

<b>Item No.</b> 13.	<b>Classification:</b> Open	<b>Date:</b> 18 January 2022	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 2 – Contract Award Approval Community Re-ablement Provision	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Evelyn Akoto, Health and Wellbeing	

## **FOREWORD – COUNCILLOR EVELYN AKOTO, CABINET MEMBER FOR HEALTH AND WELLBEING**

Reablement is a valued service that supports members of our community to regain their independence by learning or re-learn the skills necessary to be able to engage in domestic and/or social activities. The service described in this report is community-based service and provided to people in their own homes.

Officers have implemented the procurement strategy agreed by Cabinet and therefore I am pleased to note that not only does this report recommend the award of a contract but also confirms the creation of nine new posts, known as Occupational Therapist Assistants (OTAs), employed by the council. The planned collaboration between the OTAs within the Intermediate Care Service and the recommended new care provider will improve outcomes for our residents. Additionally, it should be noted that the creation of the OTA posts will address the shortage of occupational therapy (OT) roles, and support the council in recruiting and retaining Occupational Therapists (OTs) by taking a ‘grow your own approach’ by establishing a career pathway from OTA to OT.

Officers from across the Children’s and Adults’ Services department evaluated the tenders to ensure that the council identified a provider that can deliver against the specification, work with the Intermediate Care Service and comply with Southwark’s Ethical Care Charter.

The successful provider will pay staff the London Living Wage, in accordance with our Ethical Care Charter.

The successful provider has committed to recruiting local staff and in particular recruiting at least five staff from long-term unemployed backgrounds, with at least one being reserved for a person aged between 18 and 25 and/or a care leaver, as well as at least 10 each year during the first three years of the contract. This commitment will have a positive health impact for those individuals. Other aspects of social value in the bid by the successful provider relate to supporting our Tackling Climate Change Strategy, which includes

participation in the 'Cycle to Work' scheme and using renewable energy suppliers and energy efficient lighting as well as completing an environmental impact assessment of their offices so that they can identify other opportunities for introducing green initiatives.

I am pleased that this contract will not commence until June 2022, when the winter pressures have concluded. This means that when the handover between the outgoing and incoming provider commences, all parties including social care can ensure that the transition is as smooth as possible for those that use the service and the workforce that provides the service.

## **RECOMMENDATIONS**

1. That cabinet approves the award of a contract for Community Re-ablement Provision to MiHomecare Limited to deliver an estimated 1,400 hours per week for a period of three (3) years from 1 June 2022 with an option to extend for a further two (2) years (1+1) for an estimated maximum annual contract value of £1.4m and a whole life contract value of £7m.
2. That cabinet note that the current contract expires on the 4 January 2022 and approval will be sought via a Gateway 3 contract variation report for the extension of the current contract for a further 5 months to cover the period until the new contract starts on the 1 June 2022, and that an internal Occupational Therapist Assistant (OTAs) team has been established to work alongside the successful provider.

## **BACKGROUND INFORMATION**

3. The Community Re-ablement Provision seeks to adhere to the statutory regulations of the Care Act 2014, which require that intermediate care and re-ablement must be provided free of charge for up to six weeks. This is for all adults, irrespective of whether they have eligible needs for ongoing care and support.
4. A Gateway 1 (GW1) procurement strategy report for Community Re-ablement Provision (Community-based Re-ablement) was approved by Cabinet in March 2020 to undertake a competitive tender to establish a re-ablement contract for a term of three years, with provision to extend for a further two years (1+1).
5. The GW1 also noted an additional cost over the current service budget of approximately £100k per annum to create an in-house team of nine Occupational Therapist Assistants (OTAs) working alongside the successful provider.
6. Southwark Council currently has a contract with a single provider (Thames Homecare Service Ltd) which expires on 4 January 2022. Additional ad hoc hours are purchased as and when demand exceeds capacity from other providers within the market.

7. The new service will deliver on the Adult Social Care vision; to provide an improved offer that builds on the benefits of integrated re-ablement and rehabilitation services between the council and Guys and St Thomas NHS Foundation Trust (GSTT); and will meet the challenges of a significant demographic growth.

**Procurement project plan (Key Decision)**

<b>Activity</b>	<b>Completed /Complete by:</b>
Forward Plan (If Strategic Procurement) Gateway 2	30/08/2021
Briefed relevant cabinet member (over £100k)	04/02/2020
Approval of Gateway 1: Procurement Strategy Report	24/03/2020
Invitation to tender	07/10/2020
Closing date for return of tenders	14/05/2021
Completion of evaluation of tenders	07/07/2021
DCRB Review Gateway 2:	10/11/2021
CCRB Review Gateway 2:	18/11/2021
Notification of forthcoming decision – despatch of Cabinet agenda papers	21/12/2021
Approval of Gateway 2: Contract Award Report	18/01/2022
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	26/01/2022
Alcatel Standstill Period (if applicable)	10/02/2022
Contract award	11/02/2022
Add to Contract Register	14/02/2022
TUPE Consultation period (if applicable)	31/05/2022
Contract start	01/06/2022
Publication of award notice in Official Journal of European (OJEU)	14/02/2022
Publication of award notice on Contracts Finder	14/02/2022
Contract completion date	31/05/2025
Contract completion date – if extension(s) exercised	31/05/2027

**KEY ISSUES FOR CONSIDERATION**

**Description of procurement outcomes**

8. The outcome of this procurement will result in a new service which will deliver improved outcomes for Southwark residents over the age of 18

by commissioning an external provider supported by an in-house team of OTA who will provide therapeutically identified interventions that will prevent, reduce and delay the need for crisis intervention and long-term care.

9. Creating an in-house team will bring together 9 directly employed OTAs with a dedicated senior practitioner, co-located with independent provider staff (reablement support workers), thereby improving the seamless delivery by statutory and independent sector organisations. The creation of a team of OTAs, within the overall re-ablement service, and will provide therapeutically identified interventions that will:
  - Have the skills to provide higher intensity/more targeted interventions with less reliance on the number of contracted hours (re-ablement support) required and ongoing home care hours.
  - Improve the management of contracted hours (re-ablement support) via OTAs input into multi-disciplinary decision meetings and stronger partnerships developed with the community and voluntary sector.
  - Support a targeted therapeutic approach (by coaching and facilitating the use of techniques) leading to an improved capability of tasks and independence, also during the same visit, supporting service users with activities such as their personal care and preparing breakfast/lunch using this approach.
  - Have the required skills to recommend the necessary assistive equipment and make links to explore technology solutions for ongoing independence post reablement.
  - Enhance capacity of occupational therapists so that OTs can focus on more complex cases, ensuring that staff knowledge, skills and experience are applied proportionately. This is of significance in response to the future demographic projections.
  - The indirect benefits of creating this team include growing our own Occupational Therapists by creating a career pathway for re-ablement workers, and others with opportunities to train as an OT.
10. The service provider shall work as part of a multi-disciplinary team (MDT) and employ skilled re-ablement workers who will support service user's to achieve their rehabilitation goals.
11. The Community-based Re-ablement service will deliver the following outcomes for residents:
  - Enabling service users to live as independently as possible for as long as possible in their own homes.
  - Support service users to achieve individual outcomes established at the point of assessment and developed through the care and support planning process.
  - Enabling service users to maintain their own networks of support within the community and support service users' personal care networks.

- Contributing to making sure that the most effective use is made of assistive technology and other innovative support solutions, including those that may be ‘universal’ or community-based services that maximise independence and wellbeing. Opportunities can be considered at any point in an individual service user’s pathway.
- To ensure that other reasonable outcomes for the service user, as identified in their support plan, are compliant with terms of the community based re-ablement contract and the Council’s duties under the care Act 2014.
- To work effectively with multi-disciplinary staff including those from the council’s OTA/therapy-led team and from within the GSTT reablement and rehabilitation service in agreeing the interventions required and the resources necessary to achieve the outcomes set.

### **Policy implications**

12. This contract award supports Southwark’s Borough Plan commitment to work for everyone to realise their own potential and treat its residents as if they were a valued member of our own family.
13. The Community-based Re-ablement specification is underpinned by legislation to ensure the council fulfils its statutory requirements towards its residents:
  - The Care Act 2014 (“Care Act”) sets out a legal requirement for the council to deliver a better response to service users and their carers; along with a more cohesive strategy to prevent, delay and reduce people’s dependency on long-term Adult Social Care. It recognises that effective interventions at the right time can stop needs from escalating and help people to maintain their independence for longer. It supports the development of services which improve people’s independence and wellbeing, through active preventative services rather than waiting for people to reach a crisis point.
  - The Care Act statutory regulations require that intermediate care and re-ablement must be provided free of charge for up to six weeks. This is for all adults, irrespective of whether they have eligible needs for ongoing care and support.
14. The Community-based Re-ablement tender opportunity required providers to sign up to the Southwark Ethical Care Charter (SECC), the provisions within the Fairer Future Procurement Framework, including the End Violence at Work Charter.

### **Tender process**

15. The Community-based Re-ablement contract was advertised in the following places:
  - The Official Journal of the European Union (OJEU)

- ProContract
  - Contract Finder
16. The Community-based Re-ablement tender was run in tandem with the Additional Adults Care at Home tender under Lot 3.
  17. The tender process took the form of a Restricted Procedure. As the value of the procurement was estimated well in excess of the EU threshold for light touch services, there was a requirement to follow the Light Touch Regime prescribed under the (EU) Public Contract Regulations 2015 and advertise the tender opportunity in OJEU.
  18. All providers were required to satisfy Southwark Council's minimum requirements of a CQC rating of "Good" prior to completing the Standard Selection Questionnaire (SQ).
  19. In the event that a provider had a rating of "Requires Improvement", they were able to submit a self-cleansing statement as evidence that they were currently working towards a rating of 'Good' via a CQC improvement plan.
  20. If a provider had yet to be inspected or had a "Good" or Excellent" rating but had not been inspected in the last 12 months, they were able to provide a supporting statement, reflecting their current circumstances for information purposes only.
  21. Providers with an "Inadequate" rating automatically failed the pre-qualifying question and were not permitted to participate further in the process.
  22. The council received Selection Questionnaires (SQ) from 40 providers.
  23. Each SQ submission was checked first for completeness and compliance (stage 1), before being passed to Finance colleagues for financial assessment; namely, looking at the economic and financial standing of each provider.
  24. The financial assessments (stage 2) were carried out against the following criteria:
    - Credit score of 40 or higher
    - Financial risk assessment for the council by analysis of key financial ratios
    - A minimum turnover of 1.5 times the annual contract value (£1.4 m).
  25. To achieve an overall pass in the financial assessment, applicants needed to meet all of the above criteria or satisfy the council that their financial assessment (in the case of credit checks) was sufficiently stable to deliver the service required, as detailed in the tender.

26. The bidders that passed the financial assessment were then evaluated on their responses to the technical questions in stage 3 of the SQ evaluation.
27. There were 25 SQ submissions which progressed to stage 3.
28. The responses to the technical questions from each bidder were evaluated and scored by an evaluation panel consisting of three council officers across commissioning and Children's and Adults' services.
29. Each submission was evaluated and scored by panel members individually, and then a consensus score was agreed upon by the panel at a moderation meeting.
30. In accordance with the Invitation to Tender (ITT), eight bidders were shortlisted and invited to tender (this included the council's incumbent provider).

### **Tender evaluation**

31. Six tenders were received in total. One bidder opted out, citing insufficient resources to meet the requirements, and the other bidder did not respond.
32. The six tender submissions were evaluated on a 30% Price, 60% Quality and 10% Social Value ratio.
33. The quality evaluation was made up of 12 questions/method statements. The method statements covered the following areas and were weighted in relation to their relative importance:
  - Service Delivery - 50%
  - Workforce – 20%
  - User Experience – 15%
  - Partnership Working – 5%
  - Mobilisation – 5%
  - Social Value – 5%
34. The tender submissions of each bidder were evaluated and scored by an evaluation panel consisting of three council officers across commissioning and Children's and Adults' services i.e. a Team Manager for Intermediate Care Southwark and a Senior Practitioner from the OPPD Assessment and Intake Team. The panel consisted of two new panellists and one panellist carried over from the previous SQ stage.
35. The method statements were scored 0 – 5 and each had a minimum threshold score to ensure minimum quality standards were met.
36. A moderation meeting took place after each evaluator had individually scored each method statement and a consensus score was reached for each method statement.

37. The Social Value evaluation was conducted independently by The Social Value Portal (SVP) on the council's behalf. The SVP evaluated the social value offers from bidders as part of the procurement from both a quantitative and qualitative standpoint.
38. The quantitative aspect was based on National TOMs (Themes, Outcomes and Measures) developed by the SVP, whereby bidders were required to propose credible targets against which performance (of the successful bidder) will be monitored as part of the contract. The nine TOMs used were reflective of the specific needs of the service and comprised 50% of the overall Social Value evaluation. The TOMs are detailed in paragraph 40 below.

### TOMs

Theme	Outcome	Measures
Jobs: Promote Local Skills and Employment	More local people in employment	No. of local direct employees (FTE) hired or retained (for re-tendered contracts) on contract for one year or the whole duration of the contract, whichever is shorter
		No. of local direct employees (FTE) which are TUPE transfers retained on contract for one year or the whole duration of the contract, whichever is shorter (re-tendered contracts only - to be used at Measurement)
	More opportunities for disadvantaged people	No. of employees (FTE) hired on the contract who are long term unemployed (unemployed for a year or longer) as a result of a recruitment programme
	Improved skills	No. of weeks of training opportunities on the contract (BTEC, City & Guilds, NVQ, HNC) that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+
No. of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation to completion in the following years - Level 2,3, or 4+ - delivered for groups specified in 'LIST NT10a' (e.g. NEETs, under-represented gender and ethnic groups, disabled, homeless, rehabilitating young offenders)		
Growth:	Improving staff	No. of employees on the contract that

<b>Theme</b>	<b>Outcome</b>	<b>Measures</b>
Supporting Growth of Responsible Regional Business	wellbeing and mental health	have been provided access for at least 12 months to multidimensional wellbeing programmes that include flexible working time arrangements; healthy nutrition options; physical health programmes; a health risk appraisal questionnaire; access to health and wellbeing resources (e.g. a tailored health improvement web portal; wellness literature; and seminars and workshops focused on identified wellness issues)
Social: Healthier, Safer and more Resilient Communities	Creating a healthier community	Initiatives taken or supported to engage people in health interventions (e.g. stop smoking, obesity, alcoholism, drugs, etc.) or wellbeing initiatives in the community, including physical activities for adults and children
	Vulnerable people are helped to live independently	Initiatives to be taken to support older, disabled and vulnerable people to build stronger community networks (e.g. befriending schemes, digital inclusion clubs)
	Social innovation to enable healthier safer and more resilient communities	Innovative measures to enable healthier, safer and more resilient communities to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.

39. The qualitative aspect required the bidder to produce a method statement to explain how their commitments will be delivered. This aspect comprised 50% of the overall Social Value evaluation.
40. Social Value scores were then totalled and weighted as 10% of the overall evaluation criteria.
41. The price evaluation was based on an hourly rate; bidders were required to submit a bid between floor and ceiling rates. All bids received were within these rates.
42. As outlined in the ITT, all prices submitted shall be fixed for the duration of the contract; however, prices will be adjusted to accommodate any increases to the London Living Wage and on-costs (national insurance, pension contributions, travel, sick and holiday pay) at 37% of its increase.

43. Bidders were required to complete an itemised cost breakdown of their rates via a pricing schedule.

#### **Final evaluation scores**

44. The final evaluation scores for each bidder comprised of a quality score for the method statements, a Social Value score and a price score for the hourly rate.
45. As per the tender documents, the three highest-scoring bidders were invited to a bidder presentation and question & answer (Q&A) session, which were not scored but could result in the moderated scores being adjusted up or down.
46. The three lowest-scoring bidders were informed at this stage that their tenders had not been successful and were not invited to a bidder presentation and Q&A session.
47. Following each bidder presentation and question & answer session, the evaluation panel reviewed the moderated scores and confirmed that the scores were final; none of the evaluators adjusted their scores.
48. The winning bidder's final evaluation score was 82.40%.

#### **Plans for the transition from the old to the new contract**

49. As Community-based Re-ablement is a time-limited service, lasting up to six weeks; packages of care beginning prior to the contract start date will continue to be delivered by the incumbent provider until their completion. All new packages of care and / or restarts subsequent to this date will be delivered by the new provider.
50. TUPE will apply upon award of the contract.
51. A twelve-week mobilisation period, as stipulated in the procurement project plan, will grant providers sufficient set-up time to begin receiving new care packages.

#### **Plans for monitoring and management of the contract**

52. The contract will be managed by the contract management team who sit within the Quality, Performance and Transformation Division.
53. The monitoring arrangements will provide information on whether or not the contract(s) is performing as expected. Quarterly reports will reflect the outcomes that have been achieved against the agreed target.
54. The council's contract register publishes the details of all contracts over £5,000 in value to meet the obligations of the Local Government Transparency Code. The Report Author must ensure that all appropriate

details of this procurement are added to the contract register via the eProcurement System.

### Identified risks for the new contract

55. The following risks and associated mitigations have been identified:

<b>Risks</b>	<b>Mitigation or control</b>	<b>Likelihood</b>
Provider failure and / or a drop in their CQC rating to 'Inadequate'.	Council officers will work in close partnership with the provider through regular contract monitoring and operational meetings to pick up any signs of failure at an early stage and ensure appropriate support and contingencies are put in place during the contract period.	Low
Provider accepting packages of care without the necessary infrastructure / workforce in place.	During contract mobilisation, officers will seek assurance from the provider that the necessary staffing levels have been obtained prior to commencement of the contract.	Medium
Service is impacted from ongoing Covid-19 pandemic.	Any potential issues such as resourcing due to Covid vaccination requirements for support workers will be discussed with the provider during the contract mobilisation period as part of their business continuity plan.	Medium
Procurement Challenge	The procurement has been conducted in accordance with the Public Contracts Regulations 2015.	Low

### Community, equalities (including socio-economic) and health impacts

#### Community impact statement

56. Southwark Council's Borough Plan expresses its commitment to reducing health inequality and to break down barriers that prevent people from thriving in Southwark. The procurement strategy and this contract support this ambition by supporting residents to regain skills or gain new/alternative skills and confidence to enable them to remain living independently in their own home.

57. Officers are mindful of the need to have due regard to the Public Sector Equality Duty imposed by section 149 of the Equality Act 2010, which requires the council to:
- Eliminate discrimination, harassment, victimisation or other prohibited conduct;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
  - Foster good relations between persons who share a relevant protected characteristic and those who do not share it.
58. A further equality impact assessment will be undertaken during contract mobilisation in order to ensure that the service delivery model remains appropriate for all service users. The health and wellbeing of Southwark residents will be at the core of the work for this service.

### **Social Value considerations**

59. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well-being of the local area can be secured. The social value considerations included in the tender (as outlined in the GW1 report) are set out in the following paragraphs in relation to the tender responses, evaluation and commitments to be delivered under the proposed contract.
60. The council's Fairer Future Procurement Framework requires payment of the London Living Wage (LLW), when the service is London-based where it is appropriate to do so. It is appropriate for all staff working on this contract to be paid LLW. It is expected that payment of the LLW by the successful bidder will result in quality improvements for the service users. These should include a higher calibre of multi-skilled operatives that will contribute to the delivery of the services and will provide best value for the council. It is therefore considered appropriate for the payment of LLW to be required. Following award, these quality improvements will be monitored as part of the contract review process.
61. The successful bidder was required to sign up to the Fairer Future Procurement Framework and reiterate their commitment to pay the LLW, as well as their commitment to pursuing various other social value measures, both via their Social Value response to the Social Value Portal (SVP) and in a Social Value method statement.
62. The successful bidder has satisfied the requirements of the council by committing to comply with the Southwark Ethical Care Charter (SECC) which includes, but not limited to, the following:
- Re-ablement support workers (RSWs) will be paid at least the LLW
  - Clients will be allocated the same care worker wherever possible
  - RSWs will be paid for their travel time

- RSWs will be covered by occupational sick pay schemes
- RSWs will be trained (at no cost to individual RSWs)
- Zero hour contracts will not be used in place of permanent contracts for care workers, unless at the request of the RSW.

63. Other social value measures included:

- Raising the living standard of local residents
- Participation and citizen engagement
- Local recruitment
- Volunteer mentoring
- Environmental sustainability.

64. Some examples of social value initiatives put forward by the successful bidder include the following:

- A commitment to recruit 47 local staff.
- A commitment to recruit a minimum of five staff from a long-term unemployed background per year.
- Host mock interview days in conjunction with the Jobcentre.
- Provide free training (e.g. enablement, dementia, first aid) to friends/relatives/informal carers of service users.
- Facilitate community engagement and participation in local interest groups, meaningful activities and opportunities to meet personalised outcomes and reduce isolation.
- Offer staff a 'Cycle to Work' scheme.
- Paperless office environment.

### **Economic considerations**

65. The successful bidder has demonstrated social value in their bid and through their commitment to creating apprenticeships and the employment of local people under this contract. The Social Valuation Company has evaluated the submission of MiHomecare to be 40 apprenticeships in the first year of the contract and 10 apprenticeships in each subsequent year of the contract. This equates to 140 weeks of apprenticeships over the initial three year contract term.

### **Social considerations**

66. This service supports council plan commitment objectives to promote independence and well-being by funding activities and services to facilitate community representation and voice in the areas of health and social care. This will further the aim of promoting inclusive and representative community participation in the planning, commissioning, delivery and quality of these services in Southwark.

## **Equalities (including socio-economic) impact statement**

67. As set out in the Health Inequalities Framework (March 2020), ‘stark inequalities within Southwark existed prior to COVID-19 with a life expectancy gap between the most and least deprived areas of the borough of over seven years for males and almost six years for females’. The COVID-19 pandemic, and the measures put in place to limit its spread, have exacerbated existing health inequalities. The new community re-ablement contract is designed to ensure that people recover effectively at home or in other community settings as appropriate following a hospital admission.

## **Health impact statement**

68. The COVID-19 pandemic impacted all groups but particularly people from Black, Asian and Minority Ethnic backgrounds, low-income households and those with disabilities.
69. The delivery of the community re-ablement service will help to improve the health of both staff and residents in Southwark. It will achieve this by raising the living standards of local people at risk of ill-health through the commitment of the provider to recruit 47 local staff and to recruit a minimum of five staff from a long-term unemployed background per annum.
70. The provider will also be expected to offer flexible and part-time working arrangements to encourage a wide range of applicants and reduce barriers to employment for disadvantaged groups. By adhering to Southwark’s ethical care charter, all staff employed by the re-ablement provider will be paid the London Living Wage as well as their travel time between jobs and occupational sick pay. It will therefore reduce health inequalities in Southwark by ensuring people from socio-economic disadvantaged groups are better remunerated for their work and will lead to a more stable, well-equipped workforce that is able to deliver high quality, consistent care for service users.
71. One of Southwark’s Borough Plan key aims is to support and protect vulnerable residents so that they can lead healthy and active lives. The delivery of the community re-ablement service will support individual’s to regain skills or gain new/alternative skills and confidence to enable them to remain living independently in their own home.

## **Climate change implications**

72. The climate change strategy has five priorities and the social value from this procurement will contribute to the priority of ‘Active & Sustainable Travel’. More specifically, the strategy’s ambition is that Southwark will ‘be a borough where walking and cycling becomes the default way to get around’.

73. The provider has committed to supporting Southwark's Climate Strategy to make Southwark carbon neutral by 2030 through a number of initiatives including:

- Participation in the 'Cycle to Work' scheme, their employees make substantial savings on bike and cycling equipment purchases, reducing their carbon emissions;
- Assessing and mitigating the environmental impact of each of our office premises, using environmental impact assessments; and
- Using renewable energy suppliers and energy efficient lighting.

### **Environmental/Sustainability considerations**

74. There are no environmental / sustainability considerations.

### **Market considerations**

75. The market for the Community-based Re-ablement service is stable and well developed. There is a strong presence of providers operating within Southwark.

### **Staffing implications**

76. Staffing and contract management resources will be met within the Children's and Adults' Services.

### **Financial implications**

77. The annual contract value is estimated to be £1.4m, in which it should be noted that this is an estimated value as spend is modelled on current activity. The contract value is calculated based on 1400 hours per week. There is sufficient budget in Adult social care to cover the estimated annual contract value.

78. The reablement budget available is part funded from the Better Care Fund and the Improved Better Care Fund.

79. The creation of the nine OTA roles have been approved in May 2021.

### **Legal implications**

80. Please see concurrent from the Director of Law and Governance.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance 55AS2021-22**

81. The Strategic Director of Finance and Governance notes the recommendations of this report especially the finance implications

paragraph. There is sufficient funding available in Adult Social Care budget to fund the new contract.

### **Head of Procurement**

82. This report seeks approval from the cabinet to award a contract for Community Re-ablement Provision to MiHomecare Limited for a period of three (3) years from 1 June 2022 with an option to extend for a further two (2) years (1+1).
83. In granting the approval to award the proposed contracts, the Cabinet is to give consideration to the procurement process required under the Public Contracts Regulations 2015 and the council's Contract Standing Orders which has been duly followed in selecting the successful bidder and ensuring high quality service is delivered and that efficiency and best value is achieved.
84. The procurement strategy implemented and the new proposed contract ensures that equalities, health and climate impacts on the community as well as social value commitments have been considered and made provisions for in line with the needs of the borough and the community at large.

### **Director of Law and Governance**

85. This report seeks approval to award a contract to MiHomecare Limited for the provision of a community reablement service for a maximum period of five years, inclusive of extension options.
86. Due to the nature and estimated value of the services that the council requires the procurement of those services was subject to the application of the European procurement regulations (Public Contracts Regulations 2015/"PCR") in force at that time, as well as relevant domestic legislation and the council's Contract Standing Orders ("CSOs").
87. The report confirms from paragraph 15 that a publicly advertised competitive tendering exercise was conducted, in compliance with the restricted procedure prescribed by the PCR and with CSOs.
88. The decision to approve the recommended contract award is one which is expressly reserved to the Cabinet under the council Constitution.
89. The community impact statement set out from paragraph 57 of this report summarises the effect of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, and in making procurement decisions the council must consider and have due regard to any effects of the decision on the community at large and on people identified as possessing "protected characteristics", as defined in the Act. Paragraph 59 advises that officers will undertake a further equality impact assessment whilst the contract is mobilised in order to check and ensure

that the service meets the needs and protects the interests of those with a protected characteristic.

## BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Gateway 1: Procurement Strategy Approval	160 Tooley St, London, SE1 2QH	Cynthia Davis – Assistant Director Commissioning
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/documents/s88153/Report%20GW1%20Procurement%20Strategy%20approval%20-%20reablement%20services.pdf">https://moderngov.southwark.gov.uk/documents/s88153/Report%20GW1%20Procurement%20Strategy%20approval%20-%20reablement%20services.pdf</a>		

## APPENDICES

No	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Evelyn Akoto, Health and Wellbeing	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director for Children's and Adults' Services	
<b>Report Author</b>	Sam Edwards, Procurement Manager	
<b>Version</b>	Final	
<b>Dated</b>	7 January 2022	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		7 January 2022