

Committee: Cabinet

Date: 19th June

Wards: All

Subject: Community Opportunities Framework for People with a Learning Disability

Lead officer: John Morgan; Executive Director for Adult Social Care, Integrated Care and Public Health

Lead member: Cllr Peter McCabe, Cabinet Member for Social Care and Health

Contact officer: Godfrey Luggya, Commissioning Manager, Adult Social Care, Integrated Care and Public Health

Recommendations:

- A. That Cabinet approves commissioning of a Community Opportunities Framework for provision of community-based activities in Merton for people with a Learning Disability and/or Autism; Mental Health needs; Physical Disabilities; and People whose behaviours may challenge for an initial term of 5 years with an option to extend for a further period of up to two years at the Council's sole discretion.
- B. That Cabinet notes that the procurement route is a framework with an indicative initial annual value of £800,000 per annum and a total framework value over the potential full term of 7 years estimated at £ 5,956,758 including inflationary uplift; the tender opportunity will be advertised on Find a Tender, Contracts Finder, and the Council's e-tendering system (London Tenders Portal). The process will widen competition and ensure the Council gets best value for money for this service.
- C. That Cabinet delegates authority to the Executive Director for Adult Social Care, Integrated Care and Public Health, in consultation with the Cabinet Member for Social Care and Health, the award of contracts to the successful bidders at the conclusion of the tender process and on occasions when the framework is reopened to admit more providers on specific lots or varied to include additional Lots as may be required to continue meeting residents' needs.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report sets out the planned approach to securing provision of day care and support services for all vulnerable adults with learning disabilities, mental health needs, physical disabilities, autism and people whose behaviours may challenge, who meet the Council's assessment criteria. The aim of this provision is to continue improving and transforming Merton's day care services' delivery.
- 1.2. The services will be designed to enable customers to live as independently and safely as possible in the community to improve their overall wellbeing.
- 1.3. This report reflects the Council's commitment to ensuring that wider Adult Social Care reforms provide for improvements in day care provision across Merton while building local care market capacity to accommodate an increase in service users' community participation. This will involve building a partnership that enables the Council to devolve greater responsibility to Framework Providers to support our residents achieve their individual outcomes

2 PROJECT DESCRIPTION

- 2.1. The Council is obliged to fulfil its duties under the Care Act particularly those set out in Clause 1 (Promoting individual wellbeing), Clause 2 (Preventing needs for care and support) and Clause 5 (Promoting diversity and quality in provision of services). All people with learning disabilities, including those with more complex needs such as those with challenging behaviour or profound and multiple learning disabilities should be able to access the support they need at the time when they need it. There is a strengthened focus for the Council to redesign services that better meet users' needs and aspirations in line with changing circumstances as highlighted in Community and Housing Recovery and Reset Programme that was established in September 2020 to support the Council's recovery from the pandemic (Covid outbreak) and to deliver on recommendations from the Local Government Association Peer Challenge in line with borough wide Recovery and Modernisation programme.
- 2.2. Transforming the learning disability in Merton offer remains a key objective of the department. Implementing a community-based model of day activity and support that not only focuses on the traditional models of day services, but also incorporates routes into employment, active and independent travel and access to adult education, learning and skills training is central to this transformation.

- 2.3. The community-based model prioritises accessible, multi-purpose community ‘safe spaces’ that act as the access point to certain day opportunities or as a springboard to local community activities and opportunities. A very diverse range of activities is described under the term “community opportunities”. This includes delivering community-based activities, vocational training services which includes travel training and support to access and maintain employment.
- 2.4. In December 2020, Merton commissioned Community Catalysts to undertake an engagement programme with people who have learning disabilities, their families, carers, staff and professionals. In May 2021, the first stage of the process, the Big Conversation was launched. This was followed by a report, The Big Explore, which made it clear that whilst Merton’s traditional day services are regarded as good quality and that some people need a building-based provision, many residents expressed a lot of interest for more choice of community-based services. These may include employment, volunteering, social enterprise activities, opportunities to meet and make friends, use local leisure and recreational facilities and learning and development to build life skills such as preparing own meals and travel training.
- 2.5. In order to respond to our residents’ needs as expressed in ‘The Big Conversation & Big Explore’, creating a Community Opportunities Framework is one of our proposals in our approach to modernising Learning Disability Day Opportunities services to increase community participation.
- 2.6. The creation of a Community Opportunities Framework would enable the Council to establish a consistent approach to commissioning, quality assurance and pricing of community-based activities by working closely with pre-approved providers to meet service users’ needs. The framework will enhance opportunities available for people living with a learning disability or transitioning from the Children’s service to Adult Social Care.

3 KEY OBJECTIVES OF A COMMUNITY OPPORTUNITIES FRAMEWORK

- 3.1 A Community Opportunities framework will encourage development of high quality community based day activities for people with learning disabilities, mental health and physical disabilities hence increasing choice of community based activities’ provision for our residents. By developing a greater range of options around day opportunities, we will be able to offer viable alternatives to traditional day services, which will provide a more person-centred and flexible approach. Our model for day opportunities, however, continues to recognise the need for high quality, building based services to remain part of the provision mix.

- 3.2 Enable the Council to attract a much broader range of quality providers more able to provide a wider variety of relevant community-based support activities and specialist services, and who can offer more person-centred support to people with a variety of complex needs. This will allow the Council to fulfil its obligations under the Care Act 2014, to build sustainable and effective care markets while expanding capacity to support young people coming through transitions and those people who may opt to move away either partially or fully from buildings based to community day services.
- 3.3 Enable the development of a more structured day services provision across Merton, centred on the achievement of individual outcomes and improvements in the wellbeing of residents whereby providers can effectively be held to account for their performance.
- 3.4 To create an environment and culture of transparency, where people who use day services, their families, and those who provide services have clarity about the Council's expectations regarding quality, value for money and outcomes for day opportunities commissioned for people with a learning disability, autism, mental health and physical disabilities.

4 CURRENT ARRANGEMENTS AND DELIVERY MODEL

- 4.1 There are three day centres in Merton which provide day opportunities services for Merton's Learning Disability customers: All Saints Centre, Leyton Road Centre, and Jan Malinowski Centre (JMC). In addition, Merton also provides day opportunities services by private providers, these providers are situated both in and out of the Borough.

All Saints Centre is situated in South Wimbledon and provides day services for both learning disability customers and physical disability customers. The focus of this procurement is on learning disability day services as physical disabilities customers are not likely to access this service.

Leyton Road Centre is situated in South Wimbledon and provides day services for learning disability customers.

Jan Malinowski Centre (JMC) is situated in Mitcham and provides day services for learning disability customers, including customers with high support needs. JMC is divided into 3 areas of support:

- a) Special Care – For customers with complex needs who need support in most aspects of their personal care including the use of specialist

bathrooms often requiring more than one member of staff, medication and feeding.

- b) Willows –For customers who require intensive support due to mild to moderate behavioural needs and sometimes display challenging behaviours.
- c) Watercress – For customers who require mild to moderate support in some aspects of their personal care

4.2 In January 2022, there were a total of 214 customers accessing day services either directly from the Council’s inhouse day centre services or via private providers.

4.3 Before the pandemic lockdowns there were a total of 190 customers attending JMC, Leyton Road and All Saints Day Centres (Physical Disabilities and Learning Disabilities). As at 12/01/23, there were a total of 156 customers attending our inhouse day centre services. Annual cost for 2022/23 was £2,212,006 pa (All Saints - £516,810; Leyton Road - £467,623; and JMC - £1,227,573). The above figures include a transport cost of £476,256pa. This gives an average cost per customer of £14,180 per year.

4.4 In 2021/22, a total of 58 customers accessed 21 private day opportunities services within or outside the borough at an annual cost of £509,815 pa. In 2022/23, there were 63 service users accessing 22 private day opportunities services within or outside the borough at a cost of £645,490pa inclusive of transport costs. This gives an average cost per customer of £10,246 per year.

4.5 External costs, based on current customers could increase to £800,000pa including inflation and implementation of London Living Wage rates under the proposed framework agreement. Table 1 below highlights the Council’s annual expenditure on private day opportunities providers.

Table 1: Annual expenditure on private day opportunities providers

Year	2019/20	2020/21	2021/22	2022/23
No. of private providers	16	20	21	22
No. of service users	46	50	58	63
Annual expenditure	370,815	419,705	509,815	645,490

(£)				
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4.6 The vast majority of services for people with a learning disability offered under private provision are spot purchased. Spot purchasing provides a weaker contractual relationship with the provider and the Council does not have explicit quality standards in place in these arrangements neither would the Council have a say in ensuring that fair prices are charged.

4.7 Day opportunities providers are not regulated by the Care Quality Commission in England. This means that activities that would normally be regulated in other care environments (such as personal care) are carried out with little or no external oversight or registration requirements.

5 PROPOSED NEW MODEL

5.1 In line with the Council’s Contract Standing Order requirements to set up a Framework Agreement, permission was sought by ASC Commissioning Team from the Head of Commercial Services in alliance with Head of Law, Procurement and Information Governance. On 25th April 2023, both parties with support from Category Manager (People), Principal Lawyer (SLLP) and Commissioning Manager (ASC) recommended setting up a Community Opportunities Framework for People with a Learning Disability.

5.2 Our new model recognises that individuals want to access services through a blended model. That is, developing a Community Opportunities Framework to provide a wider choice of community-based activities in addition to traditional day centre services which may be developed into Community hubs where activities and training can be provided on a flexible basis in addition to providing core support for people with complex needs.

5.3 A blended approach can be achieved through direct payments, where individuals or groups of service users can choose where to spend their support money within their care packages. It is intended to improve and extend the availability and usability of direct payments to enable individuals with a learning disability and / or autism to access individualised support packages.

5.5 Community hubs would predominantly support individuals with moderate to profound complex needs requiring varying levels of personal care related to continence, mobility and sensory needs. People with complex needs are likely to require longer term activities to remain healthy, happy and stable

within building-based day services. However, they would also have an opportunity to tap into community-based specialist services offered by approved providers on Community Opportunities Framework. Community hubs would also offer activities and training on a sessional basis to other customers with mild to moderate needs.

- 5.6 People with mild to moderate needs have expressed interest to experience a wider range of community-based day opportunities to enable them to learn and develop and build on their existing social skills, daily living skills, confidence and self-esteem and build an inclusive life full of positive roles and relationships. This implies that people with less complex needs would have the opportunity to access more community-based activities via approved providers on the Community opportunities framework and reduce their day centre attendance. Individuals will be supported to create and follow a clear pathway that will enable them to access and autonomously move into mainstream social, leisure, educational activities and other opportunities in the wider community. It is envisaged that individuals following this pathway would be supported to progressively reduce their package of care and any additional support elements as skills are acquired and outcomes achieved.
- 5.7 Community Opportunities Framework will encourage use of new technology and ensure the development of digital apps and the digital offer will be an important element of the new Framework.
- 5.8 The Framework will address inclusivity for all and will provide for cultural difference and choice. The framework will be open to all providers within and outside the borough offering community-based day services for people with a learning disability and/or autism aged between 18 and 65 years.
- 5.9 Providers appointed to the Framework will have the opportunity to provide existing services as well as develop new offers for groups and / or individuals. The new framework is intended to ensure that a focus on person centred support is maintained throughout provision.
- 5.10 Providers appointed to the Framework may be engaged to provide services from their own buildings or properties they rent from private landlords within Merton or liaise with the Council to arrange accessing Council buildings if available including community hubs established from existing day services. The Council will be able to arrange private providers' access to the Council's buildings if available and depending on whether access will be on ad hoc basis, then they would liaise directly with the building managers. However, if a private provider would wish to arrange exclusive access to a Council

building on a long term basis, they would liaise with Environment and Regeneration Department to negotiate terms and issue a lease agreement.

5.11 The Council will have an opportunity to vet all private providers prior to joining the framework and continue to monitor their performance to ensure continued delivery of high-quality services at a fair price.

5.12 Community Opportunities Framework will be commissioned under 3 Lots as follows:-

(i) Support to access and attend community activities.

(ii) Access to life skills development and training e.g. travel training, money management.

(iii) Access to employment and maintaining employment i.e., supported placements.

6 KEY FEATURES OF THE PROPOSED DAY OPPORTUNITIES MODEL

6.1 The Adult Social Care commissioning team is proposing to commission the Council's community-based day opportunities requirements while existing day centres may potentially develop into Community hubs where activities and training can be provided on a flexible basis in addition to providing core support for people with complex needs.

6.2 The Adult Social Care Commissioning team is seeking to implement a consistent approach to the commissioning, quality assurance and pricing of community based day opportunities services by introducing a Community Opportunities framework from which a range of pre-approved providers can be commissioned to deliver community based services to meet our customer's needs.

6.3 Customers within the scope of this project include Adults diagnosed with a learning disability, who have additional needs arising from multiple disabilities, which may include Autistic Spectrum Disorder, complex health needs, and/or physical disabilities or mental health needs.

6.4 All new community-based day care requirements will be channelled through the framework with existing spot and block private day opportunities providers encouraged to join, otherwise their existing day care packages will be subject to be commissioned to pre-approved framework providers when ongoing arrangements expire. Where service users express a wish to move

or would benefit from this proposed framework, they will be supported to do so.

- 6.5 The procurement opportunity will be open to new day opportunities providers in the market; small and micro local enterprises; and voluntary and community sector organisations within and outside the borough in recognition of the very important role they play in our local economy.
- 6.6 Providers will be ranked based on tender score for quality and price, but individual choice will override rankings to ensure compliance with the Care Act.
- 6.7 During the term of the Community Opportunities Framework, block contracts where applicable may also be called off subject to a mini-competition process. In practice, this means the council can put in place provision for small and large groups of people for a specific time period and introduce further price and quality competition by asking providers on the framework to bid for this work.
- 6.8 A direct award of a contract without conducting a mini competition for individual customer packages would be possible where a customer clearly expresses a preference for a particular pre-approved provider on the framework who would meet their needs hence promoting customer choice.
- 6.9 No form of exclusivity or volume guarantee or obligation to make any referrals will be granted by the Council to the Framework Providers for Services. The Council will only pay for services commissioned and work completed under the framework agreement.
- 6.10 There is also potential for savings to be realised from this model as the number of service users attending community-based day services increase and attendance in traditional day centre services (which will be referred to as Community Hubs) decrease.
- 6.11 The Community Opportunities Framework will be governed and monitored with support of the existing reference group, or a purpose designed group which will include service users, carers, and staff.

7 ALTERNATIVE OPTIONS

OPTIONS	ADVANTAGES	DISADVANTAGES
<p>1. Continue with current arrangements (i.e predominantly day centre based day opportunities with limited community activities)</p>	<p>Continue to meet basic day opportunities requirements of our customers centred around our 3 traditional day centres.</p>	<p>Providing services based around traditional day centres, will not be catering for those who expressed a preference for an increase in community based day activities in the recent consultation undertaken.</p> <p>The number of private day opportunities providers will continue to shrink denying our residents a wider range of choice for community based services.</p> <p>The Council will continue to have limited influence on controlling the quality of day services delivered to our customers. Consequently, complacency on the provider side can lead to quality issues and inefficiencies.</p> <p>Almost impossible to exploit developmental opportunities to improve service provision if the Council does not have direct influence on market.</p>

<p>2. Establish a Community Opportunities Framework.</p>	<p>Offers flexibility over the term of the Community Opportunities Framework whilst managing inefficiencies in spend and processes.</p> <p>It is the most future proof approach as it can be reopened to meet market demands at any time in response to any changes in the Social Care market with minimal administration work involved.</p> <p>Enables the Council to re-position its role within Merton as a strategic purchaser of day opportunities services while building a stronger relationship with providers, customers and other stakeholders.</p> <p>The Council would attract a pool of providers to increase and develop new capacity that reflects differing needs through healthy competition. Ensures competitive pricing and quality assurance.</p> <p>Reduces the requirement for repetitive tendering thus saving time and administrative cost as contracts can be awarded via mini competition without the need for a full tendering process.</p> <p>Provides opportunities for the Council to work with a smaller pool of providers on developmental aspects of the service where necessary.</p>	<p>It takes long to set up a Community Opportunities Framework as it involves a lot of consultation with different stakeholder groups.</p>
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<p>3. Establish a DPS (Dynamic Purchasing System)</p>	<p>The selection stage is potentially less onerous, providers only have to complete this stage on entry to the DPS (and thereafter periodically reconfirm status) instead of having to do so separately for all procurements.</p> <p>As the DPS is open to suppliers throughout its duration, new start-ups, or businesses that wish to expand into new public sector markets, will not be frozen out of the market.</p> <p>The division of DPS into categories by complexity of requirements, and size of contracts could be arranged to ensure that niche suppliers and SMEs have maximum opportunity to compete.</p>	<p>Contract management would be challenging due to potentially large number of providers that would be involved and onerous ongoing administrative work involved.</p> <p>The cost for the system might erase any potential savings.</p> <p>No direct award of contracts is permissible hence less flexible in terms of choice for customers.</p> <p>May not be suitable in circumstances where the authority is required to respond urgently to specific complex needs due to onerous administrative work involved.</p>
<p>4. Joint venture with neighbouring LAs</p>	<p>Pooling resources and expertise with neighbouring local authorities to joint commission learning disabilities day care services can help to reduce costs and increase efficiencies.</p> <p>Where two or more local authorities are involved in joint commissioning learning disabilities day care</p>	<p>When we enquired from our neighbouring local authorities about possibilities of joint commissioning learning disabilities day care services, none had a similar vision to ours. One neighbouring borough has implemented a similar approach but for accommodation based services.</p> <p>Joint commissioning learning disabilities day care services would require a lot of decision-making and coordination between multiple local authorities, which</p>

	<p>services, they would share the risks involved. This would help to mitigate risks for each individual local authority.</p> <p>Joint commissioning learning disabilities day care services could help to increase capacity of local authorities by sharing resources, knowledge, and expertise.</p>	<p>can be time consuming and significantly delay the project.</p> <p>When different local authorities are involved, it can be challenging to agree on goals and priorities as each local authority may have different objectives, priorities, and values which can create conflicts or difficulties in decision-making.</p>
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7.1 Recommended option

Option 2: Establish a Community Opportunities framework. This is the recommended option as it gives the Council the most flexibility over the term of the Framework whilst managing efficiencies in spend and processes. It is the most future proof approach as it can be reopened to meet market demands at any time in response to any changes in the Social Care market during its 7-year term with minimal administrative work involved. It is expected that a tender exercise will generate several competitive bids from local day opportunities providers who can deliver the required quality standards given the significant shift in the Council's approach to delivering community based services across Merton with great potential to shape the market in response to our customers' request to offer more choice of community based activities.

8 CONSULTATION UNDERTAKEN OR PROPOSED

8.1 An independent consultation of our day opportunities (Big Conversation) as part of the Recovery and Reset Programme, conducted by Community Catalysts in November 2021, covered 381 people. 70% of participants had a learning disability and/or autism. Community Catalysts analysed the data and highlighted the current situation under the following themes.

- a) Day centres are very good for some people but not for others
- b) Services and supports need to be better and different for young and for people with autism
- c) People who are not eligible for Council funded day services still need help and information – if they don't get this it could have a negative impact on them, their family and public services in the future
- d) The Council has a lot of resource tied up in buildings and group settings – rather than community and person-centred support for people
- e) Current systems are not always 'strengths based' – they can channel people towards becoming a user of day (and other) services
- f) Council staff and managers already have a strong insight into the challenges and opportunities and are acting on this insight

8.2 Following the consultation, the following recommendations were proposed for consideration:-

- a) Develop connected ‘pathways’ that lead to different options e.g., employment, internships, entrepreneur, volunteer, day and other support services
- b) Develop ways for people to navigate the system/pathways and get the support they need to do what they want
- c) Link packages of funded support to the pathways – including Direct Payment.
- d) Marketplace development - services and support people want are available to them
- e) Make better use of Council and other buildings and facilities
- f) Support day centres to become community hubs – with skilled staff. Use in different ways that link to the pathways
- g) Offer universal and other local places the support they need to be more inclusive
- h) Find better ways to measure and value outcomes
- i) Better connect all the great work already underway with the daytime agenda

8.3 A stakeholder reference group has been in place since the commissioning of Community Catalysts. This group helped design the consultation questionnaires and methodology. They received the Big Conversation and Big Explore findings and have been involved in the preparation for this procurement exercise. Moving forward, we are committed to continuing to use the stakeholder reference group as the engagement forum on key aspects of the work including finalising the specifications, constructing the evaluation methodologies and quality questions and stakeholder evaluation of these questions, as part of the overall evaluation panel process.

9 TIMETABLE

Milestone	Target Date
Presentation of Gateway 1 report to DPG	03/05/23
Presentation of Gateway 1 report to Procurement Board	16/05/23

Place notice on Forward Plan for authorisation to tender	17/05/23
Market Engagement Events (one Face to Face -17 th May 2023; and two online events 23 rd May and 25 th May)	26/05/23
Presentation of Gateway 1 report to LSG	05/06/23
Presentation of Gateway 1 report to Cabinet	19/06/23
Democratic Services (including 5 days call in period)	29/06/23
Prepare tender documents (including specification, Method Statements, Evaluation Matrix, Form of Tender, Pricing Schedule, terms and conditions)	30/06/23
Invite tenderers	03/07/23 – 04/08/23
Milestone	Target Date
Evaluation of submissions	15/09/23
Presentation of Gateway 2 Report to DPG	04/10/23
Procurement Board Meeting	17/10/23
Submit Contract Award/ Gateway 2 Report to Director for sign off	18/10/23 – 25/10/23
Notify bidders of outcome	26/10/23
Standstill period	27/10/23 – 06/11/23
Contracts award	07/11/23
Contract Start Date	13/11/23

10.1. Estimated value of the new framework over 7 years is £ 5,956,758 (Standard framework value £5,600,000 and Inflationary uplift from year 2 to year 7 - £356,758).

Value of current outsourced day care services for people with a learning disability is £800,000 if London Living Wage is applied. However, it is estimated that average inflation will be 7% per annum from year 2 to year 7 of the contract. Please see Table 2 below for more details of costings:-

Table 2: Breakdown of the value of the outsourced service to be recommissioned

	Year 1 (£)	Year 2 (£)	Year 3 (£)	Year 4 (£)	Year 5 (£)	Year 6 (£)	Year 7 (£)	Total
Standard annual service value	800,000	800,000	800,000	800,000	800,000	800,000	800,000	5,600,000
Inflationary uplift (7%)		56,000	59,920	60,194	60,214	60,215	60,215	356,758
Annual service Value including inflationary uplift	800,000	856,000	859,920	860,194	860,214	860,215	860,215	5,956,758
Cumulative value of the service	800,000	1,656,000	2,515,920	3,376,114	4,236,328	5,096,543	5,956,758	

10.2. The current service is funded from Adult Social Care budgets and aligned to the Learning Disability Team placements budget. The procurement requirement and its associated delivery will be funded in the same way. Annual inflationary uplift given to provider will be dependent on uplift received by the department and all uplift requested by providers will be settled after negotiations and authorisation from the director/assistant director.

11 LEGAL AND STATUTORY IMPLICATIONS

11.1 As per the main body of this report, the procurement strategy is to set up a Pseudo Framework Agreement from which the Council may call-off services. The suggestion is that since the services to be called off fall under the light touch regime, Regulation 33 (PCR 2015) relating to Framework Agreements

does not apply. The Council therefore proposes to deviate from the standard procurement procedures and design its own procedures pursuant to Regulation 76 (1 & 2) of PCR 2015.

- 11.2 Under the Public Contracts Regulations (PCR 2015), there is no prescribed procedure for the procurement of light touch services. Contracting Authorities have flexibility to use any process or procedure they choose to run the procurement for light touch services. Where the value of the services exceeds the published threshold for light touch services (such as in the present case), any procedure designed and used must be in compliance with the fundamental treaty principles and the mandatory requirements set out in the PCR 2015 summarised in the main body of this report.
- 11.3 The procurement strategy set out in the main body of this report is compliant with PCR 2015 therefore approval may be given for officers to proceed in the manner proposed.
- 11.4 It is important that a proper audit trail is maintained throughout the procurement process to evidence the process followed and how decisions were arrived at.
- 11.5 The Council may open the Pseudo Framework to new providers during the lifetime of the arrangement (as suggested in the main body of the report) provided that the original Invitation to Tender (ITT) documents are clear on how this will be done and the process for admitting new joiners is fair and transparent.
- 11.6 The recommendation that Cabinet delegates authority to the Executive Director for Adult Social Care, Integrated Care and Public Health, in consultation with the Cabinet Member for Social Care and Health in relation to the award of contracts to the successful bidders is permissible under section 9E of the Local Government Act 2000.

12 CRIME AND DISORDER IMPLICATIONS

- 12.1. There are no specific implications that would affect this tender.

13 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 13.1. All organisations to be approved on the framework will have to confirm that they have a Health and Safety policy that compliments the Council's corporate procedures for effective health and safety and risk management. Tender documentation to be submitted by all bidders will be assessed

against a criteria that will be developed by the Council to ensure that any bidder who is awarded a contract complies with all statutory regulations in all matters related to the day care service delivery for vulnerable adults.

- 13.2. The Council will ensure compliance to the contract specification and contract standards through the use of a robust monitoring procedure that will be developed for this service. This will use at least the following methods:
- 13.3. The Provider will be responsible for managing its performance and for collating all performance data at the required level of frequency as set out in the service specification, which will form part of any monitoring requirements.
- 13.4. Where a contract is awarded to a Framework Provider, they must submit the required contract monitoring data (Key Performance Indicators) on a quarterly basis. The quarterly monitoring report will be followed up by a service review meeting, initially on a quarterly basis, but which may also be held at other times as appropriate and may be initiated by either the commissioners or the provider. If a provider is failing to deliver the service as set out in the contract, the Contract Monitoring Officer may choose to meet with the provider more frequently and the provider will be required to facilitate this.
- 13.5. The Council will carry out quarterly and annual contract management meetings. Contract monitoring may involve analysing Key Performance Indicators and documentation relating to customers and other stakeholders, staff files, insurance documents and any other relevant paperwork.
- 13.6. The Provider is required to capture data that evidence that the service is delivered in a way that reflects the diversity of the London Borough of Merton's population, and the service is accessible to all who need it.
- 13.7. The Provider shall inform the Council when any serious service complaint arises or in the event of any serious incident which may impact on the service. Complaint investigation responses from the provider will be reviewed at contract monitoring meetings.
- 13.8. The provider must ensure that the views of individuals and stakeholders are routinely sought, collated, evaluated and utilised to support service delivery / development. The outcomes of such feedback must be routinely made available to the Council.

13.9. The Council will work with the Provider to develop performance levels that challenge but are achievable and measurable from time to time as may be required to effectively manage performance.

14 BACKGROUND PAPERS

14.1. This report should be read in conjunction with the following papers:

- The Council's Contract Standing Orders.
- The Council's Procurement Strategy.

15 APPENDICES

15.1. None