative impact on those with protected characteristics as the aim of this tender is to improve on an existing day opportunities contract.

7. Data Protection Implications

- 7.1 No Data Protection Impact Assessment is required.

8. Other corporate implications

- 8.1 This decision supports Kent County Council's Strategic Statement through supporting key providers that deliver services to vulnerable residents that will ensure they are safe and supported with choices to live independently.
- 8.2 This decision supports the Strategic Reset programme by implementing Asset Based Commissioning.

9. Conclusions

- 9.1 The proposed Dynamic Purchasing System for Everyday Life Activities, Skills Development and Training Opportunities offers a new, adaptable, flexible and evolving tool for social care practitioners to be able to purchase support for or with the people we support in Kent.
- 9.2 This approach allows the ability to work with and grow the market of providers for this type of support and to improve the outcomes for the people we support in Kent.
- 9.3 This approach also supports and aligns with the approach of self-directed support and with the Micro-Enterprises projects to improve choice and control for the people we support in Kent.

10. Recommendations

10.1 Recommendation(s): The Cabinet Member for Adult Social Care and Public Health (in consultation with the Cabinet Member for Integrated Children's Services) is asked to:

- a) **APPROVE** the creation of the Dynamic Purchasing System for the delivery of Everyday Life Activities, Skills Development and Training Opportunities for People in the Community;
- b) **APPROVE** the opening of the Dynamic Purchasing System on a regular basis to enable new services to join the framework; and
- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health and Corporate Director Children, Young People and Education, to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, to implement the decision.

11. Background Documents

22/00034 - External Community Opportunities for People with Learning and Physical Disabilities

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2603>

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