
Supported Living Schemes and Floating Support for Adults with Learning Disabilities

1. Introduction/Background

- 1.1 This service is for people with learning disabilities and is provided at various different properties across West Berkshire. The clients living in these properties are supported with a wide range of needs, in all aspects of their daily living. This ranges from managing their homes, personal care and engaging in the community.
- 1.2 There are currently three contracts being delivered by two providers. They are providing 221,004 hours for 102 Service Users. Service Users are being supported in a range of properties across West Berkshire, including supported living shared housing schemes as well as support in clients own homes.
- 1.3 Previous tender for supported living services was in 2015. Towards the end of the 3rd year of operation WBC had contractual facility to extend the contracts by a further 2 years. All providers were approached individually to question their intention to extend by 2 years on existing rates and terms, which was rejected due to requirement for increases in rates – a number of reasons were cited, including inflation and national living wage expenses (case law at the time required an increase in the rates paid for sleeping night cover where the average rate paid for the member of staff for all their hours worked was below the national living wage. A subsequent higher court decision overturned the need to apply National Living Wage to sleeping night cover). No additional budget was created to cover this cost. This delay in negotiation with the providers around terms for continuation on existing terms necessitated an interim position with the providers (rates below). All three contracts (interim arrangements) are due to expire in February 2019 and so in order for this service to continue, the contract has been re-tendered.
- 1.4 This paper seeks to inform of the tender process and seek delegated authority to award the contract from Executive. The tender submissions have now been received and the rates are below.

2. Supporting Information

- 2.1 Tender timetable:

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| Issue (OJEU/non-OJEU) Contract Notice | 12/10/2018 |
| Closing Date and Opening of SQ/Technical Questionnaire/ITT | 19/11/2018 |
| Award Decision | 21/12/2018 |
| Standstill Period | 11/01/2019 |

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|----------------------|------------|
| Contract Award | 11/01/2018 |
| Contract Work starts | 26/02/2019 |

The tender submissions have now been received. The new rates higher than those originally tendered, resulting in a financial pressure. This increase is consistent with an adjustment for inflation experience over the previous 3 years.

Whilst the rates have increased compared to the original tendered rates, the new rates have reduced when compared to the interim arrangement. There has been a significant reduction in the rates that have been tendered compared to the prices that are currently being paid to the providers in the interim arrangements, as per the tables above.

3. Options for Consideration

- 3.1 Do nothing – this would leave over 100 adults with learning disabilities at risk of being made homeless and or/without the necessary care and support that they need to go about their everyday life.
- 3.2 Contract extension – contract extensions for the three contracts have been considered and the existing providers were willing to extend. However, both providers requested an increase which became non-compliant with procurement legislation and WBC contracts rules and procedures. To ensure that there is sufficient time to re-tender and bring all of the contract end dates in-line, all three contracts have been extended until 25th February 2019.
- 3.3 Two-stage tender – we want to encourage as many providers in and reduce the administrative burden for the providers tendering.
- 3.4 Two lots – the decision was made at Procurement Board to re-tender the three existing contracts into one lot due to indicative savings that would be made due to larger economies of scale. Procurement Board asked Commissioning to undertake a desktop exercise with providers to understand the effects of tendering in a single lot or multiple lots. The providers response demonstrated that tendering in a single lot would be approximately 5% cheaper than tendering in multiple lots due to the economies of scale they may achieve. No prices were given by either provider or WBC at this stage, this was an exercise in the most cost effective route to market.

4. Proposals

This paper seeks to inform of the tender process and seek delegated authority to award the contract from Executive. The decision to re-tender the three existing contracts into one single lot was made by Procurement Board on 26 July 2018 as a result of a market engagement exercise.

5. Conclusion

The Executive resolves to award the contract for the provision of Supported Living Schemes and Floating Support for Adults with Learning Disabilities services on the form approved by the Head of Legal Services whom shall have delegated authority to enter into the contract.

6. Consultation and Engagement

Clients and families, current providers, ASC, Legal Services and providers in the market.

Subject to Call-In:

Yes: No:

- | | |
|---|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input checked="" type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months | <input type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |
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Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aims:

- P&S – Protect and support those who need it**
- HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the following Council Strategy priority:

- HQL1 – Support communities to do more to help themselves**
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