



## **ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE**

**Thursday, 3 March 2022**

<b>REPORT TITLE:</b>	<b>COMMISSIONING ACTIVITY QUARTER 1 2022/2023</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF CARE AND HEALTH</b>

### **REPORT SUMMARY**

The purpose of the report is to notify Adult Social Care and Public Health Committee of the commissioning activity for Quarter 1 of financial year 2022/2023.

1. Wirral Independence Service (WIS) - Medequip – Extension of the current contract which expires on 30th June 2022 for a further 2 -year period to 30<sup>th</sup> June 2024. This is the final contract extension option of 2 years within the current contract.
2. Delegated Social Work contracts with
  - a) Cheshire and Wirral Partnership Foundation Trust (CWP) - Renewal of current agreement with a six-week contract extension to 30th September 2023.
  - b) Wirral Community Health and Care NHS Foundation Trust (WCHCFT) - Renewal of current agreement with a 16-month contract extension to 30th September 2023.

These are key decisions that affect all wards

### **RECOMMENDATION/S**

1. The Adult Social Care and Public Health Committee is recommended to agree to:
  - a. Extend the current Wirral Independence Service contract with Medequip on the terms set out in the report for a period of 2 years until 30th June 2024 at a total cost of £7.7m
  - b. Enter a further S75 Agreement on substantially the same terms as those which currently apply with Cheshire and Wirral Partnership Foundation Trust for a period of 6 weeks until 30th September 2023 at a total cost of £710,598
  - c. Enter into a further S75 Agreement on substantially the same terms as those which currently apply with Wirral Community Health and Care NHS Foundation Trust for a period of 16 months until 30th September 2023 at a total cost of £12,377,167
  - d. Authorise the Director of Law and Governance in consultation with the Director for Adult Social Care and Health to negotiate and conclude both of the S75 Agreements within the overall financial envelope set out and on substantially the same terms as those which currently apply.

2. Request the Director of Care and Health to submit a report to a future meeting of the Committee in respect to the delivery of Delegated Social Work services.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 Wirral Independence Service - Medequip
  - 1.1.1 To enable a full review of the service and service specification during 2022/2023 and to carry out a full procurement exercise in line with the Councils procurement regulations before the end of the contract in June 2024.
  - 1.1.2 To enable time to undertake a comprehensive stakeholder engagement exercise
  - 1.1.3 To enable time to complete a current transformation project which is underway to replace analogue with digital technology for personal remote monitoring
- 1.2 Delegated Social Work Contracts (CWP and WCHCFT)
  - 1.2.1 To undertake a review of the current delivery arrangements for adult social care duties and functions.
  - 1.2.2 To undertake a comprehensive stakeholder engagement exercise to inform the review.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Wirral Independence Service – Medequip
  - 2.1.1 To end the current contract and complete a full procurement exercise- due to the size and complexity of the service, it would be beneficial to allow time to undertake further analysis of future requirements before undertaking a procurement exercise.
  - 2.1.2 To not extend for the full two-year period- however, time is required to undertake a review and engagement process and also the procurement arrangements.
- 2.2 Delegated Social Work Contracts (CWP and WCHCFT)
  - 2.2.1 To end the contract and return the service to an in-house provision. The contract renewal recommended will enable time to complete a full review and to present a further report to a future Adult Social care and Public Health Committee with a range of options.
  - 2.2.2 To end the contracts and procure the statutory services through an open tender exercise. Procurement advice remains that, as the benefits of integrated services can only be fully achieved by partnership with existing NHS providers of health and care services in Wirral, an open tender exercise is not the appropriate procurement method.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Wirral Independence Service-Medequip
  - 3.1.1 This is a joint commission between the Wirral Council (WBC) and Wirral Clinical Commissioning (WCCG) Group and Public Health. WBC and WCCG commissioned this service with the aim of supporting people to remain independent and safe in their own home.

3.1.2 Wirral Council has had a contract with Medequip since 1st July 2015 with contract terms in place of:

- 4 years plus an Option to extend for 3 years plus, a final option to extend for a further 2 years.

3.1.3 During the lifetime of the contract, the service now also supports provision of equipment to schools for specialist equipment

3.1.4 The overarching aim of this service is to support people to live independently in their own homes as long as possible. This includes as part of the wider Wirral Independence Service offer of the provision of specialist community equipment, a telecare monitoring and response service, and a Falls Prevention Service. This is an Integrated Community Equipment Service (ICES) for adults and children within the geographical boundary of Wirral Borough Council, including those who live out of Borough and are registered with a Wirral GP.

The service includes

- Pressure care
- Response for Continuing Health Care (CHC),
- Adult Visual Impairment & Hearing Impairment equipment,
- Telecare, Telehealth and remote monitoring (equipment, installation, maintenance, decontamination and repair and recycling).
- Incorporating
  - an online IT requisition,
  - monitoring and reporting system and
  - Retail Outlet/ Demonstration facility,
  - online self-help system and to include
  - suitably qualified, knowledgeable, and experienced staff to support those funding their own care and to provide professional assessment and oversight within the service.

3.1.5 The incumbent provider procures community equipment as set out in a service specification agreed with Commissioners to the standards and guidance as set by the Medicines and Healthcare products Regulatory Agency (MHRA) and identified within the NHS Controls Assurance Standards.

3.1.6 The service operates 7 days a week to achieve:

- Delivery of equipment
- Installation of equipment
- Technical support/knowledge
- Maintenance and repair of equipment
- Collection and decontamination of equipment
- recycling, disposal and adaptation of equipment
- reissue of community equipment

3.1.7 The Contract extension will include contract variations to implement within the 2-year extension period to include:

- To work collaboratively with Wirral Health and Care Commissioning (WHCC) to develop a multi-disciplinary approach Independent Living Centre in partnership with other stakeholders across Wirral.
- To strengthen its approach to best value and procurement approach during the remaining two years of contract, through continuous proactive negotiations with suppliers, geographic pricing comparisons and reviews.
- Work proactively on reducing additional costs of supply – seeking local alternatives make and buy from UK.
- Work with Wirral to achieve a suitable and affordable pricing model to achieve the WIS contract cost envelope.
- To work collaboratively with Wirral to enact a rental agreement for equipment
- To work proactively and collaboratively with WHCC and wider stakeholders to maximise equipment recovery and recycling to support the Council with its carbon reduction mission
- To work collaboratively with WHCC and wider stakeholders to achieve the new KPIs set around equipment recovery and recycling as above.
- To work in collaboration with WHCC to drive the Early Intervention and Prevention and NHS England 2 Hour Crisis Response National Initiatives, by recalibrating service delivery to meet urgent equipment requests between 16:00 and 18:00 7 days a week.
- Reduce the impact of the environment through tracking and recycling of equipment, reducing the carbon footprint
- To work collaboratively with WHCC to achieve a carbon neutral service provision across the extended two years of contract in line with Wirral Council's priorities, objectives, and values.
- To work with WHCC to achieve value for money Assistive Technology Equipment installation, monitoring and response service solutions in line with the switchover from the old analogue public switched telephone network (PSTN) to a fully digital network by 2025.
- To work collaboratively with WHCC to review cost of call centre and explore alternative operating models e.g., virtual or agile/hybrid working to maximise efficiencies and financial gain share.
- To work with WHCC to support Early Intervention and prevention initiatives and data quality through the development of interface between Digital Equipment ordering system for Community, Liquid Logic and NHS systems

3.2 Delegated Social Work Contracts (CWP and WCHCFT)

3.2.1 Wirral Borough Council has a Section 75 Agreement in place with WCHCFT for the provision of "Social Care Services" and a Section 75 Agreement in place with CWP for "All Age Disability Services". Both contracts include the delegated responsibilities for statutory assessment and provision under the Council's statutory Care Act Duty.

3.2.2 The WCHCFT Section 75 Agreement for "Social Care Services" commenced on 30 May 2017 for a contract period of 5 Years. The annual Contract value is £9,532,900.

- 3.2.3 The CWP Section 75 Agreement for “All Age Disability Services” commenced on 17 August 2018 for a period of 5 Years. The annual; contract value is £5,981,800
- 3.2.4 Contract Procedure Rules were followed at the award of both contracts, and direct awards were made on the basis that no other provider was able to meet the local Integrated Care arrangement requirements, this remains the case .
- 3.2.5 Officers recommend that both contracts be synchronised and extended to 30th September 2023 to enable a full review of current service provision
- 3.2.6 Contract extensions would enable the Council to:
- Use analysis of feedback from key stakeholders and those with lived experience to inform any future recommendations
  - Be assured that the Trusts are implementing working arrangements at a neighbourhood level, are contributing to the reduction of health inequalities and deliver outcomes in line with the Healthy Wirral and Live Well in our Community principles
  - Undertake a detailed review of financial arrangements to ensure that the service remains good value and are sustainable.
  - Be assured that the integrated model will deliver necessary efficiency targets of £3.9 million in 2022/23 and the required efficiencies in subsequent years
  - Be assured that both Trusts continue to deliver the delegated statutory functions of the Council in a person-centred way and at the expected level of performance and quality
  - Undertake an options appraisal for future service delivery options
  - Determine whether both contracts could be drawn in to one
- 3.2.7 Officers will bring a further report with recommendations and options for consideration to a future Adult Social Care and Public Health committee for the future delivery of the services.
- 3.2.8 Timescales:

April 2022	Brief Incumbent Providers, scope and agree content of review
April 2022 - August 2022	Delivery and Stakeholder Engagement
September 2022	Report to Adult Social Care, Health and Public Health Committee with Officer recommendations

## 4.0 FINANCIAL IMPLICATIONS

- 4.1 Wirral Independence Service – Medequip
- 4.1.1 Extending the current contract for 2 full years to 30<sup>th</sup> June 2024 would represent yearly commitments each financial year as follows:

<b>Financial Year</b>	<b>Period</b>	<b>Contract Value</b>
2022-23	1 July 2022 - 31 March 2023 (9 months)	£2.9m
2023-24	1 April 2023 - 31 March 2024 (12 months)	£3.9m
2024-25	1 April 2024 - 30 June 2024 (3 months)	£0.9m
<b>Total</b>		<b>£7.7m</b>

This service is currently fully funded through the Better Care Fund.

#### 4.2 Delegated Social Work Contracts (CWP and WCHCFT)

4.2.1 Based on the current 2021-22 contract value of £9.3m extending the current contract with Wirral Community Health and Care NHS Foundation Trust to 30th September 2023 would represent yearly commitments each financial year as follows:

<b>Financial Year</b>	<b>Period</b>	<b>Contract Extension Value</b>
2022-23	1 June 2022 - 31 March 2023 (10 months)	£7.74m
2023-24	1 April 2023 – 30 September 2023 (6 months)	£4.64m
<b>Total</b>		<b>£12.38m</b>

4.2.2 Extending the current contract with Cheshire and Wirral Partnership Foundation Trust to 30th September 2023 would align the two delegated social work contracts. Based on the current 2021-22 contract value of £5.9m this would represent yearly commitments each financial year as follows:

<b>Financial Year</b>	<b>Period</b>	<b>Contract Extension Value</b>
2023-24	18 August 2023 – 30 September 2023 (44 days)	£0.71m
<b>Total</b>		<b>£0.71m</b>

4.2.3 The contract values are incorporated into the budget envelope allocated to Adult Social Care and Public Health and do not represent an additional pressure to the new financial year.

## 5.0 LEGAL IMPLICATIONS

### 5.1 Wirral Independence Service – Medequip

5.1.1 Wirral Council and the Clinical Commission Group is required to meet its statutory duty under the Care Act to provide specialist Equipment to the Wirral population

5.1.2 In accordance with the Council's contract procedure rules, renewal is permissible as the option to extend was written into the original contract won by Medequip in open competition and it is considered that the extension would provide value for money.

### 5.2 Delegated Social Work Contracts (CWP and WCHCFT).

5.2.1 The Local Authority has a statutory duty under the Care Act to meet needs for care and support consistent with the outcome of an assessment of needs and the eligibility criteria. Both S75 Agreements include the delegated responsibilities for assessment and provision and will enable the Council to continue to meet its statutory duties

5.2.2 In respect of the 2 Section 75 Agreements with CWP and WCHCFT renewal without competition is permissible under Regulation 12(7) of the Public Contracts Regulations 2015 which allows public authorities to co-operate with the aim of ensuring that public services are provided with a view to achieving common objectives in the public interest provided they perform on the open market less than 20% of the activities concerned by the co-operation.

5.2.3 Enter into a further S75 Agreement on substantially the same terms as those which currently apply with Cheshire and Wirral Partnership Foundation Trust up to 30th September 2023 at a total cost of £710,598

5.2.4 Enter into a further S75 Agreement on substantially the same terms as those which currently apply with Wirral Community Health and Care NHS Foundation Trust up to 30th September 2023 at a total cost of £12,377,167.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 Wirral Independence Service – Medequip

6.1.1 No current implications for the Council met within existing resources

6.2 Delegated Social Work Contracts (CWP and WCHCFT)

6.2.1 No current implications for the Council met within existing resources

## **7.0 RELEVANT RISKS**

7.1 Wirral Independence Service – Medequip

7.1.1 If the contract were not extended there would be a risk the Council would not meet its statutory duty under the care act

7.1.2 If the current provider chose not to extend the contract, then a procurement exercise would need to be undertaken at short notice which may not deliver most economically advantageous tender.

7.2 Delegated Social Work Contracts (CWP and WCHCFT)

7.2.1 If the contracts were not renewed the Council would need to make alternative arrangements for the delivery of statutory adult social care services.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 Wirral Independence Service – Medequip

8.1.1 Stakeholder engagement will be undertaken as part of the 2-year extension period with relevant stakeholders, existing provider and people who use the service. This will be held between June 2022 and June 2023

8.2 Delegated Social Work Contracts (CWP and WCHCFT)

8.2.1 Stakeholder engagement will be undertaken as part of the renewal period with relevant stakeholders, existing providers and people who use the service. This will be held between April 2022 and August 2022

## **9.0 EQUALITY IMPLICATIONS**



- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 Equality implications are embedded into the procurement and tender processes used as part of the application process and are taken into account when evaluating tender applications. Equalities implications are also part of the decision-making process when an award is made.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

### **10.1 Wirral Independence Service – Medequip**

10.1.1 Wirral Independence Service from March 2022 will be operating using Electric vans for delivering equipment within Wirral reducing carbon emissions

10.1.2 Wirral Independence service will increase its recycling initiatives to ensure that less new products are bought and more are recycled

10.1.3 Wirral Independence service will aim to procure products from UK and local suppliers, which will aid to reduce carbon emissions

### **10.2 Delegated Social Work Contracts (CWP and WCHCFT)**

10.2.1 This will be refreshed as part of the review period April 2022 to August 2022

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

### **11.1 Wirral Independence Service – Medequip**

11.1.1 The current service offer is delivered within the Wirral geographical boundary with contributions to local economy on Wirral with rates being paid

11.1.2 As the service is based on Wirral this offers employment to people who live locally

11.1.3 The service is available to Wirral people of all ages, including schools

11.1.4 The falls prevention service contributes to a reduction of demand on local health and care systems and admission to acute settings

### **11.2 Delegated Social Work Contracts (CWP and WCHCFT)**

11.2.1 The current service offers are delivered within the Wirral geographical boundary and provides local employment for people who live on Wirral.

11.2.2 The services enable local people to access professional training and develop their skills to meet local need and attain professional qualifications

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**APPENDICES**

N/A

**BACKGROUND PAPERS**

LGA peer review May 2019

Section 75 agreement WCHCFT 2017

Section 75 agreement CWP 2018

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Integration Cabinet Paper</b>	<b>16th January 2017</b>
<b>Integration- Adult Care and Health Overview and Scrutiny</b>	<b>30th January 2018</b>
<b>Integration- Health Overview and Scrutiny Committee on Tuesday</b>	<b>30th January 2018</b>