

Decision Maker: Executive
With Pre-decision scrutiny from:
Adult Care & Health PDS Committee on 17 March 2021

Date: 31 March 2021

Decision Type: Non-Urgent Executive Key

Title: **Gateway 0 Procurement Options for the Primary and Secondary Intervention Service (Bromley Well)**

Contact Officer: Ola Akinlade, Integrated Strategic Commissioner
Tel: 020 83134744 E-mail: ola.akinlade@bromley.gov.uk

Chief Officer: Kim Carey - Interim Director of Adults Social Services

Ward: All wards

1. REASON FOR REPORT

- 1.1 The Primary and Secondary Intervention Service contract expires on 30th September, 2022 with no further extension options remaining. This service is currently delivered by Bromley Third Sector Enterprise and provides integrated prevention and early intervention services across health and social care for the residents of Bromley.
 - 1.2 The service is jointly commissioned by London Borough of Bromley (LBB) and Bromley Clinical Commissioning Group (BCCG) with LBB as the lead commissioner. LBB and BCCG jointly attend contract meetings and have joint representation on the Bromley Programme Board, which currently oversees operational delivery of the contract.
 - 1.3 The current contract has an estimated annual value of £2.5m and was awarded on a 3 plus 2 year contract basis. This contract commenced on the 1st of October 2017 and is due to expire on the 30th of September 2022.
 - 1.4 In line with current procurement guidance, commissioners will conduct a soft market test to determine the availability of suppliers in the market to deliver this service and to use this exercise to inform the procurement options.
 - 1.5 This **Gateway 0** report seeks to advise the committee of the work that is being undertaken by commissioners in preparation for the end of contract (September 30th 2022) and to detail procurement options. Commissioners will provide a **Gateway 1** report to the committee in June 2021 which will detail procurement options and the recommended commissioning approach.
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2. RECOMMENDATION(S)

2.1 Executive and Adult Care and Health Policy Development and Scrutiny Committee are asked to

- Note this report and comment on preliminary commissioning options
- Note the initial scoped procurement options detailed in the report.
- Note the recommended length of contract for the new service post September 2022, which is 5 plus 2 years.
- Note the recommended option to conduct a Soft Market Test prior to submitting a Gateway 1 report to the PDS Committee in June 2021.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence.
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Financial

1. Cost of proposal: Not applicable
 2. Ongoing costs: Not applicable
 3. Budget head/performance centre: Information and Early Intervention
 4. Total current budget for this head: £2,536k
 5. Source of funding: Better Care Fund, ASC Revenue budget and CCG
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Staff

1. Number of staff (current and additional): Not applicable
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Statutory requirement. To be confirmed
 2. Call-in: Call-in is applicable To be confirmed
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 10,000 adults per annum
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The current PSIS service is designed to help the residents of Bromley stay well through an early intervention and prevention offer, provided across 9 health and social care pathways.

3.2 The service targets those residents who may be at risk of needing long term packages of care, at risk of a hospital admission or increased involvement from statutory health and/or social care services. It also addresses a number of wider issues that affect residents personal outcomes such as housing, debt, health and social issues.

3.3 The service is jointly commissioned between the Council and South East London CCG (Bromley) with the Council leading on the commissioning arrangements. At present the annual funding of the service comes from three main sources - £716K from LBB, £240K from SEL CCG (Bromley,) and £1,591K from the joint health and care Better Care Fund. Further investment is raised by BTSE through fund raising and grant applications.

The current service works mainly with adults aged 18 and over (except for the Young Carers Pathway) and is designed to provide early intervention via a single point of access and more specialist early intervention and prevention services for those residents who require it. The pathways are as follows:

1. Single Point of Access
2. Long term Health Conditions
3. Elderly Frail
4. Mental health
5. Education and Employment
6. Young Carers
7. Carers Support Services
8. Physical disabilities
9. Learning Disabilities

There are 6 anticipated service outcomes which are detailed below:

1. Reduce the requirement for unplanned care resulting in emergency admissions.
2. Prevent and delay the requirement for long term care packages.
3. Support service users to remain independent in their local communities.
4. Build capacity and capability in local communities by demonstrating social and economic impact.
5. Leverage in further external funding into the sector.
6. Shape local services to facilitate social benefit to service users creating added value.

3.4 The PSIS service review conducted by the local authority and CCG between July to October 2019, concluded that the service had started to demonstrate its ability to deliver the outcomes and a Service Work Programme was developed to progress the delivery of these outcomes.

3.5 The Gateway report (Officer only) on 30th September 2019, recommended in its findings, for the option for a 2 year extension (commencing in October 2020) to be exercised and approval to extend the contract was given at this meeting.

4.0 SUMMARY OF YOUR BUSINESS CASE

4.0.1 The current service supports the following:

The Local Authority in discharging its duty under the Care Act 2014 to provide or arrange for services, facilities or resources, which would prevent, delay or reduce an individuals' need for care and support or the need for support of carers.

The "Building a Better Bromley" priority to support independence by *focusing on wellbeing and prevention*" and supports the "Bromley Transformation Programme" through "*identifying methods of enhancing prevention and early intervention services*". Translated to an operational level, this means targeting Bromley Residents at risk of long term residential care or a hospital admission/ development of long term conditions and working with them to reduce these risks.

The Bromley 2019-2023 Health and Wellbeing strategy, specifically through the operational delivery of prevention and early intervention services to residents who are at risk of falling into any of the 10 priority groups targeted by the strategy.

4.0.2 The current service is delivered by Bromley Third Sector Enterprise which has been formed by a consortium of providers who have come together to work in a more integrated way across health and social care services. It also delivers joined up pathways and collaborates with health and social care partners to ensure effective prevention and early intervention opportunities for residents are maximised and to ensure effective care co-ordination and continuity of care. Over 50% of the population accessing the service is aged over 45.

4.0.3 Contract monitoring feedback, carried out by LBB compliance officers and contract meetings attended by LBB and CCG Commissioners, indicate that the service continues to deliver to anticipated outcomes. 11 quarterly monitoring reports have been produced by Bromley Third Sector Enterprise over a period of 40 months giving commissioners detailed information about service delivery against targets, service user involvement and individual pathway reports detailing progress made against targets.

In line with LBB commissioning requirements and to inform the decision regarding procurement options post September 2022, this report, provides background information, as detailed above and provides a range of options with regards to how to proceed, as detailed below.

4.0.4 The proposed soft market testing of the PSIS model offers an opportunity to;

- Build on the success of the current model.
- Align other contracts that may be coming up for retender with this service to reduce duplication.
- Refresh early intervention and prevention service outcomes in line with developing strategies.
- Build on the significant engagement with local volunteers via the covid 19 and other volunteering programmes.
- Engage with stakeholders about what they may want to see as part of the service offer
- Engage the market and potential suppliers to learn about and implement good practice
- Benchmark services against what is happening regionally and nationally.
- Review the current outcomes delivery framework and key performance indicators.

- Review where the service sits within a wider systems framework.
- Complement partnership transformation priorities.

4.0.5 The proposed delivery model is intended to deliver improved personalised care for service users, whilst enhancing the quality and choice within the provider market. The redesign is expected to provide stability in the market place and sustain the development of the third sector in delivering prevention and early intervention services.

4.1 SERVICE PROFILE/DATA ANALYSIS

4.1.1 The Bromley Joint Strategic Needs Assessment (see embedded in section 13) 2019 indicates that the numbers of older people in Bromley are rising and health and social care provision needs to reflect the increased need.

4.1.2 The proportion of older people in Bromley (aged 65 and over) is expected to increase from 17% of the population in 2017 to 18% by 2022 and 19% by 2027 (*Bromley Joint Strategic Needs Assessment, 2017*). This will impact on the level and complexity of health and social care needs in the borough.

4.1.3 Over the next 10 years it is estimated that almost 20% of the population of Bromley will be over 65, and over the next 20 years the proportion of over 65's is expected to increase by approximately 40% (with the largest increase expected to be 90+) with more complex health and social care needs.

4.1.5 Funding for the current service is detailed in the table below:

				Bromley Well Primary and Secondary Intervention	
Year	Period	PSIS Value £'000	Innovation Fund £'000	Contract	
2017-18 (6 months)	Oct 17 -March 18	£1,081	£192	Year 1	3 year Contract Oct 2017-September 2020
2018-19	April 18-March 19	£2,165	£384	Year 2	
2019-20	April 19-March 20	£2,163	£384	Year 3	
2020-21 (6 months)	April 20-September 20	£1,076	£192	Year 3	
Sub Total		£6,485	£1,152	£7,637	
2020-2021 (6 months)	Oct20-March 21	£1,076	£192	Year 1	2 year extension October 2020 to September 2022
2021-2022	April 21-March 22	£2,138	£384	Year 2	
2022-2023 (6 months)	April 22-September 22)	£1,088	£192	Year 2	
Sub Total		£4,302	£768	£5,070	
	Total	£10,787	£1,920	£12,707	

Current Funding annual allocation breakdown

Contribution	£000
LBB Core	716
BCF	1,591
BCCG	240
Total	2,547

4.2 OPTIONS APPRAISAL

The Primary and Secondary Intervention Service Contract expires 30th September 2022 and commissioners have extended the service (in line with original procurement proposals) . Given the information detailed above, the following options have already been scoped and the recommendation in this report is to proceed with option 2.

Option 1('Do nothing and allow the contract to expire on 30th September 2022)

4.2.1 This option means allowing the current contract to expire without replacing the service.

Benefits	Challenges/Risk
1. None	The service supports the drive to reduce statutory service demand across the health and social care system, providing support across health and social care pathways including mental health, emergency admissions, delayed discharges and navigation of welfare benefits system for Bromley residents.
	The service delivers a range of interventions annually to approx. 10000 Bromley Residents. Discontinuing the service will lead to displaced demand, some of which will result in an increasing demand for statutory packages of care. For instance the take home and settle service helped settle 719 people following a hospital discharge between April 2018 and June 2019.
	Discontinuing the service could have an adverse financial effect of Bromley's voluntary sector and lead to a reduction in choice and diversity of services that residents can access at a time when there is population growth and an increase in the number of older people requiring access to health and social care.
	The discontinuation of the service would impact on the partnerships ability to discharge its duties under the Care Act 2014
	It is likely that non statutory funding and funding in kind will also be lost. The service has generated in excess of £600k in maximised income for Bromley Residents through benefits income generated and legal advice and guidance.. The service generates approximately in excess of £100,000 in volunteer hours on an annual basis
	The service has been a critical part of the councils response to the covid pandemic.

Option 2 (Conduct a Soft Market Test to inform procurement options)

4.2.2 A soft market test will allow commissioners to use early market engagement to talk to the supplier market before the start of the procurement process and bench mark it against current supplier products as well as provide opportunities to refine /refresh the service specification/offer. This does not oblige commissioners to procure the service.

Benefits	Challenges/Risk
1. Seeking value for money through competition.	The current service is meeting its performance targets and retendering could destabilise the service and wider voluntary sector provision across these pathways.
2. Use a market exercise to further develop the service specification and revise the service model based on feedback from stakeholders	Retendering the service may introduce some uncertainty into the voluntary sector which has a well established group of local partners who have worked with local residents for a significant period of time. This may also cause some uncertainty for residents who are very familiar with the PSIS (Bromley Well brand)
3. Reevaluate position regarding availability potential suppliers to deliver an early intervention and prevention service	
4. Tendering the service will enable significant change to be made to service delivery if required. This could not be done to a significant extent within the current contract	
5. The contract expiration date aligns to the contract expiration date of a number of other contracts so commissioners can use this as an opportunity to further align services and reduce any service duplication	

Option 3 (Extend the current contract beyond September 30th 2022)

4.2.3

Benefits	Challenges/Risk
1 Extending the contract would support the delivery of BCF priorities	Commissioners have already used the option to extend the service to September 2022.
2 Extending the service would reduce uncertainty in the voluntary sector, for residents and the PSIS workforce	

4.3 PREFERRED OPTION-Option 2 conduct a soft market test

4.3.1 Recommendation: Conduct a soft market test to inform the Gateway 1 Report.

4.4 MARKET CONSIDERATIONS

4.4.1 Bromley has a limited provider market for prevention and early intervention services and the previous tender did not yield significant interest or supplier availability. With this in mind, this exercise will be undertaken in accordance with the Councils Financial Regulations and Contract Procedure Rules and completed in compliance with the requirements of the Public Contract Regulations 2015 “Light Touch Regime” , which will enable the engagement of commissioners with the Third Sector for the purpose of developing a service model following the conducting of a soft market testing exercise planned for late March / Early April 2021.

A full programme of engagement with service users and their families, carers, and voluntary and community services and the wider community using co-design principles will be included as part of the project plan.

5 STAKEHOLDER ENGAGEMENT

5.5.1 Engagement with internal and external stakeholders has been ongoing since January 2019, with further engagement with providers, service users/carers planned.

5.5.2 Engagement with staffing groups working for adult social care, the CCG reablement, and primary care will also take place This will provide updates about the tender process and likely impact on care management teams, with regards to new assessments and reviewing of existing care packages where required.

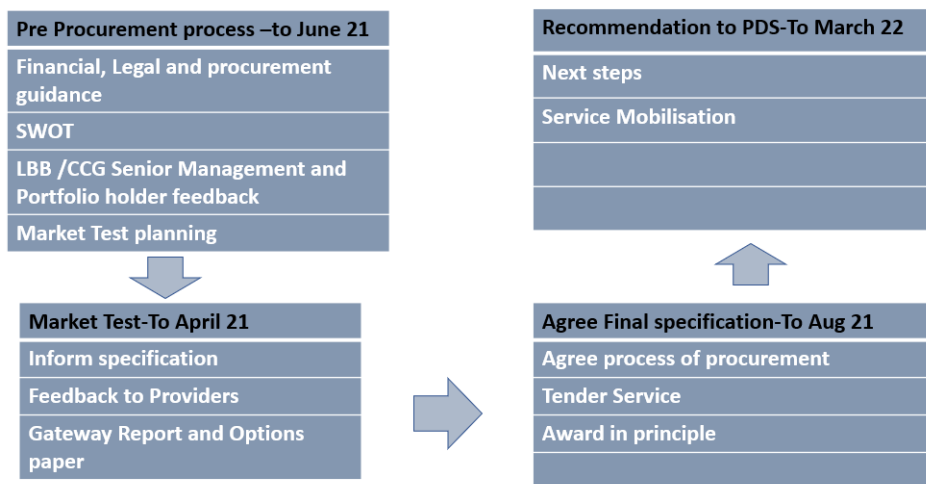
6. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

6.1

This proposed procurement strategy for the retendering a new Primary and Secondary Intervention Service is as detailed in the roadmap below



Procurement process road map



7. SUSTAINABILITY AND IMPACT ASSESSMENTS

7.1 An Equality Impact Assessment (“EIA”) was completed and based on the results, a full EIA is not required for the planned procurement of this service.

8. POLICY CONSIDERATIONS

8.1

The Local Government and Public Involvement in Health Act 2007 places great emphasis on the role of the third sector and explicitly states that local authorities have a duty to inform consult and involve local citizens, local voluntary and community groups and businesses. It sets out clear expectations that the third sector should be involved in designing and shaping key decisions across the country, and that the sector should be a key partner to local government in creating strong and sustainable communities. LBB has embraced the responsibilities defined under the Act, establishing innovation by supporting the development of the Bromley Third Sector Enterprise (BTSE). BTSE partners are members of the Bromley Alliance, confirming the importance of the integrated working with the voluntary and community sector.

8.2 The PSIS contract plays a key preventative and early intervention role in Bromley’s Health and Wellbeing Strategy, Ageing Well Strategy and Mental Health & Emotional Wellbeing Strategy and provides vital support to annual Winter Plans for hospital discharge.

- 8.3 The [Public Services \(Social Value\) Act](#) came into force on 31st January 2013. It requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

9. IT AND GDPR CONSIDERATIONS

Commissioners will ensure that the following are taken into consideration:

- Privacy by Design – A Data Protection Impact Assessment is carried out for this service by commissioning
- Controls on sub-contracting – The Council must be consulted prior to any award. Where an award is to be made, the provider must reflect the Council's contractual requirements in any sub-contract.
- Providers must have necessary GDPR compliance evidence in place including policies, training, and information asset register.
- Data protection officer – Providers must appoint one where required.
- Breach notification – The providers must alert the Council of a breach within 24 hours of becoming aware of it, to allow the Council to meet its 72 hour reporting commitments.
- Data Sovereignty – Providers that use hosted or cloud based services must ensure they are in UK data centres
- Rights of Data subject – Any exercise of the rights of the data subject must be actioned within 30 days where legally obliged to comply. The provider is required to take all reasonable steps to assist the Council in complying
- Information management control – The provider must employ and evidence appropriate information security and management controls to safeguard personal and sensitive personal data
- Providers must allow the Council to conduct periodic data protection audits
- Providers should subscribe to a certification mechanism to evidence compliance to the GDPR and UK Data Protection Bill
- A retention period for personal and sensitive data must be identified and documented.
- Explicit determination of what happens to the information collected and stored by providers after the contract finishes must be identified, documented and

10. PROCUREMENT CONSIDERATIONS

- 10.1 This report sets out the commissioning intentions to proceed with a soft market testing exercise.
- 10.2 Conducting a soft market testing exercise is good practice and should be used to inform the planning and conduct of any resulting procurement procedure, in accordance with Regulation 40 of the Public Contracts Regulations 2015.
- 10.3 Further, it is noted a Gateway 1 report will be prepared for PDS Committee in June 2021. The resultant procurement is likely to be a light touch procurement but also to fall above the thresholds set out in Part 2 of the Public Contracts Regulations 2015.

- 10.4 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

11. HR CONSIDERATIONS

There are no personnel implications for Bromley Council employees arising from the procurement options outlined in this report.

12. LEGAL CONSIDERATIONS

- 12.1 The Council has various legal powers to provide and arrange for services/resources which would prevent, delay and reduce an individual's need for care and support or the requirement for the support of carers in connection with health and social care functions under the Care Act 2014. Furthermore, in accordance to the Public Services (Social Value) Act 2013, the Council has the power in securing any wider, social, economic/environmental benefits that it thinks fit in light of any public services offered. In addition, the council has the power to receive and spend the Government Grant as outlined in this report (i.e the annual funding of the Service comes from three main sources, namely from LBB, SEL CCG (Bromley) and from the joint health and care Better Care Fund, with further investment raised by BTSE through fund raising and grant applications). In furtherance of these powers, the Council may provide and commission through a contract the services outlined in this report.
- 12.2 This report seeks to advise on the work being undertaken in preparation for the Contract detailing the procurement options for the Primary and Secondary Intervention Service for Bromley Well (due to expire on 30.09.22, with no further extension options remaining). This service is currently delivered by Bromley Third Sector Enterprise and provides integrated prevention and early intervention services across health and social care. The service is jointly commissioned between the Council and South East London CCG (Bromley), with the Council leading on the commissioning arrangements. The Gateway Report detailing the procurement options and the recommended commissioning approach is due to be provided in June 2021 to the PDS Committee. In accordance to Guidance, a soft market test of the PSIS service will be conducted (prior to the submission of the Gateway Report) to determine the availability of suppliers in the market to deliver the service and to inform of procurement options. The current Contract currently has an estimated annual value of the Contract of £2.5m and was awarded on a three plus two year Contract, commencing on 01.10.17. Any recurring costs are due to be confirmed which is dependent on the length of the Contract (recommended to be five plus two years).
- 12.3 In accordance to Regulation 40 of the Public Procurement Regulations 2015 (the Regulations), any preliminary market consultations should be utilised in the planning and conduct of the soft market testing exercise. As long as any procurement advice from market participants/independent experts/authorities, used in the planning and conduct of procurement procedures, does not distort competition and does not result in the violation of the non-discrimination and transparency principles, it is good practice.

- 12.4 The Contract falls as an above-threshold contract outlined in the Public Contract Regulations 2015 (PCR). It also falls within the light touch Regime for services outlined in Schedule 3 of the PCR.
- 12.5 The Contract can be awarded in accordance with the Council's Contract Procedure Rules and the Public Procurement Regulations 2015. Officers should ensure they comply with all Grant conditions

13. FINANCIAL CONSIDERATIONS


- 13.1 The actual and projected cost of the current contract is set out in the table below, compared to the budget agreed when the contract was awarded:

	PSIS Contract			Innovation Fund			Total
	Budget	Actual/ Projection	Variation	Budget	Actual/ Projection	Variation	Budget
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
2017/18 (6 months)	1,081	1,081	0	192	0	-192	1,273
2018/19	2,165	2,165	0	384	121	-263	2,549
2019/20	2,163	2,163	0	384	218	-166	2,547
2020/21	2,152	2,152	0	384	384	0	2,536
2021/22	2,138	2,138	0	384	384	0	2,522
2022/23 (6 months)	1,088	1,088	0	192	192	0	1,280
	10,787	10,787	0	1,920	1,299	-621	12,707

- 13.2 The contract is funded from Adult Social Care budgets, Better Care Fund (BCF) and the CCG as set out below:

	2020/21
	£'000
ASC	713
BCF	1,584
CCG	239
	2,536

- 13.3 Subject to the recommendations in the report being agreed, the estimated cost of any proposed future contract will be detailed in the Gateway 1 report that will be reported for Member approval at a later date.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	 PSIS%20Presentation %20PDS.pptm (PSIS Presentation)

Joint Strategic Needs Assessment Older People refresh



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2019chapter_update_Janua

Bromley Transformation Road Map



Executive 100619
Transforming Bromley

Bromley Health and Wellbeing Strategy



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For further information contact Ola Akinlade, integrated
Strategic Commissioner

Ola.akinlade@bronley.gov.uk

0208 313 4744