



ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE

21 JANUARY 2025

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| REPORT TITLE: | CARE AND SUPPORT AT HOME MOBILE NIGHTS INTERIM CONTRACT AND RETENDER |
| REPORT OF: | DIRECTOR OF ADULTS, HEALTH, AND STRATEGIC COMMISSIONING |

REPORT SUMMARY

This report seeks authorisation to issue a temporary contract for the current Care and Support at Home Mobile Nights service contract, which is due to expire on 31 March 2025. The temporary contract will be for a period of 5 months from 1 April to 31 August 2025. This temporary arrangement will give the Council sufficient time to undertake a full procurement exercise for a new service to start on 1 September 2025.

The current contract was awarded following a competitive tender and commenced on 1 April 2022 for a period of two years with the option to extend for one year. As the two-year contract was due to end, an extension was issued in January 2024, and this expires in March 2025. The continuation of this service will contribute to the Council's priorities of delivering high quality efficient universal services to all residents and prioritising those with the greatest needs.

Issuing a variation to the current contract for 5 months will allow time for the procurement of a new Mobile Night Service and the continuation of the existing service which is working well and operating in accordance with the current contract and service specification.

This matter affects all wards within the borough as the Mobile Nights Service will receive referrals from all over Wirral and will be available to all Wirral residents. The contract value for both the extension and the retender is over £500,000.

The report supports the Council Plan: Wirral Working Together 2023-27 specifically the Promoting Independence and Healthier Lives theme.

This is a key decision.

RECOMMENDATION/S

The Adult Social Care and Public Health Committee is recommended to approve:

1. The continuation of the current contract with Professional Carers Wirral Ltd for a period of 5 months.
2. The commencement of a formal tender exercise for a new Mobile Night Service for a period of 3 years with the option to extend for a further 2 years.
3. Giving authority to the Director of Adults, Health and Strategic Commissioning to award the contract to the highest performing tenderer following the evaluation of the tender process.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The current contract with Professional Carers Wirral Ltd is due to expire on 31 March 2025. A new contract is required to enable the Council to meet its obligations under the Care Act.
- 1.2 To have a new contract in place, the existing contract will need to be extended by five months to enable a robust procurement exercise to commence. The procurement timetable will include 3 months for mobilisation to ensure a smooth transition in case a new Provider is appointed.
- 1.3 The key principles behind this service are reducing, preventing or delaying the need for further care and support, promoting the Care Act statutory principle of “Individual Wellbeing” and introducing positive behavioural change to encourage independence where possible.
- 1.4 The current service has grown significantly due to demand and hospital pressures. Please see appendix 1 below for how the service has grown since it was last commissioned.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 **Option 1- Do nothing:** The Council currently commissions a Care and Support at Home Mobile Night Service that expires in March 2025. Failure to extend and carry out a procurement exercise will leave those in receipt of this service without a service. This will not only contravene the Council’s duties under the Care Act 2014, the lack of a mobile night’s service is also likely to have a negative impact on other services e.g. increased hospital admissions, increase in the number of people in acute settings and so on.
- 2.2 **Option 2- Retender the service by 31 March 2025:** This will be an extremely short procurement exercise which is unlikely to be effective as there will be not enough time allowed for engagement with key stakeholders, co-production, mobilisation and other key activities required for an effective tender. It will also not be possible to meet the committee deadlines. A project implementation timetable if the extension is granted has been included as appendix 2.
- 2.3 **Option 3- Contract remains with the existing provider and is extended for more than 5 months:** While this would allow even more time for a procurement exercise, this will be a direct award to the existing Provider. A longer than 5-month extension will take the budget over the light touch threshold which will not be compliant with contract procedure rules.

3.0 BACKGROUND INFORMATION

- 3.1 On 7 June 2021, this Committee approved the commencement of a tender exercise for a Care and Support at Home Mobile Nights Service. On 4 June 2022, approval via an Officer Decision Notice was granted for the current Provider Professional Carers to deliver the service from 1 April 2022 for 2 years with the option to extend for 1 further year.
- 3.2 The current contract is due to expire on 31 March 2025. A new contract is required to enable the Council to meet its obligations under the Care Act 2014.
- 3.3 The Mobile Night Service delivers both planned and unplanned care to support people in their own homes. The service is required to flex up and down to meet individuals needs and respond to emergencies, falls or additional continence needs.
- 3.4 Currently, there are 199 service users of this service which equates to approximately 245 visits per night. The service provides same day (within 2 hours) pick up of new mobile night packages over 7 days. The two-hour window is to support hospital discharges.
- 3.4 The current hours of operation are from 9:00 p.m. to 6:00 a.m. for 365 days per year. There is also a backup management on-call service in place to support the service which operates 24 hours a day, 7 days a week, 365 days per year.
- 3.5 The service provides a flexible referral route to respond to multiple care pathways including hospital discharge and preventions, with referrals accepted on the same day or night 7 days a week.
- 3.6 The overall aim of the service include:
 - Preventing admissions to acute care settings
 - Avoiding hospital admissions
 - Facilitating hospital discharge
 - Reducing the length of stay in hospital
 - Keeping people at home for as long as possible by dealing with emergencies, and responding to individual needs
 - Enhancing the quality of life for people who access these services
- 3.7 Practical examples of service delivery include managing the response to fall in community settings, responding to Electronic Call Monitoring alerts, undertaking spot checks and supervision of carers and acting as a point of contact for Emergency Duty Team for social work , District Nurses and emergency services.
- 3.8 A detailed Better Care Fund review of the current service was carried out in November 2023 which noted that the service was performing well and meeting the objectives and Key Performance Indicators set within the service specification e.g. picking up 100% of Mobile Night referrals within the specified timeframes and commencing the delivery of services on the same day following an assessment.

3.9 The service is currently available to a diverse range of service user groups and is expected to work in various setting including but not limited to people’s homes, supported living environments and extra care settings.

3.10 Following the procurement exercise, the new contract will commence on 1st September 2025. The initial term will be 3 years with the option to extend for a further 2 years.

4.0 FINANCIAL IMPLICATIONS

4.1 Funding from this service will be made available from the Better Care Fund and Discharge Fund–The current annual costs for the Mobile Night Service is £1,531,467.

4.2 The total cost of the 5-month extension will be £646,153.

4.3 Below sets out a breakdown of the number of hours and costs for this contract. Hourly rates are based on the Council’s annual rates and fee setting for Mobile Nights. The current Provider pays its staff the Real Living Wage.

| Staff Per evening | Number of runs | Hourly Rate | Hours per week | Weely costs | Annual Costs | Total Costs for 3 years | Potential 5-year costs (extensions applied) |
|--------------------------|-----------------------|--------------------|-----------------------|--------------------|---------------------|--------------------------------|--|
| 20 | 10 | £23.31 | 1,260 hours | £29,370.00 | £1,531,467.00 | £4,594,401 | £7,657,335 |

4.4 The current rate payable for this contract set out in the table of prices above is from 1 April 2024 to 31 March 2025. The Council will, in the final quarter of the financial year 2024/25, undertake its annual rate and fees negotiations and the final rate will be agreed at that point for the Care and Support at Home Mobile Night Service.

4.5 The current Provider is being paid the enhanced rate as the Provider has committed to paying the Real Living Wage.

4.6 Funding for this service will be more cost effective than other forms of care such as residential care.

4.7 A market engagement process with Providers will explore how efficiencies and cost reductions can be achieved. Furthermore, work will be done with the winning organisation to evaluate how potential long-term savings can be made through improved efficiencies.

5.0 LEGAL IMPLICATIONS

5.1 The Care and Support at Home Mobile Nights Service will enable the Council to deliver its statutory duties to promote the wellbeing of individuals under section 1 of The Care Act 2014. As part of this requirement, Local Authorities are expected to provide a range of preventative services that prevent people’s needs from becoming or serious or delaying the impact of their need.

- 5.2 The proposed direct award will allow a full procurement exercise to be undertaken in lines with the Council CPRs, PCR2015 or Procurement Act 2023 as applicable.
- 5.3 The total cost of the proposed 5-month direct award will be £646,153. This amount is below the Light Touch Regime (LTR) Threshold of £663,40 and under the Council CPRs clause 12.4.1, a request to waiver under UK threshold contracts may be authorised in the circumstance (c) a waiver of rules would be in the interests of the Council be lawful and provide value for money.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There will be no resource implications arising directly for this exercise.

7.0 RELEVANT RISKS

- 7.1 Risk related to this exercise have been outlined in the table below:

| Risk | Description | Mitigation |
|------------------------------------|---|---|
| Not having a new contract in place | Officers do not undertake a new procurement exercise and the current contract either ceases to exist or it runs on beyond its current end date. | <p>Failure to extend and carry out a procurement exercise will leave those in receipt of this service without a service. Therefore, plans are in place to recommission this service and undertake a new procurement exercise to enable the Council meets its statutory duties and be legally compliant with procurement legislation.</p> <p>A variation to the current contract for an additional 5 months will ensure compliance with procurement rules.</p> |
| Timeline | Current contract end date means there is a high probability of the contract not being recommissioned and procured by the time the contract will expire. | <p>An extension is being requested to ensure a robust procurement process</p> <p>A project plan has been drafted. A high level one has been provided as appendix 2</p> <p>The Project Team and required resource has been identified</p> |

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| Risk to quality of service | Provider not fulfilling contractual obligations resulting in poor service delivery | A service specification with clear KPIs is being developed There will be robust contract management arrangements |
| Risk of challenge | Risk of legal challenge for the contract variation and outcome of the procurement exercise that will be undertaken. | Procurement advice has been sought to ensure compliance with contract procedure rules for both the direct award and the proposed procurement exercise. Realistic timeframe is being proposed to allow enough time for a robust procurement and commissioning process which will include market engagement. Extensive advice and joint working with legal and procurement teams during the entire process |
| Budget pressures | As this is a service which is in high demand, the budget is likely to increase year on year | Robust financial and data analysis as part of the commissioning process Changes to be identified with the winning bidder on how efficiencies can be made |

7.2 The identified risks will be monitored throughout the procurement process and as part of the contract management process.

8.0 ENGAGEMENT/CONSULTATION

8.1 In line with the Councils co-production strategy and commissioning good practice, the project team want to ensure that a range of committed stakeholders can feed into the service design.

8.2 So far, stakeholders include people in receipt of Mobile Nights service and their families and informal carers as well as professionals across health and social care teams who refer into the service have been encouraged to inform the content of the service specification.

8.3 There are further plans to engage with the market to ensure Providers are informed of Wirral's commissioning intentions and can feed into the service specification.

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 (EIA) 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.

An EIA for the proposed service can be found here:

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Mobile night service scheduling systems are in place to minimise travel in the Borough.
- 10.2 The tendering process will ensure prospective bidders are aware of the Council Environment and Climate Emergency Declaration and ensure they have a sustainability or environmental policy in place. As an example, the current Provider uses a fleet of electric vehicles which are made available to staff. This initiative reduces carbon emissions across the borough.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 As the service will be operating from Wirral, it is anticipated that this will create job opportunities for local residents in the care sector or in support/administrative roles.
- 11.2 This type of service will be more cost effective than alternative models of care.
- 11.3 Providing care in people's home allows them to remain in their familiar environment and maintain their social connections which can enhance their mental and emotional wellbeing.
- 11.4 The tender will require bidders to make social value commitments that will ultimately benefit the Council.

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APPENDICES

- Appendix 1 - Current Mobile Nights Service Numbers
Appendix 2 - Project Timetable

BACKGROUND PAPERS

Adult Care and Health Commissioning Activity 2021 (07/06/2021)

Award of Contract for Care and Support at Home Mobile Nights in Wirral (10/12/2021)

TERMS OF REFERENCE

This report is being considered by the Adult Social Care and Public Health Committee in accordance with Section 2.2(a) and (b) of its Terms of Reference: adult social care matters (e.g., people aged 18 or over with eligible social care needs and their carers) and promoting choice and independence in the provision of all adult social care).

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|---|-------------|
| Adult Social Care and Public Health Committee | 7/06/2021 |
| Adult Social Care and Public Health Committee | 10/12/2021 |