

To: Finance, Resources and Customer Services Policy Board

On: 23 November 2023

Report by: Report by the Director of Finance and Resources and the Chief Officer, Renfrewshire Health and Social Care Partnership

Heading: Three Contracts for the Provision of a Care at Home Service
(Contract references RC-CPU-23-084, RC-CPU-23-085 and RC-CPU-23-086)

1. Summary

- 1.1 The purpose of this report is to seek the approval of the Finance, Resources and Customer Services Policy Board to enter into three separate Contracts for the Provision of a Care at Home Service as detailed in 2.1 below.
 - 1.2 The procurement exercise for each of these Contracts was conducted as a Negotiated Procedure in accordance with the Public Contracts (Scotland) Regulations 2015, as amended, for Social and Other Specific Services contracts.
 - 1.3 A Contract Strategy covering all three Contracts was approved by the Head of Health and Social Care and Chief Finance Officer on 31 August 2023 and the Strategic Commercial & Procurement Manager on 01 September 2023.
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2. Recommendations

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board:
 - i) Authorises the Head of Corporate Governance to enter into three separate Contracts for the following Services:

- a. RC-CPU-23-084 Provision of a Care at Home Service to CRC Care Limited, for a contract period of 12 months, with an annual value of up to £2,752,346 excluding VAT, with no option to extend;
 - b. RC-CPU-23-085 Provision of a Care at Home Service to Wilkerr Care Services Ltd, for a contract period of 12 months, with an annual value of up to £1,889,427 excluding VAT, with no option to extend;
 - c. RC-CPU-23-086 Provision of a Care at Home Service to M-VERTH Limited, for a contract period of 12 months, with an annual value of up to £1,167,461 excluding VAT, with no option to extend.
- ii) Notes that each of these three Contracts are intended to commence on 1 January 2024, the exact Commencement Date will be confirmed in the respective Council Letter of Acceptance.
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3. Background

- 3.1 Renfrewshire Council like other areas in Scotland has seen an increase in demand for care at home services, in part due to an ageing population. There are also many issues facing the adult social care sector, including shortages in staff to provide care and support for people. This has resulted in the need for additional capacity for care at home services in Renfrewshire Council area which cannot be met through the Council's pre-existing Framework Agreement for the Provision of a Care at Home and Housing Support Service, RC-CPU-18-144 (the "Framework").
- 3.2 These three Contracts are required to ensure continuity of care for service users already receiving care at home services. However, if the Council or Renfrewshire Health and Social Care Partnership (RHSCP) acting on behalf of the Council require additional Services, they will first utilise the Framework. These three Contracts will not take priority over the Framework.
- 3.3 Should the Framework Providers not have the capacity to meet the RHSCP requirements, the RHSCP may consider other contractual arrangements available to meet the requirements and specific needs of services users, including use of these three Contracts.

- 3.4 In addition to continuity of care, where applicable and in order to ensure RHSCP can provide care at home services for all service users who require these services, these three interim Contracts provide cover where Framework Providers are unable to provide care at home services and until longer term arrangements can be procured.
- 3.5 RHSCP have a new Sustainable Futures programme which is reviewing how services including Care at Home Services are delivered.
- 3.6 The Council's Framework has been extended to February 2025, and the Council, RHSCP and Corporate Procurement Unit have already commenced early engagement with the provider market to generate interest and increase capacity within the Renfrewshire Council area. The proposal for a longer term arrangement is a new Flexible Framework which will help to increase the number of providers and capacity for service users within the Renfrewshire Council area.
- 3.7 The Strategic Commercial & Procurement Manager approved the procedure for procurement of individual negotiated contracts without competition in accordance with the Council's Standing Orders Relating to Contracts and in accordance with the Public Contracts (Scotland) Regulations 2015, as amended, for Social and Other Specific Services Contracts to meet the requirements and specific needs of services users.
- 3.8 The Invitation to Contract for each of these contracts was published on 01 September 2023 with all responses to be made by the return deadline of 12 noon on 04 October 2023.
- 3.9 The following providers were invited to respond to specific opportunities:
- A. RC-CPU-23-084 Provision of a Care at Home Service – CRC Care Limited;
 - B. RC-CPU-23-085 Provision of a Care at Home Service – Wilkerr Care Services Limited;
 - C. RC-CPU-23-086 Provision of a Care at Home Service – M-VERTH Limited.
- 3.10 Each of the providers invited to submit a response replied to the relevant Invitation to Contract.

- 3.11 Each evaluation was carried out by representatives from RHSCP, Corporate Procurement Unit, Corporate Risk and Corporate Health and Safety. In accordance with Council's Standing Order relating to Contracts 11.5, a Single Procurement Document (Scotland) (SPD (Scotland)) was required to be completed, and the Tender submission received for each contract was considered against predetermined criteria in the form of the SPD (Scotland).
- 3.12 Following review of the SPD (Scotland) received:
- A. Tender submission for RC-CPU-23-084 Provision of a Care at Home Service from CRC Care Limited is compliant with the selection criteria set out within the SPD (Scotland);
 - B. Tender submission for RC-CPU-23-085 Provision of a Care at Home Service from Wilkerr Care Services Limited is compliant with the selection criteria set out within the SPD (Scotland);
 - C. Tender submission for RC-CPU-23-086 Provision of a Care at Home Service from M-VERTH Limited is compliant with the selection criteria set out within the SPD (Scotland).
- 3.13 Each response was then evaluated against the Price/Quality Award Criteria detailed in the respective Invitation to Contract.
- 3.14 The evaluation outcome for each Contract is noted as follows:
- 3.14.1 Tender submission for RC-CPU-23-084 Provision of a Care at Home Service:
- CRC Care Limited submission met the requirements set out in the Invitation to Contract;
 - CRC Care Limited confirmed they will deliver Services for the agreed hourly rate;
 - The Council is satisfied that the tender submission is of suitable quality to deliver the Service required.
- 3.14.2 Tender submission for RC-CPU-23-085 Provision of a Care at Home Service:
- Wilkerr Care Services Limited submission met the requirements set out in the Invitation to Contract;
 - Wilkerr Care Services Limited confirmed they will deliver Services for the agreed hourly rate;

- The Council is satisfied that the tender submission is of suitable quality to deliver the Service required.

3.14.3 Tender submission for RC-CPU-23-086 Provision of a Care at Home Service:

- M-VERTH Limited submission met the requirements set out in the Invitation to Contract;
- M-VERTH Limited confirmed they will deliver Services for the agreed hourly rate;
- The Council is satisfied that the tender submission is of suitable quality to deliver the Service required.

3.15 Community Benefits were requested as part of these Contracts. The following Community Benefits will be delivered under the respective contracts:

RC-CPU-23-084 CRC Care Limited

Community Benefit	Number Offered
Financial Support for a community programme/Charity.	1
Industry skill Transfer to schools	1
SVQ for Existing Employees	1
Graduate work experience	1

RC-CPU-23-085 Wilkerr Care Services Limited

Community Benefit	Number Offered
Modern Apprenticeship	2
Work Experience Placement for an individual 16+ years of age	2
Work Experience Placement for an individual aged 14+ years of age	1

RC-CPU-23-086 M-VERTH Limited

Community Benefit	Number Offered
Job for an unemployed individual from a Priority Group	3
Job for an unemployed individual	12
Modern Apprenticeship	1
Graduate	1

Community Benefit	Number Offered
Work Experience Placement for an individual 16+ years of age	1
Work Experience Placement for an individual aged 14+ years of age	1
S/NVQ (or equivalent)	16
Industry Awareness Events	4
Industry Skill Transfer to Schools	4
Business advice/support to an SME/Social Enterprise/Voluntary organisation	1
Financial Support for a Community Project	1

Implications of the Report

1. **Financial** – Service costs will be met by the RHSCP Care at Home Services budget.
2. **HR & Organisational Development** – None arising directly from this report.
3. **Community/Council Planning** –
 - **Our Renfrewshire is well: Supporting the wellness and resilience of our citizens and communities** – Developing strong community based services that respond to local need.
 - **Our Renfrewshire is safe: Protecting vulnerable people, and working together to manage the risk of harm** – Protecting vulnerable adults ensuring they can live safely and independently.
4. **Legal** – The procurement of each of these three contracts has been conducted in accordance with the procedures for an above GPA threshold contract of the Public Contracts (Scotland) Regulations 2015 as amended for a Social and Other Specific Services contract and the Council Standing Orders relating to Contracts.
5. **Property/Assets** – None arising directly from this report.
6. **Information Technology** – None arising directly from this report.
7. **Equality & Human Rights** – The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** - The Health and Safety submissions for each of the three tender submissions were evaluated by Corporate Health and Safety and were all scored “Pass” as satisfying the Council’s requirements:
- RC-CPU-23-084 Provision of a Care at Home Service – CRC Care Limited;
 - RC-CPU-23-085 Provision of a Care at Home Service – Wilkerr Care Services Limited (Pass);
 - RC-CPU-23-086 Provision of a Care at Home Service – M-VERTH Limited (Pass).
9. **Procurement** - The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
10. **Risk** - The insurance documents submitted with each tender submission for each contract was assessed by Renfrewshire Council’s Risk Officer, and all were all scored “Pass” as satisfying the Council’s requirements:
- RC-CPU-23-084 Provision of a Care at Home Service – CRC Care Limited (Pass);
 - RC-CPU-23-085 Provision of a Care at Home Service – Wilkerr Care Services Limited (Pass);
 - RC-CPU-23-086 Provision of a Care at Home Service – M-VERTH Limited (Pass).
11. **Privacy Impact** - All three contracts contain Renfrewshire Council’s General Conditions of Contract including Data Protection, Security and Recording. The Providers (CRC Care Limited, Wilkerr Care Services Limited and M-VERTH Limited) will be Data Controllers under the respective Contract identified in recommendation 2.1.1 and, as such, have a legal responsibility to comply with Data Protection legislation when collecting, processing and storing personal data to those receiving a care at home service under those Contracts.
12. **Cosla Policy Position** - None arising directly from this report.
13. **Climate** – None arising directly from this report.

List of Background Papers - None.

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