



NOTTINGHAM CITY COUNCIL
COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Date: Wednesday, 14 September 2016

Time: 2.00 pm

Place: LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG

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

Corporate Director for Resilience

Governance Officer: Phil Wye **Direct Dial:** 01158764637

AGENDA

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ALL ITEMS LISTED 'UNDER EXCLUSION OF THE PUBLIC' WILL BE HEARD IN PRIVATE. THEY HAVE BEEN INCLUDED ON THE AGENDA AS NO REPRESENTATIONS AGAINST HEARING THE ITEMS IN PRIVATE WERE RECEIVED

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 WWW.NOTTINGHAMCITY.GOV.UK. 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 Loxley House on 13 July 2016 from 14.03 - 14.25

Membership

Present

Councillor Alex Norris (Chair)
Councillor Nicola Heaton (Vice-Chair)
Councillor Jon Collins
Councillor David Mellen
Councillor Dave Trimble

Absent

Councillor Jane Urquhart

Colleagues, partners and others in attendance:

Gayle Aughton	- Strategic Commissioning Manager
Katy Ball	- Director of Procurement and Children's Commissioning
Steve Oakley	- Head of Contracting and Procurement
Christine Oliver	- Head of Commissioning
Jo Pettifor	- Procurement Team Manager
Rachel Sokal	- Consultant in Public Health
Maria Ward	- NCVS
Phil Wye	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until 25 July 2016.

13 MEMBERSHIP

RESOLVED to note that Councillor Nick McDonald will no longer be a member of the Sub-Committee due to a change in his portfolio

14 APOLOGIES FOR ABSENCE

None.

15 DECLARATIONS OF INTEREST

None.

16 MINUTES

The minutes of the meeting held on 11 May 2016 were agreed as a true record and signed by the Chair.

17 VOLUNTARY AND COMMUNITY SECTOR UPDATE

Maria Ward, NCVS, gave an update on the Voluntary and Community Sector, highlighting the following:

- (a) NCVS is providing support for Area Based Grant applications;
- (b) the State of the Sector report has been extended to July as NCVS are still awaiting responses from some key organisations;
- (c) the voluntary and community sector is still involved with development of the Health and Wellbeing Plan and actions;
- (d) the BME needs assessment is currently ongoing. NCVS is playing a key role delivering focus groups around the city, and over 50 people were spoken to at an event in Old Market Square;
- (e) the Volunteer Centre has been accredited with the Voluntary Centre Quality Award, and is the only accredited centre in the city. The assessor particularly praised the training needs analysis used to develop the volunteer network;
- (f) the impact on the UK's withdrawal from the EU for the sector has been considered in a recent paper. The relationship between the sector and the Local Authority is seen as an area of development as some organisations may lose funding.

RESOLVED to note the update

18 PROCUREMENT STRATEGY IMPLEMENTATION UPDATE

Katy Ball, Director of Procurement and Children's Commissioning, and Jo Pettifor, Procurement Team Manager, introduced the report updating the Sub-Committee with key achievements of the Procurement Strategy 2016/17. Katy and Jo highlighted the following:

- (a) 75% of the total contract value has been awarded locally, injecting £184m into the local economy and contributing towards the establishment of 342 new entry level jobs and apprenticeships locally. This is well in excess of the target;
- (b) the council has developed a new Business Charter which enables joint working to improve the economic, social and environmental wellbeing of Nottingham. For all contracts over the value of £1m, the council will negotiate bespoke targets around social value.

RESOLVED to

- (1) note the social value impact on the implementation of the Nottingham City Council Procurement Strategy 2014-17 in its first two years;**

(2) note that future progress reports on the implementation of the Procurement Strategy will be presented to the Commissioning and Procurement Sub-Committee on an annual basis.

Reasons for decision

It is essential that Nottingham City Council implements the robust model and principles set out in its Procurement Strategy to enable the delivery of its strategic priorities within the financial envelope. Additionally effective implementation of the Procurement Strategy has ensured a focus on:

- maximising procurement capability and improving procurement processes in terms of efficiency and effectiveness in delivering priority outcomes;
- balancing the use of spending power impact to support growth (including Small and Medium Sized Enterprises (SMEs)) and secure more jobs and apprenticeships for unemployed people, within the EU procurement regulations;
- ensuring that return on investment delivers social and environmental benefits for the city, in accordance with the Public Services (Social Value) Act 2012;
- delivering strategic, collaborative and commercial relationships with suppliers and key partners;

The Procurement Strategy is a key driver in the delivery of the Council's key strategic priorities, in particular:

- Support the local economy (linking with the Nottingham Growth Plan);
- Drive increased job opportunities for unemployed people;
- Deliver effective value for money for our citizens;
- Lead as an Early Intervention City;
- Lead as a Green City.

Other options considered

None

19 HEALTHY LIFESTYLES, REDUCING PREMATURE MORTALITY

Rachel Sokal, Consultant in Public Health, introduced the report seeking approval to procure and award contracts to deliver a revised Adult Healthy Lifestyle service model following a full commissioning review of the current model. Rachel highlighted the following:

- (a) the re-procurement of services will release substantial annual savings for the Public Health grant;
- (b) services will utilise council assets such as leisure centres as much as possible, and where it is economical to do so.

RESOLVED to

- (1) approve the procurement of Healthy Lifestyle services as outlined in Appendix 1;**

- (2) delegate authority to the Director of Public Health in consultation with the Portfolio Holder for Adults and Health, to allocate funds for the above expenditure and secure best value for Nottingham citizens;**
- (3) delegate authority to the Director of Public Health in consultation with the Portfolio Holder for Adults and Health to approve the outcome for tenders, agree final values and award contracts for the services detailed in Appendix 2, providing it does not exceed the maximum values indicated;**
- (4) delegate authority to the Head of Contracting and Procurement to sign the final contracts in respect of the services detailed in Appendix 1, following the approval by the Director of Public Health to the agreed contracts.**

Reasons for recommendations

To ensure that the Public Health funding allocations are utilised to commission and procure services in an appropriate way and in accordance with the appropriate legislation. The re-procurement of these Healthy Lifestyle services will seek to ensure the delivery of high quality services, at the best possible value for money. Appendix 1 sets out the proposed maximum service values, contract duration and details of efficiencies.

To allow for relevant and mandatory commissioning activity to continue in order to maintain service provision for citizens and meet identified local need, including meeting the recommendations from the Nottingham City Joint Strategic Needs Assessment. Commissioning activity will contribute to ensuring delivery of the Council Plan, Joint Health and Wellbeing strategy, CCG strategy as well as the Tobacco Control strategy, Healthy Weight strategy and relevant Public Health Outcomes Framework indicators.

To enable contracts to be issued in a timely manner to ensure continuity of service delivery from April 2017, when the current services is £0.2m per year and contracts are ending March 2017 with no option to extend contracts with external providers.

Other options considered

Do nothing – This option was rejected as this would mean that the existing contracts end in April 2017 which would leave the city without support for adult citizens at high risk of diseases due to smoking, physical activity and obesity and poor diet.

Re-procure current services – this option was rejected as current contracts would not be viable due to the efficiencies required in the overall budget.

20 CRIME AND DRUGS PARTNERSHIP CONTRACT APPROVAL 2016/17 (2)

Christine Oliver, Head of Commissioning, introduced the report seeking further authority to allocate funds and award contracts in 2016 for the Crime and Drugs Partnership budget. This is in addition to delegations and approvals which were approved by the Sub-Committee in March 2016.

RESOLVED to

- (1) delegate authority to the Assistant Chief Executive to award extend and sign the contracts set out in the report and that of March 2016. This will ensure best value for Nottingham citizens in line with the exempt appendices;**
- (2) delegate authority to the Head of Commissioning to sign those contracts set out in this report up to the value of £50,000;**
- (3) approve dispensation from Contract Procedure Rules 5.1.1 and 5.1.2 in accordance with Financial Regulation 3.29 in respect of the direct award of those contracts identified in exempt appendix 1 to ensure continuity of services.**

Reasons for recommendations

To ensure the Public Health, Police and Crime Commissioner, NCC and partner contributions are utilised to commission and contract with services in an appropriate way and in accordance with the correct legislation.

To allow for relevant and necessary commissioning activity to continue in order to maintain service provision for the citizens and meet identified local need.

To enable timely contract variations, extensions, direct awards and allocations to be made to services in order to deliver continuation of services in 2016/17.

To allocate funding to deliver the required savings across the Public Health, NCC and Police and Crime Commissioner funding streams in 2016/17.

Other options considered

Option 1 – To competitively tender those services set out in exempt appendix 1. This is not considered an option due to the specialist nature of the services provided and for the reasons set out in Appendix 1.

Option 2 – To decommission the services by terminating the contracts. This is not considered an option due to the impact on the Crime and Drug Partnership overall aims to reduce crime, anti-social behaviour, substance misuse and reoffending.

Option 3 – Do nothing. This is not considered as an option as contracts will end and service provision will cease which is not considered acceptable due to the likely adverse impact on the Crime and Drug Partnership overall aims to reduce crime, anti-social behaviour, substance misuse and reoffending.

21 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on a basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in

disclosing the information, as defined in paragraphs 3 and 5 of part 1, Schedule 12A of the Act.

22 CRIME AND DRUGS PARTNERSHIP CONTRACT APPROVAL 2016/17 - EXEMPT APPENDIX

RESOLVED to note the information in the exempt appendix to the report on the Crime and Drugs Partnership Contract Approval 2016/17

Agenda Item 5

EXECUTIVE BOARD - COMMISSIONING AND PROCUREMENT SUB COMMITTEE –
September 2016

Subject:	Approval to CDP to extend contract length for new young people's substance misuse services		
Corporate Director(s)/ Director(s):	Candida Brudenell – Assistant Chief Executive Officer Katy Ball – Director of Commissioning and Procurement		
Portfolio Holder(s):	Councillor Norris and Councillor Heaton		
Report author and contact details:	Bethan Hopcraft – Strategy and Commissioning Officer (Crime and Drugs Partnership) 0115 8765656 bethan.hopcraft@nottinghamcity.gov.uk Christine Oliver – Head Commissioning for Nottingham City Council 0115 8765725 Christine.oliver@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	<input checked="" type="checkbox"/> Revenue	<input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Total value of the decision: £2,184,749			
Wards affected: All	Date of consultation with Portfolio Holder(s): 4 th August 2016 (Cllr. Norris via email)		
Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter		<input type="checkbox"/>	
Cut crime and anti-social behaviour		<input checked="" type="checkbox"/>	
Ensure more school leavers get a job, training or further education than any other City		<input type="checkbox"/>	
Your neighbourhood as clean as the City Centre		<input type="checkbox"/>	
Help keep your energy bills down		<input type="checkbox"/>	
Good access to public transport		<input type="checkbox"/>	
Nottingham has a good mix of housing		<input type="checkbox"/>	
Nottingham is a good place to do business, invest and create jobs		<input type="checkbox"/>	
Nottingham offers a wide range of leisure activities, parks and sporting events		<input type="checkbox"/>	
Support early intervention activities		<input checked="" type="checkbox"/>	
Deliver effective, value for money services to our citizens		<input checked="" type="checkbox"/>	
Summary of issues (including benefits to citizens/service users): Authority to tender and award this contract for 3+1+1 was given at the March 2016 sub-committee. To align this contract with other substance misuse contracts, we seek authority to extend the contract to 5+1+1.			
Exempt information: State 'None' or complete the following. None			
Recommendation(s):			
1. To authorise extended contract length for new young people's specialist substance misuse treatment service for 5 years (with the option to extend for two further periods of one year 5+1+1) following the tender, award and contract implementation of an appropriate service.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 Authority to tender and award the young people's specialist substance misuse treatment service at a contract length of 3+1+1 years was granted at Commissioning and Procurement Sub Committee March 2016.
- 1.2 We now seek to extend the agreed contract length from 3+1+1 to 5+1+1 as this would ensure greater stability for providers and potentially make the tender more attractive to the market.
- 1.3 Longer contract lengths offer more stability to citizens and ensure comparability of contract length with other areas of public health and substance misuse contracts.
- 1.4 Relevant break clauses within the longer contract will be retained to ensure that contracts can be ended early should that be required.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The alignment of substance misuse provision in the City took place in 2015/16 and 2016/17. New services are now in place as of 1st July 2016. The tendering of the young peoples' substance misuse service follows that process and will be tendered and awarded in this financial year in line with the authority granted by this committee.
- 2.2 To align contract lengths will make the tendering opportunity more attractive to potential bidders and will offer more stability to providers and for service users.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 In May 2016, the Commissioning and Procurement Sub Committee granted authority for the agreed length of new contracts (3 years, plus 1, plus 1). Due to the commissioning already undertaken to achieve the MTFP we now seek to extend that contract length to invite a wider range of bidders and to give stability to the service provision. This originally agreed length remains an option but there is risk that it may put potential providers off engaging with the tender opportunity. Shorter contracts create a cycle of ongoing commissioning which is destabilising for providers and citizens and also impacts on the capacity within commissioning and procurement.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 The value of the new tender is yet to be confirmed but will continue to provide good value for money. This will ensure that the MTFP requirements are achieved.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL AND PROCUREMENT IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 The risk of a longer contract is equal to the risk of a shorter contract as appropriate break clauses are included within the contract terms and conditions.

6 SOCIAL VALUE CONSIDERATIONS

- 6.1 Recommendations have been considered in line with the Public Services (Social Value) Act 2012. All services within this report aim to improve the social wellbeing of the client.

7 REGARD TO THE NHS CONSTITUTION

- 7.1 Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making decisions relating to public health functions we consider the NHS Constitution where appropriate and take into account how it can be applied in order to commission services to improve health and wellbeing.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 Equality Impact Assessments are being drafted in line with the review of current provision.

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

- 9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 10.1 EXECUTIVE BOARD - COMMISSIONING AND PROCUREMENT SUB COMMITTEE – 10 March 2016 - Approval of Crime and Drugs Partnership Funding Allocation Spend 2016/17

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

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Agenda Item 6

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE – 14/09/2016

Subject:	Day and Evening Services		
Corporate Director(s)/ Director(s):	Candida Brudenell – Assistant Chief Executive Katy Ball - Director of Commissioning and Procurement (Nottingham City Council)		
Portfolio Holder(s):	Councillor Alex Norris		
Report author and contact details:	Claire Labdon-West, Commissioning Manager Tel: 0115 8761128		
Key Decision	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Subject to call-in <input type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £5,888,593 p.a. based on current spend			
Wards affected: All	Date of consultation with Portfolio Holder(s):		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input checked="" type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>This report seeks approval to establish an Accreditation Process for the procurement of day and evening opportunities for vulnerable adults with a personal budget. This will replace the existing Framework when this comes to an end in February 2017. The new contracts will commence in March 2017 and be for three years plus a potential three year extension. The services will provide a range of outcome focussed, person centred activities for eligible citizens including those with a learning disability, mental health issues, physical disabilities and older people.</p>			
Exempt information: None			
Recommendation(s):			
1 To approve the establishment of an Accredited List of providers for Day and Evening Services for vulnerable adults with a personal budget			
2 Delegate authority to the Director of Procurement and Commissioning to approve the outcome of the procurement processes and award contracts to providers that are deemed suitable to be part of the Accredited List			
3 Delegate authority to the Head of Contracting and Procurement to sign the final contracts			

1 REASONS FOR RECOMMENDATIONS

- 1.1 An Accreditation Process will enable Nottingham City Council to vet and qualify potential providers of day and evening opportunities to ensure they have the ability to provide such services. The process is similar to the Pre-Qualifying Questionnaire phase of a tender process and will look at the organisations suitability to provide a service. This will include examining the company's finances as well as ensuring that relevant policies and processes are in place. Checks will also be carried out to ensure that there is no legal reason why the provider should not deliver the service.

The detail of the service, including quality standards, will be included in the service specification and contract. The providers will then be subject to Nottingham City Council's Quality Monitoring processes.

- 1.2 The current Framework for Day and Evening Services was established in 2013 and was fixed for 4 years.

Several of the existing providers within Nottingham City were unsuccessful in the tendering process and were therefore not included in the Framework. As there was still a need for their provision and Citizens have continued to choose those providers, spot contracting arrangements have been used.

There have also been a number of new providers enter the market that have been unable to join the Framework. In order to make use of their provision, spot contracts have been required. This puts additional pressure on the Council in terms of managing the process.

Although Citizens are able to access Direct Payments for provision, it is reported by operational colleagues that often citizens do not want this option despite this being offered during the assessment process. This is particularly true of citizens with a learning disability where there is reported to be a clear preference for a managed account.

- 1.3 Day and Evening Services are unregulated and providers are not required to be registered with the Care Quality Commission. Providers who are part of the current Framework are subject to contract monitoring from the Contract Performance Care and Support Team which includes the internal Quality Monitoring Framework. Where standards are not maintained, there are a range of measures available to the Authority to improve the provider performance and safeguard citizens.

Spot contracts are not subject to the same internal Quality Monitoring processes as Framework Providers which creates a risk to Citizens.

- 1.4 By having an Accreditation process for Providers there would be no further need for Spot Contracting Arrangements. All providers would be required to meet the accreditation standard and subject to the same Quality Monitoring process.

- 1.5 Once the Accredited list is established newly accredited providers currently with spot contracts will move to the new contract. It will be made clear through the accreditation process that Nottingham City Council will no longer be making placements via spot contracts. If a Citizen wishes to use an

unaccredited provider they will only be able to do this by utilising a Direct Payment.

- 1.6 An Accredited List will allow new providers to join the list at any time which would enable Citizens to benefit from these providers at the earliest opportunity.
- 1.7 Operational Colleagues have advised that they are often challenged to find services which are suitable for Citizens with complex needs or behaviour which challenges. A procurement method which is flexible and allows Nottingham City Council to capture all capacity within the market is therefore necessary.
- 1.8 The Specification for the services will maintain the current commitment to creating a broad spectrum of provision in order to meet the diverse needs of our Citizens.
- 1.9 The Accreditation process will include measures to ensure that citizens are being safeguarded, for example all providers will need to provide copies of their Safeguarding Policies and confirmation of the use of DBS checks. Citizens accessing a service from the Accredited List will be assured that the provider has met the minimum standard to be accepted onto the list and that the service they will receive will be subject to Nottingham City Council's quality monitoring process with regards to the agreed service standards.
- 1.10 The Accredited List will enable the Council to manage the overall costs of day services as providers will be required to clearly present prices for the services offered (whether session or hourly rates) and this information will be available to citizens when they select services from the list. Indicative prices could be publicised as part of the tenders and tenderers will be encouraged to offer value for money in their tender submissions, while still allowing for the market to self-regulate around this issue.
- 1.11 The Accredited List does not represent any guarantee of business to the provider. Any decisions to spend will be via the Adult Social Care assessment and approval process.
- 1.12 There is a risk that the costs will increase however the Framework is coming to an end and will need to be reopened regardless of what procurement mechanism is used going forward.

Pricing will be fixed for the life of the Accredited List.

A session on pricing will be held with providers before the Accreditation Process commences to ensure that there is an awareness that pricing needs to be both realistic for provider and at a reasonable cost which provides value for money. The cost of a day and evening opportunity should to be within a Citizens Personal Budget and the better value for money the provider offers, the more likely they are to be used. It will also be made clear to Providers that they do not need to incorporate National Living Wage into their proposals as this will be completed annually by Nottingham City Council.

Although there are risks that prices will increase this risk would be present if a new Framework would be put in place. The risk associated with having to spot purchase

provision however is felt to be greater, both in terms of risk to the citizen and to finances.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 There are currently 39 Providers on the Day and Evening Opportunities Framework and approximately 869 placements are made from this. There are a further 127 Citizens with a direct payment in place and in addition to this there are currently 39 Citizens with a spot Contract.
- 2.2 A Project Group was established to look at future commissioning options and the conclusion of the group was that an Accredited List would be the most appropriate method to procure day and evening opportunities. The group consisted of representatives from Legal, Contract Performance, Operations, Procurement, Finance and Commissioning. It was agreed that the Framework had not been successful in encouraging new providers into the market and there was a need to ensure that all providers were subject to the same quality monitoring processes.
- 2.3 Citizens should not experience disruption to their current provision unless the provider refuses to engage with the process.
- 2.4 Consultation with Providers has been positive and the main two providers with whom we spot contract are keen to become part of an Accredited List. Once formal agreement has been given further work will be done to send messages out to the market detailing the next steps for providers.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing. This is not an option as the Framework is due to end in February 2017 and a new contractual arrangement is required.
- 3.2 Establish another Framework. Citizens who wish to purchase a service from a provider who is not part of the framework would need to utilise a Direct Payment. An Accredited List would create more choice for Citizens and flexibility for us to add new providers as they enter the market.

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

- 4.1 This report does not, in itself, request approval to spend. Rather it is seeking approval to create an accredited list of providers. The approvals to spend will be given through the established mechanisms that exist within Adult Services for each individual package of care.
- 4.2 The current framework agreement was implemented in April 2013 for a period of 4 years and so new arrangements are required from April 2017.
- 4.3 There is no lower or upper financial limit on the level of service supplied by each provider via the framework; citizens will choose from the services that are on the framework at the unit prices tendered. Therefore neither the total value of the tender nor the value of service to be supplied by each provider can be stated at this stage.

4.4 The framework contract is a means of obtaining value for money rather than a budget management tool. Total spending will be demand driven and so other appropriate controls will need to be in place to manage this against the available budget.

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 Procurement observations:-

There are no significant procurement implications arising from this decision. The proposal to create an Accreditation Process for Day and Evening services for vulnerable adults will be an open and fair and will be compliant with the Council's Financial Regulations and in line with Procurement Regulations (Light Touch Regime). The process will ensure that providers listed meet adequate quality standards, and will enable new providers to join the list during the lifetime of the contracts.

5.2 Legal comments to follow

6 SOCIAL VALUE CONSIDERATIONS

6.1 None

9 EQUALITY IMPACT ASSESSMENT (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as an Appendix, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 None

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

12.1 None

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Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Day and Evening Opportunities
Department: Commissioning and Procurement
Service Area: Commissioning Team
Author (assigned to Covalent):

Name of Author: Claire Labdon-West
Director: Katy Ball
Strategic Budget EIA Y/N (please underline)

Brief description of proposal / policy / service being assessed:

To establish an Accredited List of providers of day and evening opportunities when the current Framework comes to an end in February 2017. The Accredited List will allow new providers to join this list at any point in its lifetime by completing the accreditation process and demonstrating that they are an organisation which is competent to deliver the service.

This will end the Authorities practice of using 'Spot Contracts' and will ensure that all day and evening service placements are subject to the same Quality Monitoring Framework (QMF). Currently Spot Contracts are not subject to the QMF. The Accredited List will ensure that all Citizens receive a service which equitable in terms of its quality.

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Information used to analyse the effects on equality:

Information from Adult Social Care, Procurement, Contracts Team and Legal. Operational colleagues have been able to provide an insight into the impact and benefits for Citizens.

	Could particularly benefit X	May adversely impact X	How different groups could be affected (Summary of impacts)	Details of actions to reduce negative or increase positive impact (or why action isn't possible)
People from different ethnic groups.	X	<input type="checkbox"/>	Bu utilising an accredited list as the procurement process for day and evening services this will open up the market and allow new providers to be utilised by Citizens. This will encourage new providers into the market, particularly smaller micro providers who would not be financially viable without being access placements direct from Nottingham City Council.	It is not anticipated that this change will have a negative impact on any groups within Nottingham City.
Men	X	<input type="checkbox"/>		
Women	X	<input type="checkbox"/>		
Trans	X	<input type="checkbox"/>		
Disabled people or carers.	X	<input type="checkbox"/>		
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>		
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>		

Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<input checked="" type="checkbox"/>	

This would enable new providers to develop services where a need or gap in delivery is identified which would have a potential benefit to all groups.

Outcome(s) of equality impact assessment:

- No major change needed •Adjust the policy/proposal •Adverse impact but continue
- Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

Equality information to be included in monitoring returns from Service Provider. Overall equality impact will be reviewed as part of Service contract review.

Approved by (manager signature):

The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.

Date sent to equality team for publishing:

Send document or link to:
equalityanddiversityteam@nottinghamcity.gov.uk

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
7. Clearly cross referenced your impacts with SMART actions.

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Issue	Date of decision?	Documents to be considered	Who will be consulted and how?	From whom can further information be obtained and representations made?
OCTOBER MEETING				
Procurement Plan Report	October	Report	Portfolio Holder	Jo Pettifor Procurement Team Manager Nottingham City Council 0115 8765026 jo.pettifor@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?
NOVEMBER MEETING				
Extension of Health Visitor and School Nursing contract TBC	November	Report	Portfolio Holder	Chris Wallbanks Strategic Commissioning Manager Nottingham City Council 0115 8764801 Chris.wallbanks@nottinghamcity.gov.uk