## **Public Document Pack**



### NOTTINGHAM CITY COUNCIL COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Date: Wednesday, 16 September 2015

**Time:** 2.00 pm

Place: LB31, Loxley House, Station Street, Nottingham NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

**Acting Corporate Director for Resources** 

Governance Officer: Noel McMenamin Direct Dial: 01158764304

<u>AGEN</u>	DA	<u>Pages</u>
1	APOLOGIES FOR ABSENCE	
2	DECLARATIONS OF INTERESTS	
3	MINUTES Last meeting held on 15 July 2015 (for confirmation)	3 - 8
4	VOLUNTARY SECTOR UPDATE Verbal Update	
5	WHOLE LIFE DISABILITY STRATEGIC COMMISSIONING REVIEW PROGRESS UPDATE	9 - 20
6	EAST MIDLANDS REGIONAL CHILDREN'S FRAMEWORK Report of Strategic Director for Early Intervention	21 - 26
7	SUPPLY OF FRUIT, VEGETABLE AND MEAT CONTRACTS FOR SCHOOL, COMMERCIAL AND CARE HOME CATERING Report of Strategic Director for Commercial and Neighbourhood Services	27 - 30
8	WORK PROGRAMME Discussion item	31 - 34

#### 9 EXCLUSION OF THE PUBLIC

To consider excluding the public from the meeting during consideration of the remaining item in accordance with section 100a(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## 10EAST MIDLANDS REGIONAL CHILDREN'S FRAMEWORK -35 - 36EXEMPT APPENDIX

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT <u>WWW.NOTTINGHAMCITY.GOV.UK</u>. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

#### NOTTINGHAM CITY COUNCIL

#### COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

# MINUTES of the meeting held at LB31 - Loxley House, Station Street, Nottingham, NG2 3NG on 15 July 2015 from 14.00 - 14.48

#### Membership

<u>Present</u> Councillor Alex Norris (Chair) Councillor Nick McDonald (Vice Chair) Councillor Jon Collins Councillor David Mellen Councillor Nicola Heaton Councillor Dave Trimble Absent Councillor Jane Urquhart

#### Colleagues, partners and others in attendance:

Noel McMenamin	-	Governance Officer
Alex Cox	-	Commercialisation and Contracting Manager
Antony Dixon	-	Strategic Commissioning Manager
Rachel Doherty	-	Lead Contracting Manager
Lynne McNiven	-	Consultant in Public Health
Christine Oliver	-	Head of Service, Crime and Drugs Partnership
Dave Robinson	-	Nottingham Voluntary and Community Services

#### Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until 28 July 2015

#### 10 APOLOGIES FOR ABSENCE

Councillor Jane Urquhart (work commitments) Helen Kearsley-Cree (substitute: Dave Robinson)

#### 11 DECLARATIONS OF INTERESTS

None.

#### 12 <u>MINUTES</u>

The minutes of the meeting held on 10 June 2015 were confirmed as a true record and they were signed by the Chair.

#### 13 VOLUNTARY SECTOR UPDATE

Dave Robinson of Nottingham Community and Voluntary Services (NCVS) provided an update for the Sub-Committee on work carried out to determine the economic value of the voluntary and community sector to Nottingham. The full report will be available shortly, but headlines include:

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- (a) The 45 groups surveyed said they provide a total of nearly 400 different services to Nottingham, equating to more than 8 services per organisation. Groups support almost 450 different client groups;
- (b) Investment in volunteering among the 35 organisations responding to the survey on the value of volunteering is over £1 million, while NCVS calculates that the economic value of volunteering of over £1.5 million, representing a very healthy return on investment;
- (c) On funding, it is estimated that for every £1 invested locally, £5 is brought into Nottingham by the voluntary sector;
- (d) Over 60% of money spent by the voluntary sector in Nottingham stays in Nottingham, while less than 20% of all expenditure goes on 'backroom' costs.

#### **RESOLVED** to note the update.

#### 14 WORK PROGRAMME

RESOLVED to approve the Work Programme, noting that forthcoming items related to both commissioning and procurement.

#### 15 <u>RE-PROCUREMENT OF STOP SMOKING SERVICES AND ADULT</u> <u>HEALTHY LIFESTYLES - KEY DECISION</u>

Lynne McNiven, Consultant in Public Health, presented the report of the Interim Director of Public Health, requesting an extension of several public health contracts to enable the completion of the strategic review of Adult Healthy Lifestyle services. Ms McNiven highlighted the following points and responded to councillors' questions:

- (a) significant savings have already been made in respect of these services since Nottingham City Council took over responsibility for their delivery from NHS England;
- (b) the services involved are specifically targeted at citizens at a high risk of developing Cardio-Vascular Disease, and the contract extensions will ensure continuity of service while the strategic review is carried out;
- (c) the strategic review will in due course lead to further significant savings.

#### **RESOLVED** to

- (1) give approval to:
  - (a) extend those Public Health contracts listed in the exempt Appendix 1 Tables
     A & B, for for up to 1 year, at a cost not exceeding their current contract values;
  - (b) grant dispensation from sections 5.1.1 and 5.1.2 of the Council's Contract Procedure Rules, in accordance with section 3.29 of the Council's Financial Regulations, in respect of the Public Health contracts indicated in exempt Appendix 1, Table B, noting that the Chief Finance Officer has been consulted on and agrees to this request;
- (2) delegate authority to the Interim Director of Public Health in consultation with the Portfolio Holder of Adults and Health, to agree the final values and award contracts for the services listed in exempt Appendix 1, Tables A and B, providing

these do not exceed their current values, noting that a Delegated Decision Making Form would need to be completed to record this decision;

- (3) delegate authority to the Head of Quality and Efficiency to sign the final contracts and contract extensions in respect of all services detailed in exempt Appendix 1 Tables A and B following approval by the Director of Public Health to the agreed contract awards;
- (4) give approval to spend the budget to support the contractual values set out in exempt Appendix 1 Tables A and B. If the contractual values are over and above current indicative values a separate report will be presented for approval.

#### Reasons for recommendations

- (1) extending the contracts listed in exempt Appendix 1, Table A and B, for one year will ensure that continuity of service provision is maintained and citizens can continue to access these Public Health Services from April 2016; and that the recommendations of commissioning review during 2015/16-2016/17 can be implemented in a timely manner. It will also enable procurement to be undertaken during 2016/17 to ensure that service and cost improvements can be achieved from April 2017 onwards;
- (2) A commissioning review is required to ensure that health and wellbeing benefits for citizens from these services are maximised and that the services provide the best value for money. There are several service configuration options that need to be considered and appraised including integration with and utilisation of relevant existing council services and there is insufficient time to undertake such a review and procure services before current contracts end in March 2016;
- (3) It is proposed that fixed term arrangements be put in place with existing providers to ensure continuity of service for local citizens. All Public Health contracts pertaining to this review currently due to expire on 31 March 2016 are listed in exempt Appendix 1, along with proposed commissioning arrangements for 17/18 onwards. The exempt appendix also contains details of contract values and a rationale for each for the proposed tender arrangements;
- (4) In all cases contract performance will be monitored closely throughout the year to ensure that services are delivered effectively and best value is obtained.

#### 16 RE-PROCUREMENT OF PUBLIC HEALTH NURSING - KEY DECISION

Lynne McNiven, Consultant in Public Health, introduced the report of the Corporate Director for Children and Adults, seeking dispensation to extend the contract for School nursing until March 2017 in order to allow all options for integration of children's 0-19 services to be fully explored. Ms McNiven highlighted the following points and responded to councillors' questions:

- Nottingham City Council became responsible for commissioning School Nursing services in April 2013, and the current contract, delivered by Nottingham CityCare Partnership expires on 31 March 2016;
- (b) a wider Child Development strategic review is underway. This will address all elements in the delivery of the Healthy Child Programme from 0-19 years. Responsibility for commissioning health visitor and family nurses transfers to the City Council from 1

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October 2015, and extending the school nursing contract by 1 year will enable all these services to be re-modelled, and savings identified, in due course;

- (c) the child development strategic review is also being considered by the Children's Partnership Board, commissioning proposals for delivery of the Healthy Child Programme will come forward in the summer of 2016. councillors advised that Councillor Sam Webster, the Portfolio Holder for Schools, will need to be consulted as part of the wider commissioning programme;
- (d) A councillor advised that clear 'buy-in' from school head teachers is needed so that all parties are clear about the service to be delivered, and clarity is also required to ensure that services align with those provided under the Small Steps Big Changes programme.

#### **RESOLVED** to

- (1) approve the extension of the Public Health contract detailed in exempt Appendix 1 for 1 year, at a cost not exceeding its current contract value;
- (2) approve dispensation from sections 5.1.1 and 5.1.2 of the Council's Contract Procedure Rules, in accordance with section 3.29 of the Council's Financial Regulations, in respect of the Public Health contract indicated in exempt Appendix 1. The Chief Finance Officer has been consulted on and agrees to this resolution;
- (3) delegate authority to the Director of Public Health in consultation with the Portfolio Holder of Adults and Health, to agree the final value and award the contract for the service listed in exempt Appendix 1, providing this does not exceed its current value, noting that a Delegated Decision Making Form would need to be completed to record this decision;
- (4) delegate authority to the Head of Quality and Efficiency to sign the final contract extension in respect of the service detailed in exempt Appendix 1, following approval by the Director of Public Health to the agreed contract award;
- (5) give approval to spend the budget to support the contractual value set out in exempt Appendix 1. If the contractual value is over and above the current indicative value, a separate report will be presented for approval.

#### Reasons for recommendations

- (1) To allow the option to integrate Public Health Nursing services (0-19) by aligning the procurement of the service to timescales of the Child Development Strategic Review (CDR) and the re-procurement of Public Health Nursing (0-5) services (Health Visiting and Family Nurse Partnership).
- (2) To maximize the potential for increased integration of universal / preventative and early help services. Postponing the procurement will allow an in-depth options appraisal as part of the CDR to be developed which will determine the most effective, efficient, acceptable, accessible and equitable use of resources utilising an evidenced based integrated pathway of services for pregnant women, babies, children and young people up to the age of 19.
- (3) To support the achievement of a consistent and seamless delivery of the Healthy Child Programme 0-19 and achieve quality outcomes for children and parents and contribute

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to the recommendations from the Nottingham City Joint Strategic Needs Assessment and relevant Public Health Outcomes Framework indicators.

#### 17 <u>RE-PROCUREMENT OF CRIME AND DRUGS PARTNERSHIP</u> <u>CONTRACTS 2015/16 - KEY DECISION</u>

Christine Oliver, Head of Service, Crime and Drugs Partnership, introduced the report of the Corporate Director for Children and Adults seeking to delegate authority to the Strategic Director for Early Intervention for the award of contracts in 2015/16 as identified in the exempt appendices to the report.

The Sub-Committee agreed the recommendation without substantive discussion.

RESOLVED to delegate authority to the Strategic Director for Early Intervention to tender contracts as set out at exempt appendices 1 and 2 to secure the best value for the citizens of Nottingham.

#### **Reasons for the recommendation**

- to ensure that funding received from Public Health, the Police and Crime Commissioner and partner contributions is utilised to commission and contract services in the most appropriate way and in accordance with the correct legislation;
- (2) to allow for relevant and necessary commissioning activities to continue in order to maintain service provision for citizens and meet identified need;
- (3) to allow for commissioning and tendering activities to deliver efficiencies in subsequent years.

#### 18 <u>RE-PROCUREMENT OF SECURITY SERVICES</u>

Alex Cox, Commercialisation and Contracts Manager, introduced the report of the Corporate Director for Communities for the approval of a tender process Static Guarding and Keyholding and Mobile Security services. Mr Cox highlighted the following points and responded to councillor questions:

- (a) significant savings have already been secured since the service transferred from Facilities Management to the Crime and Drugs Partnership;
- (b) the substantive contract expired on 31 March 2015, and a monthly rolling contract is currently in place. Having an agreed contract extension until 31 March 2017 allows for a full remodelling of the wider security service, incorporating CCTV and events contracts, to take place;
- the cost of remodelled services will be affected by the national introduction of the living wage;
- (d) the sub-committee asked that as part of the longer term service remodelling exercise, consideration be given to the option of delivering security services in-house.

#### **RESOLVED** to

- (1) approve the tendering for the Nottingham City Council security contract as set out in the exempt appendix to the report;
- (2) delegate authority to the Corporate Director for Communities and Director of Community Protection to complete the procurement process and the award of the contract in accordance with Delegation 127 of the City Council's Scheme of Delegation.

#### Reasons for the recommendations

(1) A monthly rolling contract is currently in place. Further delay in approval to tender could result in operational difficulties in respect of continued compliant service provision. Approval is needed to maintain the critical service of maintaining citizen, property and employee security across Nottingham.

#### 19 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public during consideration of the remaining items in accordance with section 100a(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### 20 <u>RE-PROCUREMENT OF STOP SMOKING SERVICES AND ADULT</u> <u>HEALTHY LIFESTYLES - KEY DECISION - EXEMPT APPENDICES</u>

RESOLVED to note the information at the exempt appendices to the report on re-procurement of Stop Smoking Services and Adult Healthy Lifestyles without substantive discussion.

#### 21 <u>RE-PROCUREMENT OF PUBLIC HEALTH NURSING - KEY DECISION -</u> EXEMPT APPENDICES

**RESOLVED** to note the information at the exempt appendices to the report on re-procurement of Public Health Nursing without substantive discussion.

#### 22 <u>RE-PROCUREMENT OF CRIME AND DRUGS PARTNERSHIP</u> <u>CONTRACTS 2015/16 - KEY DECISION - EXEMPT APPENDICES</u>

RESOLVED to note the information at the exempt appendices to the report on re-procurement of Crime and Drugs Partnership Contracts 2015/16 without substantive discussion.

#### 23 <u>RE-PROCUREMENT OF SECURITY SERVICES - KEY DECISION -</u> <u>EXEMPT APPENDIX</u>

**RESOLVED** to note the information at the exempt appendix to the report on reprocurement of security services without substantive discussion.

# COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

<u> </u>	I			
Subject:				
0	Whole Life Disability Stra	<u> </u>		
Corporate	Candida Brudenell – Stra			~
Director(s)/	Katy Ball – Director of Pro	ocurement and Children	i s Commissioning	g
Director(s):	Cllr Alex Norris			
Portfolio Holder(s):	Clir David Mellen			
Report author and	Clare Gilbert			
contact details:	8764811			
Key Decision	Yes <b>x</b> No	Subject to call-in	∏Yes x∏	No
	liture Income Saving			-
	of the overall impact of the		Revenue	Capital
	communities living or work			_
wards in the City	communices inving of work		Yes L	No
	ecision: Not applicable			
Wards affected: All		Date of consultation	with Portfolio	
		Holder(s): 26/08/15		
Relevant Council Pla	an Strategic Priority:			
Cutting unemploymer				X
Cut crime and anti-so				
	eavers get a job, training o	r further education than	any other City	$\square$
	as clean as the City Centre			
Help keep your energ	,			
Good access to publi				
Nottingham has a goo				X
ž ž	place to do business, inve	st and create jobs		
Nottingham offers a v	vide range of leisure activiti	es, parks and sporting	events	
Support early interver				X
	e for money services to ou	r citizens		X
	(including benefits to citi			
Disability Strategic Correlation to the Childre	the proposals that are bein ommissioning Review (LDS n's Special Educational Ne ole Life Disability Review.	SCR) and sets out the k	ey work streams	in
Exempt information				
None				
Recommendation(s)	):			
<b>``</b>	e activity outlined in relation	ons to the options bein	g developed in r	elation to
-	ning Disability Strategic Co	-	<b>J</b>	
	e scope of the Children's S		ds and Disability	Review

## 1 REASONS FOR RECOMMENDATIONS

The options identify a range of proposals which aim to achieve; increased value for money, flexible accommodation pathways, and to enhance choice, quality and enablement

The scope of the SEND Review will define the focus of activity.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

Whole Life Disability was identified as a Strategic Commissioning Review for 2015/16 as agreed at the Commissioning Executive Group. This review incorporates the existing adult LDSCR that was initiated in 2014, and a new review of SEND provision. Both reviews are being undertaken jointly with the Clinical Commissioning Group (CCG). By aligning the work on both children and adult's provision, the review seeks to consider how provision can be delivered consistently and equitably across children and adult services. This also aligns to the requirements of the national SEND Reforms within the Children and Families Act 2014 which requires local authorities to support a 0 - 25 approach in the provision of services.

As the reviews were started a year apart, the adult and the children's review are currently being managed as largely separate processes. However, the findings from the LDSCR are being used to shape and inform key lines of enquiry within the SEND element of the review and there is a specific work stream focussed on re-shaping the internal delivery model across children and adult services.

#### Adult Learning Disability Review

Nottingham City Council spends approximately £24 million on adult learning disability services and the CCG spends approximately £12 million. This money supports around 900 individuals.

The LDSCR identified 5 key work streams:

- Accommodation
- A Full and Equal Life –focussing on day opportunities
- Transforming Care Specialist health provision and responding to those with complex needs
- Health and Wellbeing access to universal and secondary non specialist health provision
- Transition

The focus of the analysis phase of the review has been on the first two work streams, with the CCG incorporating the health related work streams into existing groups. The work of the Transforming Care Group has been dominated by the response to the Winterbourne exposé by the BBC which has led to increasing scrutiny on people with learning disabilities that were being inappropriately accommodated in Assessment and Treatment Units and locked rehabilitation wards. The Transition work stream has now been incorporated in to the SEND Review.

The analysis stage of the LDSCR involved a detailed analysis of a range of local and national data alongside a comprehensive engagement programme with people with learning disabilities, their carers, their practitioners and the services that they utilise.

#### The SEND Review

Currently Nottingham City spends approximately £5 million per year on Disabled Children's Services. It also spends about £2 million on internal SEN services and transport. Most SEN provision is funded by the High Needs component of the Direct Schools Grant (DSG) which is approximately £19 million. This includes £4 million of internal SEN services and transport costs. The majority of the grant goes directly to mainstream or special schools.

As well as aligning with the LDSCR, the review provides a key mechanism to support the ongoing work in relation to the SEND reforms within the Children and Families Act 2014. These reforms represent the biggest transformation to special educational needs and disabilities support for 30 years. It includes the following expectations and responsibilities on the local area in the development of services;

- **Co-production** with children, young people and their families / carers
- Integration and joint commissioning of services between the local authority and Clinical Commissioning Groups
- The offer of a **personal budget across education, health and /** or social care (for those that meet the criteria)
- Clear improvements to the individual's life and education based on **outcomes**
- Replacement of Statements of SEN and Learning Difficulty Assessments with **Education**, **Health and Care (EHC) plans**
- Over 16's having the right to make decisions about their support (unless they lack the capacity to do so)
- The publishing of a '**local offer**' (information about all SEND support within the area)
- SEN Support classification replaces School Action and School Action Plus.

#### PRESENT POSITION

The findings of the LDSCR analysis were fed back to an options generation workshop in June and from this a range of options were identified. (See Appendix A). These options will be evaluated in detail and in November a set of detailed proposals will be submitted to the Learning Disability Joint Commissioning Group and the agreed recommendations will be brought back to the CEG for final approval.

An immediate outcome of the review was the piloting of a new post which has been funded by the CCG for 18 months for a Commissioning Manager – Complex Needs. A primary focus of this post will be in finding bespoke housing solutions for the Transforming Care cohort. As part of this process it will shape and inform other mechanisms for effective commission solutions for accommodation.

The SEND Review started in April 2015. The review aligns with the work of the SEND Programme Board in implementing the SEND changes. The work of the review will support the City Council in meeting the requirements of the new SEND Inspection Accountability Framework. Inspections may take place at any point from 1<sup>st</sup> January 2015. The review also links to the Child

Development Commissioning Review and reviews initiated by the Directors of Education in to Special Educational Needs and Alternative Provision.

The scope of the review has been identified as follows: (See Appendix B)

The review will focus on children and young people with higher level needs in relation to SEND but will include the wider SEND cohort particularly where this has implications for service provision.

- Those children and young people known to the Disabled Children's Team or likely to transition to adult social care and related services
- All children and young people requiring EHCP and related services
- All internal and commissioned SEN and disability services
- All children and young people requiring High Level Need funding
- Early intervention support for children with SEND

The primary activity will be:

• Exploring opportunities for greater alignment and integration across adult and children's services and social care, health and education

The key work streams that have been identified are:

- Improved integration with health
- Personalisation and short breaks including the development of a joint approach with health for overnight or specialist respite
- Information, advice and support services
- Early Intervention
- Transport
- Assistive Technologies
- The development of an internal delivery model
- The development of a Transitions Strategy
- Employment
- Further Education including
  - Development of a commissioning strategy for HLN college provision
  - Working with colleges to reduce out of area placements
- Supporting schools to support SEN -Prevention of escalation of need from mainstream into special schools
- Alternative Provision

The analysis for the SEND Review will be completed by the end of October. A paper will be submitted to the health and Wellbeing's Board Commissioning Executive Group (CEG) in November outlining proposals in relation to the defined work streams. Given the broad range of work streams, different timescales will be attached to each project depending on the priority of the work required.

There will be a broad range of proposals for each work stream which will be detailed at future submissions to the CEG. As well as identifying mechanisms to improve outcomes for children and their families, the review will identify a range of Make or Buy options in relationship to Short Breaks provision and identify proposals in relation to financial savings. Some of these proposals are likely to have implications for other service areas such as transport. A Joint Integrated Commissioning Plan will be developed with the CCG by December 2015.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

Not applicable

#### 4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

Financial savings and implications will be identified when the options and proposals are developed.

#### 5 <u>LEGAL AND PROCUREMENT COMMENTS (INLUDING RISK MANAGEMENT</u> <u>ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND</u> <u>PROCUREMENT IMPLICATIONS)</u>

Not applicable

#### 6 SOCIAL VALUE CONSIDERATIONS

Not applicable

#### 7 REGARD TO THE NHS CONSTITUTION

Not applicable

#### 8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outsi the Council)
- (b) No
- (c) Yes Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

X

#### 9 <u>LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT</u> (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

Not applicable

#### 10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

Not applicable

#### 11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Katy Ball Director of Procurement and Children's Commissioning

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## Learning Disability Options Generation Proposals

Overarching Objective	Options	Action Owner	Key Intended Outcomes
Develop a holistic vision to m	aximise the choice of housing and support with multiple disabilities and complex ne		
<ol> <li>Develop the provision of a range of accommodation and support options for PWLD</li> </ol>	To stimulate the development of appropriate accommodation including supported living options To work with providers to create community solutions for people with complex needs.	CLW/Housing Strategy	An increase in the range of housing and support that enhances and promotes steps to greater independence; A range of provision to meet current
	To explore utilisation of support options funded through housing benefit to support those at edge of care	CLW	and anticipated needs The council to achieve better value
	Develop and increase the use of APS	CG	for money through the provision of more cost effective housing and accommodation
<ol> <li>Develop an appropriate pathway</li> </ol>	To review the Expressions of Interest process	SB/ Procurement	A clear approach is developed to enable PWLD, families and
for identifying the most appropriate housing solutions	To allow a flexible pathway between residential and supported living options	CLW/Procurement	professionals to be able to access the most appropriate housing option
	To provide mechanisms for accessing supported living options for a single person or groups of friends	CLW	PWLD are supported to have real housing and support options that meet their needs for where they want
	Support for families to broker access and choices or accommodation and support options; (inc buying/mortgaging)	CLW	to live
3. To develop procurement	Develop a 'quality based' approved provider open list	CG/Procurement	Quality of service provision is enhanced PWLD are actively
mechanisms which support innovation,	Develop a mechanism for outcome based payments	CG/Procurement	supported to achieve agreed enablement targets

improve outcomes and quality in relation to day opportunities and supported living	in place To create a market where Providers employ competent and capable staff who are developed, supported and recompensed accordingly.	CG/Market Development CG/Market Development	Resources are more appropriately targeted Increased number of competent capable providers able to offer services that are well managed (risk management as opposed to risk aversion). Providers working in partnership to creatively find community solutions
PWLD and carers are suppo	rted and enabled to transition and take step	s which support choic	
4. Enable carers to care	Facilitation and training options are available to carers to empower them to care for longer and manage risks appropriately and consider transition planning Carers are supported to access and seek support early to prevent and reduce crisis Carers are supported to build natural support networks and access peer support		Carers feel able to effectively undertake their caring role Carers are able to enable those that they care for
5. Develop a centralised information hub for professionals, PWLD and their families	Accessible information is incorporated into the wider City IAS vision Regular service fairs Activities are actively promoted in day centres Services validated by PWLD Services offer 'Taster Days'	CLW CLW/ Market Dev CLW CLW CLW	PWLD and their families are supported to make choices about the most appropriate provision

6.	Provide low level support for those at the edge of care	'Kite' marking of universal services building on Safe Places scheme Peer support options	CG	PWLD who are not receiving social care provision are able to access universal and community based support
7.	Increase flexibility of day and evening	PA Hubs providing a range of personalised opportunities	CG	PWLD are enabled to have a full and meaningful life
	opportunities	Greater utilisation of current premises for evening opportunities or for residential and supported living providers to open activities to those in the community	CG/Market Dev	
8.	Increase the utilisation of assistive technology	Promote Telehealth around learning disabilities to help manage long term conditions as they develop.	Dave Miles	PWLD are supported to increase levels of independence Impact on carers is reduced Costs of packages of care are reduced
		Work with supported living providers in developing whole home solutions which may support residents and enable cost efficiency savings.		
9.	Increase numbers of PWLD who are able to travel	Increase levels of travel training (this could be linked to day opportunity outcomes)	Alistair Lane	PWLD have greater independence Travel costs are reduced
	independently	Greater use of assistive technology		

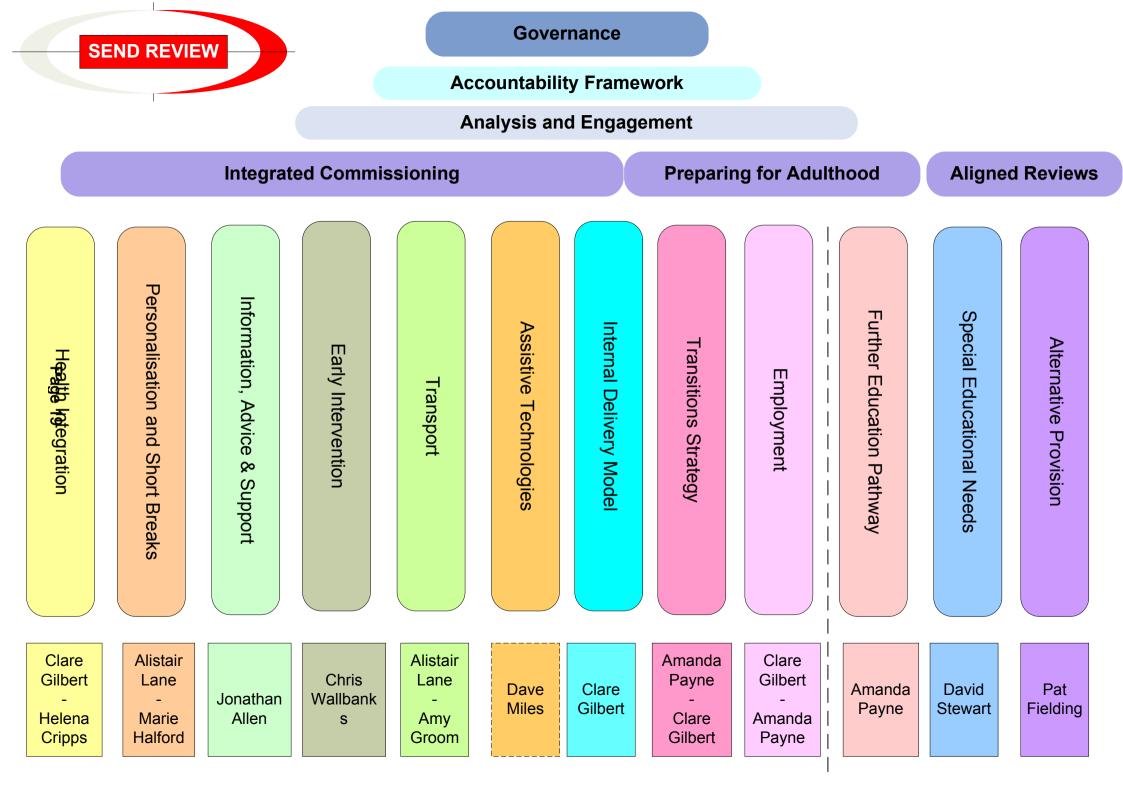
Key SB = Sharon Bramwell CG =Clare Gilbert CLW = Claire Labdon West

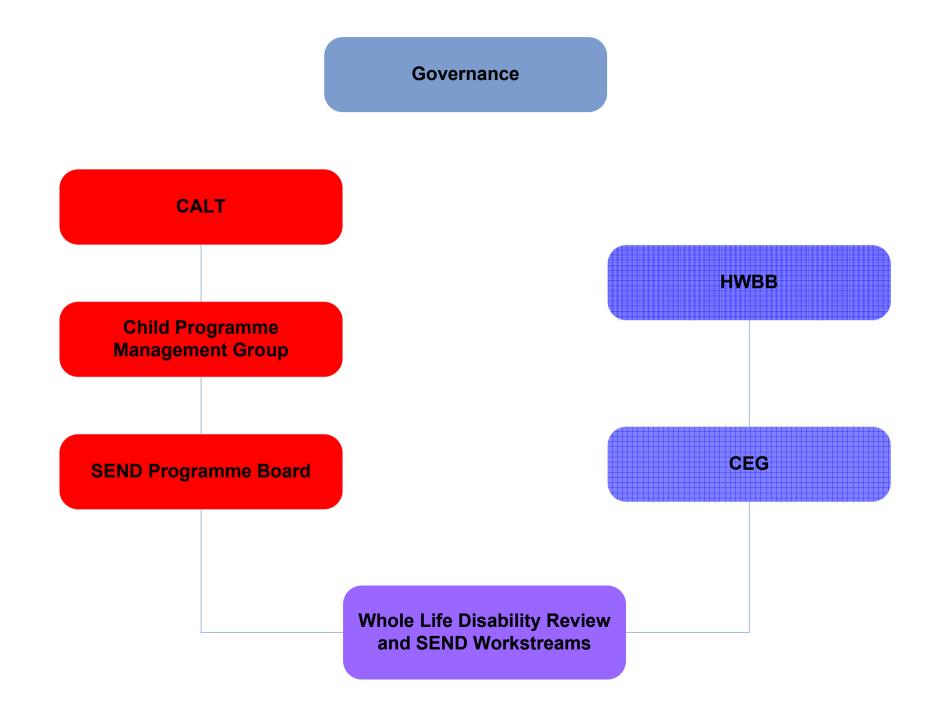
Option	Financial benefits	Improved	Strategic Fit	Deliverability	Risks	Partnership
		Outcomes				Implications
What is being proposed? How this will change what is currently being delivered? How will this be achieved?	What savings if any are likely to be delivered? Are these direct savings, prevented costs, or more effective use of staffing and other resources? What is the overall financial envelope being	In what way will the proposals achieve improved outcomes for citizens? How can they be measured?	Does the option fit with strategic priorities?	How straightforward will this be to achieve? What are the resource implications in terms of time, staffing and	What factors might prevent the proposal from achieving the desired efficiencies and outcomes identified? Are there potential negative implications for other services (additional referrals)	What is the role of partners in delivering this option? Will they be contributing any resources?
	considered?			finances?		

**Ongoing activity** – this is activity identified through the options generation process that does not require the development of an options paper.

To increase access to current housing options, eg. the housing register; support to use Choice Based Lettings system to get access to social rented housing –Action owner CG

To pilot a specialist commissioning post to develop bespoke housing options for individuals with complex needs - Action owner -





# COMMISSIONING AND PROCUREMENT SUB-COMMINDER SEPTEMber 2015

Subject:	East Midlands Regional Provider Framework for	or Looked After Ch	ildren
· · · · <b>,</b> · · · ·	placed in Independent Foster Care and Reside		
Corporate	Katy Ball, Director of Procurement and Childre	n's Commissioninc	1
Director(s)/	Candida Brudenell, Strategic Director of Early	-	)
Director(s):			
Portfolio Holder(s):	Councillor David Mellen, Portfolio Holder for C	hildren's Services	
Report author and	Anne Partington, Service Manager, Placement		
contact details:	0115 8764722 / anne.partington@nottinghamo		
Key Decision	Yes No Subject to call-in		No
	iture Income Savings of £1,000,000 or		_
	of the overall impact of the decision	Revenue	Capital
	communities living or working in two or more		
wards in the City	······································	Yes	🛛 No
	cision: £37,000 (based on 2014 / 15)		
Wards affected: All	Date of consultation	on with Portfolio	
	Holder(s):		
<b>Relevant Council Pla</b>	an Strategic Priority:		
Cutting unemploymer			
Cut crime and anti-so			
	eavers get a job, training or further education the	an any other City	
	as clean as the City Centre		
Help keep your energ			
Good access to public			
Nottingham has a goo			
¥ ¥	place to do business, invest and create jobs		
	vide range of leisure activities, parks and sportin	a events	
Support early interver		9	
	e for money services to our citizens		
	(including benefits to citizens/service users)		
	egional Provider Framework for Looked After Ch		
	are and Residential Care, was implemented in a		been
extended to 31.12.15	Nottingham City Council entered into a formal a	agreement as part	of this
	5 other local authorities in the region and curre		
placements with exter	nal agencies for Looked After Children. The frai	mework has been u	under
review throughout 20	15, with the aim of re publishing it in February 20	016 with all 9 nine l	Local
Authorities in the regi	on being committed in principle to the agreemer	ıt.	
<b>F</b> (information			
Exempt information		b 2 of contine 40 A	to the
	report (Analysis 2015) is exempt under paragrap		
	t 1972, as it contains information relating to the		
	on (including the authority holding that information	<i>,</i>	
	ption outweighs the public interest in disclosing sitive to other local authorities financial commited		
children.			21
Recommendation(s)		Nottingham City C	
	hing and Procurement Sub-Committee supports		
following caveats in p	/ East Midlands Regional Children's Framework lace:	Agreement, with th	
<b>U</b> 1	of 6 local authorities also confirm their commitm	nont	

- A minimum of 6 local authorities also confirm their commitment
- The process is developed to encourage providers to tender on best price and quality to

ensure the removal of the tiers doesn't result in a preferred provider list with no distinction between the quality and cost of provision

• The tendering and evaluation process is robust enough to ensure that those providers who are placed on the framework have passed rigorous scrutiny on their quality and cost.

That the Commissioning and Procurement Sub-Committee agree the funding of £37k annually with an additional £10K for 2015 / 16 for development costs as Nottingham's share of the Framework cost.

### 1 REASONS FOR RECOMMENDATIONS

- 1.1 The current East Midlands Regional Provider Framework for Looked After Children placed in Independent Foster Care and Residential Care has provided a structure for the commissioning of external placements for Looked After Children in Nottingham City since April 2011. This has supported the Placements Service in sourcing appropriate placements, taking into account, quality, price, location and children's individual needs. The Framework has driven reduced costs for Nottingham and enabled a platform to share information about the quality of providers.
- 1.2 The framework agreement has been developed throughout the review process to enable all local authorities within the region to be engaged, which increases the scope of the framework and the influence on the external market, but has also led to some fundamental changes in the specification. The local authority is keen to remain engaged but requires additional assurance in relation to the evaluation of tenders and the commitment of other local authorities.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 As of the 11<sup>th</sup> August 2015, there were 589 children in the care of the local authority. 219 of these children were placed in internal residential or fostering placements and 372 were placed with external providers of fostering, residential, semi-independent or other providers. The Placements Service is responsible for commissioning the external placements, managing the contracts with providers and providing assurance on the quality of provision.
- 2.2 The data at Appendix 1 provides information on Nottingham City's use of the East Midlands Regional Provider Framework for Looked After Children, compared to other local authorities since its implementation in April 2011.
- 2.3 As a summary, over the 4 year period, Nottingham City made a total of 1, 388 placements through the framework and 111 placements off framework. During 2014 / 15, 482 placements were made on the framework at a cost of £16,719,750 and Nottingham City was responsible for 25% of the total foster placements made through the framework and 33% of residential. There is evidence that the average weekly cost of a placement is cheaper on framework, as detailed below.

	On Fra	mework	Off Framework		
	Fostering	Residential	Fostering	Residential	
Number of	384	98	9	37	
placements made					
Average Cost per	£950	£3,433	£1305	£3,622	
week					
(includes core,					
enhanced and					

complex)		

- 2.4 Northamptonshire County Council manage the framework and the cost of this is shared between the local authorities who are part of the consortium, based on the amount of placements made. In 2015 / 16 the cost to Nottingham City was £36, 975.34, 26% of the total cost of £140, 000.
- 2.5 Nottingham City Council is likely to remain a significant user of the East Midlands Regional Provider Framework for Looked After Children and has been fully involved in the review and development of the framework. Significant changes include:
  - The framework will run for 4 years, but will be opened on an annual basis to allow providers to join
  - The framework allows for both mini competition and call off systems to operate for commissioning individual placement and introduces the possibility of commissioning block contract beds through mini competition
  - Removal of the tiering of providers, providers will be placed on the framework in ranked order if they pass the qualification and awards processes.
  - Removal of the levels of service provision (core, enhance & complex) in favour of a standard price, with additional services provided / required being offered on a menu of options.
  - Specialist provision will be commissioned based of Ofsted registration criteria (e.g. Autistic Spectrum Condition with challenging behaviours; Learning Disability; Complex Emotional & Behavioural Difficulties; Complex Health Needs).
  - Removal of complex discounts in favour of managing down the cost and minimising complex administration systems
  - Improvements in the collation of performance data
- 2.6 All 9 local authorities in the region have been involved in the development of the framework and have made indicative commitment to their ongoing use of following implementation from 01.02.16.
- 2.7 The framework was published for tender on 24.08.15 with a return deadline of 02.10.15 and Nottingham City Council are committing resources to the evaluation process throughout October and November 2015 to ensure this process is robust.

### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Without the East Midlands Regional Provider Framework, Nottingham City Council would need to invest resources in developing a local framework for residential and fostering providers to ensure robust management of the quality and cost of provision being commissioned. Our influence, particularly in relation to the cost of placements would be minimised and there would be a reduction in the infrastructure of support providing by working as a consortia with other local authorities.

#### 4 <u>FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR</u> <u>MONEY/VAT)</u>

#### 5 <u>LEGAL AND PROCUREMENT COMMENTS (INLUDING RISK MANAGEMENT</u> <u>ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND</u> <u>PROCUREMENT IMPLICATIONS)</u>

- 5.1 **Procurement Comment** The Procurement Team has been consulted and procurement advice has been provided in the development of these proposals. The proposal to commit to the joint regional framework as recommended is supported from a procurement perspective. A robust tendering and evaluation process should ensure that those providers who are placed on the framework have passed rigorous scrutiny on their quality and cost. The Procurement Team will support the tender process as required.
- 5.1 **Legal Comment** The proposed legal framework is an innovative solution to the procurement of foster parents (through the auspices of fostering agencies) and for appropriate accommodation at children's' homes. It is designed to enable providers to join the framework annually during the life of the framework; whilst also using techniques for calling off individual specific contracts as would be found in an orthodox framework arrangement. It is, in technical terms, a blend of a dynamic purchasing system and a framework arrangement. It is the ability of providers to join annually during the four year life of the framework where the provider satisfies a minimum threshold as to quality and price that is the unusual feature and the mechanism to do so that is innovative.
- 5.2 The framework makes use of the greater latitude afforded to social (and other services) under article 76 Public Contracts Regulations 2015 (known as the Light Touch Regime). Procurements under this regime are still required to comply with the principles of EU procurement law. It is considered that this innovative approach is likely to survive a challenge but almost inevitably innovation can invite criticism.
- 5.3 The legal documentation was produced by shared legal service of Cambridgeshire and Northamptonshire (LGSS Law Ltd) under pressure to fit in with a tight timetable. There are a number of matters that would welcome correction. They appear to be mainly to be ones where there is potential conflict between the wording of the framework agreement and that of the standard call-off contracts or a failure to follow through a matter form one document to the other. They are not substantial and do not appear to affect the commerciality of the agreements. Thus, they should be able to be corrected during the procurement process and a challenge successfully resisted provided due attention is paid to procedural fairness and transparency by Northants procurement team.

#### 6 SOCIAL VALUE CONSIDERATIONS

- 6.1 Consideration has been given to how the services being commissioned could improve the economic, social and environmental well-being in Nottingham. By virtue of the type of services being commissioned, social improvements are expected to be delivered, particularly for the children and young people receiving the services, but also for the wider economic well-being of Nottingham.
- 6.2 It is anticipated that improved outcomes for Nottingham's Looked After population will be achieved by enabling an increased number of children and young people to remain living locally in high quality care provision.
- 6.3 There is potential to create increased employment opportunities for local citizens due to residential care provision either being established or expanding in the Greater Nottinghamshire area.

6.4 Considerations to support compliance with the Public Services (Social Value) Act 2012, will be embedded throughout the procurement process.

#### 7 REGARD TO THE NHS CONSTITUTION

7.1 N/A

#### 8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outsi the Council)
- (b) No
- (c) Yes Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

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#### 9 <u>LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT</u> (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

Regional Framework Analysis 2015

### 10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

#### 11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Jo Pettifor – Procurement Team Manager, Nottingham City Council Brian Stewart – Solicitor, Nottingham City Council. Katy Ball – Director Procurement & Children's Commissioning This page is intentionally left blank

## COMMISSIONING AND PROCUREMENT SUB-COMMATINE 7 - 16 September 2015

Subject:	Key Decision - S Commercial and		uit/Vegetable and Meat 0 e Catering.	Contracts for Schoo	ol,
			e eaternig		
Corporate	Andrew Vaugha	n Strategic	Director for Commercial	and Neighbourbor	hd
Director(s)/	Services.	n, otrategie			
Director(s):	00111000.				
Portfolio Holder(s):	Portfolio Holder	for Commu	nity Services		
			They Gervices.		
Report author and			erations Manager, Tradir	ng Operations	
contact details:			nghamcity.gov.uk		
	Phone: 0115 87	761740			
Key Decision	x Yes	No	Subject to call-in	Tx Yes	No
Reasons: x Exper		-			
more taking account				x Revenue	_ Capital
Significant impact on					
wards in the City		5	5	Yes x	No
Total value of the de	cision:				
Up to £2.97 million					
		Vegetable	e contract (the duratio	on of the 3 year of	contract
from 1 January 2	016).				
2. c.£1.4 million for	the Meat Contr	act (the d	uration of the 3 year of	contract from 1	January
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	empt information:
50	ate 'None' or complete the following.
No	ne.
Ke	commendation(s):
1	To approve expenditure of £1.98 million for the supply of Fruit/Vegetable and Meat Contracts for School, Commercial and Care Home Catering for 3 years from 1 January 2016, with an option to extend for a further 1 years, at a cost of £0.75 million;
2	To delegate authority to the Strategic Director of Commercial and Neighbourhood Services to select and award the contracts (to include an option to extend for one year as appropriate) to the most economically advantageous tender.
3	To approve extending the current fruit and vegetable and meat contracts arrangement from 1 October 2015 to 31 December 2015 at a cost of c £165,000
4	

#### 1 REASONS FOR RECOMMENDATIONS

The supply of Fruit, Vegetables and Meat is fundamental to the delivery of catering services to Schools, Homes and Commercial establishments. The current Fruit and Vegetables and Meat contracts expire on 1st October 15, these need to be extended until 31st December 2015 whilst the main framework contracts are procured. It is intended that these procurements be completed 2nd January 2016.

The estimated value of the extension is based upon current annual spend on Fruit and Vegetables of £210,000 and on Meat of £450,000

If these contracts are not extended with the current suppliers for this short period of time, it is considered that there is a significant danger that there will be an interruption in the supply of essential sustenance to the educational establishments and the care homes.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

The current contracts will expire on 1st October 2015 and the supply of fruit/veg and meats are core to the delivery of the catering service in schools, care homes and other catering facilities. All surveys returned confirm that quality and where possible local sourcing are important to our customers.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

Do nothing. In relation to the main agreements the values take them over the Public Contract Regulations thresholds and they must be procure by a statutory tend process. Therefore this is not an option.

#### 4 <u>FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR</u> <u>MONEY/VAT)</u>

The expenditure to which this contract relates is included within existing budgets within catering services.

Catering services have a Medium Term Financial Plan savings target of £0.288m for 2015/16, Any savings made as a result of this procurement activity will contribute towards the achievement of this target. In the event of any cost increases arising from this procurement activity these will be reflected in the charges made to customers for meals.

Until the procurement is completed it is not possible to quantify the level of savings or additional costs that may result, however based on previous tendering activity recently undertaken it is anticipated that there will be an overall cost saving to the Council for the items to be tendered.

The undertaking of a competitive procurement process will result in the Council obtaining value for money for these items.

#### 5 <u>LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT</u> <u>ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND</u> <u>PROCUREMENT IMPLICATIONS)</u>

It is not considered that these procurements give rise to significant legal concerns. The main contracts are to be procured by public tender. As regards the contract extensions they are less than the amount allowable under the Regulation as modifications of contract.

As regards standing orders the extension will ensure continuity of supply of this essential service.

The Procurement Team will ensure that a fully compliant and value for money framework agreement is entered into.

### 6 SOCIAL VALUE CONSIDERATIONS

The spend has been broken down into smaller lots in order to make the framework agreement more attractive to local suppliers and keep the money spent in the city if possible and we have held a 'meet the buyer' event where a number of local suppliers attended to discuss ours and their requirements.7 **<u>REGARD TO THE NHS</u> <u>CONSTITUTION</u>** 

By ensuring the quality of the produce procured through this retendering process, the meals produced will be of a high standard, thus ensuring the health of those citizens served is maintained to expected levels.

#### 8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outsi the Council)
- (b) No
- (C) Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

x

#### 9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION) None

#### 10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

None

#### 11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Lee Kimberley, Head of Trading Operations Brian Stewart, Legal TeamPaul Ritchie, Procurement Category Manager

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?				
OCT MEETING								
Procurement Plan Update	14 <sup>th</sup> Oct	Report	Portfolio Holder	Jo Pettifor Procurement Team Manager Nottingham City Council 0115 8765026 Jo.pettifor@nottinghamcity.gov.uk				
VCS Support Forward Model	14 <sup>th</sup> Oct	Report	Portfolio Holder	Louise Graham Voluntary Community Sector Partnerships Specialist 0115 8763132 Louise.graham@nottinghamcity.gov.uk				
Children & Young Peoples Review Progress Update	14 <sup>th</sup> Sept	Report	Portfolio Holder	Katy Ball Head of Market Development & Early Intervention Nottingham City Council 0115 8764814 Katy.ball@nottinghamcity.gov.uk				

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?				
NOV MEETING								
Homeless Family Accommodation Commissioning Intentions	18 <sup>th</sup> Nov	Report	Portfolio Holder	Antony Dixon Strategic Commissioning Manager Nottingham City Council 0115 8763491 antony.dixon@nottinghamcity.gov.uk				

Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?				
JAN MEETING								
Advocacy Provision Commissioning Intentions	20 <sup>th</sup> Jan	Report	Portfolio Holder	Clare Gilbert Lead Commissioning Manager Nottingham City Council 0115 8764811 <u>clare.gilbert@nottinghamcity.gov.uk</u>				
Semi Independent Accommodation (Care Leavers) Commissioning Intentions	20 <sup>th</sup> Jan	Report	Portfolio Holder	Katy Ball Director of Procurement & Children's Commissioning Nottingham City Council 0115 8763491 <u>katy.ball@nottinghamcity.gov.uk</u>				

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