

# Public Document Pack

North Yorkshire Council

Health and Adult Services - Executive Member & Corporate Director Meeting

Friday, 20 October 2023 / 10.00am

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## A G E N D A

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1 **Apologies for Absence**

2 **Declarations of Interest**

**Items for Corporate Director decision**

3 Assistive Technology Services Contract Extension (Pages 3 - 6)

4 Provision of Integrated Community Equipment Service (Pages 7 - 10)

**Item for Director of Public Health decision**

5 Extension to the Participation Support Service Contract (Pages 11 - 12)

6 **Date of next meeting**

3 November 2023 13:30

**Circulation:**

**Executive Member**

Michael Harrison

**Officer attendees**

Abigail Barron  
Louise Wallace

**Presenting Officers**

Michael Rudd  
Mandy Welsh  
Claire Canavan

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## North Yorkshire County Council

### Health and Adult Services

### Executive Members Meeting

20<sup>th</sup> October 2023

**REPORT TO** Corporate Director of Health and Adult Services (HAS) in consultation with the Executive Member for Health and Adult Services

### **Extension to the contract for Assistive Technology Services**

#### **1.0 Purpose Of Report**

To seek extension to the contract for Assistive Technology to September 2024.

#### **2.0 Executive Summary**

In 2018 HAS commissioned NRS to deliver Assistive Technology (AT) provision to people with assessed eligible needs across North Yorkshire. This contract was let on a 3years +1+1 basis with an end date of 30<sup>th</sup> March 2023.

Due to work undertaken to explore potential alignment with existing District and Borough services, along with the need to avoid changes in service delivery occurring on or around North Yorkshire Council vesting day on 1<sup>st</sup> April 2023, the Executive meeting of January 2023 approved an extension to April 2024. Whilst significant further work has progressed on developing a new service, further complexities and dependencies have become apparent in the intervening 9 months and as such this paper seeks an additional extension of 6 months to the contract to allow this work to be completed effectively and for successor arrangements to be in place from September 2024.

#### **3.0 Background**

Assistive Technology (AT) services form a crucial and growing part of the HAS offer to people with eligible needs. Prior to 2018 it was apparent that despite best efforts, the pace of change in technology was outstripping the ability of the existing in-house provision to effectively keep up and deploy new and emerging technologies.

To address this, the decision was taken to commission a service which would provide an end-to-end service that would assess and determine the most appropriate use of technology to support an individual based on their needs rather than on the pre-buying of large numbers of generic units that quickly become obsolete.

The contract was awarded to NRS in 2018 and has been successful in meeting the aspiration of rolling out a wide range of equipment based on assessed need. In addition to providing an assessment, installation and response service, the relationship with NRS has focussed on innovation and new ways of working. This has allowed pilots of products such as Canary, Brain in Hand and ARMED to be progressed under the umbrella of the contract. Each of these products has show huge potential in improving independence and quality of life, whilst reducing the need for other care and support services.

The service is also used by Children and Young People's Services who often access some of the most complex equipment used to support disabled children. Costs from this are recharged based on activity to HAS.

#### **4.0 Issues**

At the start of 2022, work began to explore potential links between the commissioned NYCC service delivered by NRS and the AT offers of District and Borough Councils, with a view to establishing the viability of moving to a single service – either in house or commissioned, on or after vesting day, or of retaining separate but interacting services.

Whilst on the surface these services are quite similar, there are significant differences in the complexity of the equipment deployed by each service and in the specialism required to assess for and install these. Whilst there may be scope to fully align these services in future years, it is the HAS view that at present such a move would not allow what is a very effective service to continue offering the levels of support required. There is considerable work needed to first align existing District and Borough services into a single offer that is consistent across the County, at this point further exploration of a wider transformation can begin.

Work has continued on these issues with a view to coming to a definitive position, however this has taken longer than expected due to the complexities of the operational and technical service requirements as well as the need to have key decision makers appointed following the move from two-tier to unitary authority status. As such it is requested that the current contract be extended for an additional 6 months to allow this work to be completed in a safe and effective way.

#### **5.0 Financial Implications**

The extension period will retain the same budget as the existing contract and as such will not create any additional pressure on HAS budgets. Funding remains in place for the core service as well as trials and pilots of new and emerging technology which are delivered via the main contract, and which are key to the future development of the operational service offer.

#### **6.0 Legal Implications**

This extension of a further 6 months beyond the initial term of the contract falls under Non-Substantial changes Regulation 72(1)(e).

Variations/extensions are permitted without the need to undertake a new procurement procedure where the variation is not substantial. A variation is substantial where one or more of the following conditions is met:

- (a) the variation renders the contract or the framework agreement materially different in character from the one initially concluded.
- (b) the variation introduces conditions which, had they been part of the initial procurement procedure, would have—
  - (i) allowed for the admission of other candidates than those initially selected,
  - (ii) allowed for the acceptance of a tender other than that originally accepted, or
  - (iii) attracted additional participants in the procurement procedure.
- (c) the variation changes the economic balance of the contract or the framework agreement in favour of the contractor in a manner which was not provided for in the initial contract or framework agreement; and
- (d) the variation extends the scope of the contract or framework agreement considerably.

As this is an extension for a short period, with no change in the scope, it is likely to be considered non-substantial. However, it should be noted that there is still risk as this is a further extension beyond the terms of the Original Contract.

This level of procurement risk is balanced against the fact that due to the significant number of children and adults that this current contract serves, risk of harm if the contract was to end in March 2024 without an appropriate replacement would be significantly high.

## **7.0 Conclusion and reason for recommendation/s**

The extension of the contract will allow the process of aligning the existing HAS and Community Development AT offers, as well as allowing time for an integrated successor offer to be developed, whilst retaining and safe service for those currently using AT through NYC in both Adult and Children's services.

### **8.0 Recommendation/s (required)**

That the Corporate Director in consultation with the Executive Member approve the extension of the Assistive Technology contract

### **Report author**

**Mike Rudd**  
**Head of Housing, Technology & Sustainability**

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## North Yorkshire Council

### Health and Adult Services

### Executive Member Meeting

20<sup>th</sup> October 2023

**REPORT TO** Corporate Director of Health and Adult Services (HAS) in consultation with the Executive Member for Health and Adult Services

Provision of Integrated Community Equipment Service from 1<sup>st</sup> December 2023

**1.0 Purpose Of Report** (required)

To recommend a direct award utilising an appropriate framework to provide an Integrated Community Equipment Service from 1<sup>st</sup> December 2023 when the current contract expires.

**2.0 Background**

Integrated Community Equipment Services (ICES) are commissioned on behalf of Humber and North Yorkshire ICB (NY Place and York Place), North Yorkshire Council, and West Yorkshire ICB (for the Craven area). The current contract, which is an activity-based contract is due to expire on 30<sup>th</sup> November 23.

The ICES contract has played an important role in the response to the Covid pandemic through an urgent discharge service, authorised by commissioners through a rota. Other partnership developments have included: establishing a new York-based store with additional capacity to respond to health, safety and quality concerns; agreeing prescriber roles and responsibilities document; ensuring continued provision of equipment through a process of identifying and agreeing Close Technical Equivalents in response to national shortages; and commencing a Pin matrix review.

High quality care equipment, aids and adaptation services are a vital component to the independence of people of all ages with health conditions, disabilities and/or mobility issues. Care equipment services provide the gateway to the independence, dignity, and self-esteem of not only the service users but their families and carers too.

The Care and Support Statutory Guidance, issued under the Care Act (June 2014) states that local authorities must promote integration between care and support provision and health and health related services, with the aim of joining up services. The integration of the Community Equipment Service shall facilitate this whilst:

- Promoting the wellbeing of children, young people and adults with care and support needs.
- Contributing to the prevention or delay of the development needs of people.

- Improving the quality of care and support and a positive impact on outcomes for service users and their parents/carers.
- Facilitating Prevention: through the prevention of admissions to hospitals or care homes, delayed transfers of care and ill health; for example, by reducing pressure sores and delaying the deterioration of health.
- Facilitating Independence: through the provision of the right equipment which can help people maintain their independence by allowing people to continue to carry out everyday tasks such as toileting, bathing, feeding, and drinking. Equipment can also help with mobility.
- Facilitating Caring: through the provision of the right equipment, equipment can enable care and nursing needs to be attended to in a community setting by either paid or family carers. Equipment can keep the carer safe when moving and handling is required preventing injury to the carer and reducing the need for home care packages.

### **3.0 Issues**

The existing contract is due to expire on 30<sup>th</sup> November 2023. The contract is commissioned in partnership with Humber and North Yorkshire ICB and West Yorkshire ICB and there is a joint ambition to undertake a full-scale review of the service to ensure a more integrated approach to commissioning this service in the future.

Given the requirement for this review, a direct award of the contract to maintain continuity is recommended until 31<sup>st</sup> March 2025. Time is also required to consider commissioning and contracting options with a procurement exercise following the comprehensive review.

The demand for this service has increased and given the nature of the contract it is over trading currently. The incumbent provider and commissioners have a management plan in place to address this.

To ensure the stability of the services in supporting hospital discharge and a sustained increase in demand, the joint commissioning team have recommended a direct award of the contract from an established framework.

### **4.0 Alternative Options considered**

Alternative options, including procurement have been considered but this is not recommended in the remaining timescale of current contract.

Given the service supports statutory requirements, a termination of the contract has not been considered.

### **5.0 Financial Implications**

The existing contract is overtrading; however, a robust plan is in place with commissioners and the provider to manage this during the proposed contract timeframe.

### **6.0 Legal Implications**

The proposed new contract will be a Direct Award via the SBS framework, this represents a compliant route to the market and is the preferred option based on procurement and legal advice.

**7.0 Consultation undertaken and responses**

The incumbent provider and all commissioning parties are in agreement with the approach. The direct award will enable a full review of the service, this will be undertaken in partnership with people who use the service and their families/carers.

**8.0 Impact on other services/organisations**

Both commissioning and provider organisations are in agreement with the proposed approach.

**9.0 Contribution to Council priorities**

This contract supports the directorate and wider Council priorities to achieve a Home first approach to care and support and to prevent hospital admission and promote timely hospital discharge.

**10.0 Reasons for recommendation/s**

The recommendation will enable the continuity and stability of equipment provision across North Yorkshire and provide an opportunity for a comprehensive review of the service ahead of future potential procurement.

**14.0 Recommendation/s (required)**

To agree to a direct award utilising an appropriate framework for provision of an Integrated Community Equipment Service until 31<sup>st</sup> March 2025 (including an option to extend until 31<sup>st</sup> March 2026)

**Name and title of report author**

**Mandy Welsh**  
**Head of Care & Support - Craven**

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## North Yorkshire Council

### Health and Adult Services

### Executive Member Meeting

20<sup>th</sup> October 2023

**REPORT TO** Director of Public Health in consultation with  
Executive Member for Health and Adult Services

### 6-month extension of Participation Support Service contract

#### 1.0 Purpose Of Report

To seek approval to extend the current Participation Support Contract for a 6-month period. This would take the contract end date from 1<sup>st</sup> April 2024 to 30<sup>th</sup> September 2024.

#### 2.0 Background

The current countywide Participation Support Service has been established since 2012.

The aim of the service is to support people with a learning disability and/or autism to

- Speak up on issues that affect them and other people with a learning disability and/or autism, and coproduce solutions.
- Lead and contribute to the work of the North Yorkshire Learning Disability Partnership Board (NYLDPB).
- Take part in a range of coproduction and engagement activities as representatives of the Partnership Board.

The service is critical to developing and enabling the participation of people with a learning disability and/or autism in the Directorate's work as well as that of the Council more broadly. It is crucial to the delivery of the Directorate's requirements and ambitions around coproduction, as set out in the CQC Assurance Framework, HAS 2025 and HAS improvement themes. This links into the development and delivery of strategies including the Learning Disability Strategy and Autism Strategy, as well as supporting Public Health priorities through the coproduction of solutions to health and social inequalities.

The service is instrumental in involving people with lived / living experience to influence and improve practice and work hand-in-hand with the practice team to achieve this.

#### 3.0 Issues

A 6-month contract extension is being requested to allow additional time to fully explore and consider the options of what a new Participation Support Service contract may look like to ensure best value for more and equity.

#### 5.0 Performance Implications

Continue to work with the Directorate's Contracting team, to measure the contract's performance against the outcomes specified within the contract documents.

#### 4.0 Financial Implications

The proposed financial envelope is accounted for within the Engagement and Governance budget.

## 5.0 Legal Implications

Procurement and Legal Services are involved in the contract extension request.

- The current extension options in the original contract have been exhausted and in addition we are looking to increase the fees by 3.10% for a 6-month extension (outside the scope of the original contract), so this would be an extension and variation to the original contract.
- The small increase in fees is unlikely to amount to a substantial change to this contract (although it is acknowledged that this along with the extension increases the value to 17% (but still under threshold). The modification above does not alter the overall nature of the contract.
- The risk of challenge is considered to be low, and the proposed extension is to allow the re-procurement of the service to take place without disrupting the service itself.
- As the contract is above £50k, we need to publish a decision record to this effect. A waiver is not required in this case as approval for a specific exception to the Contract Procurement Rules is not required.

## 6.0 Consultation undertaken and responses

The existing contract provider is happy to extend the existing contract for a period of 6 months until 30<sup>th</sup> September 2024.

## 7.0 Impact on other services/organisations

There is minimal impact on other services and organisations. Business will continue as usual for the duration of the 6-month contract extension.

## 9.0 Environmental impact

The 6-month contract extension will continue to offer digital/online participation options. This has the potential to have a positive environmental impact by reducing unnecessary journeys.

## 10.0 Risks

Relationships have been built with the people benefiting from this service. Removal of this service without an appropriate replacement is likely to have the following effect:

- Relationships and trust have been built over many years. These relationships and alliances would be lost, and this would be to the detriment of the people using the service.
- A network of friendships has been developed and without the participation support platform, there is a risk that people may become isolated, and their voices may be lost.
- People using the service have built skills (communication / resilience) by being involved in this service and it is considered important that people are supported to maintain these skills for the future. It is hoped that these people will engage in the new service once procured and it is important that NYC are able to support continuous engagement.

## 11.0 Recommendation

It is recommended that the Director of Public Health approves the proposal to extend the existing contact by 6 months.

### Report author

Claire Canavan, Participation and Engagement Team Manager