

North Yorkshire Council
Health and Adult Services
Executive Members Meeting

21st July 2023

Shared Lives Scheme – Extension of Notice Period

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

1.0	Purpose of Report
1.1	To seek approval to extend the notice period for the current North Yorkshire Shared Lives Scheme by 3 months.

2.0 Executive Summary

- 2.1 Shared Lives is a scheme whereby an adult or young person from the age of 16, who needs long-term support, spends time with a host family and shares family life. It offers an effective alternative to traditional care options, such as residential or domiciliary care.
- 2.2 The current contract is with Avalon Group to deliver a Shared Lives Scheme in North Yorkshire. This commenced on 1st November 2013. No expiry date was included within the original contractual agreement. It is vital that the service is re-procured on the open marketplace to ensure best value, as well as a refreshed, outcomes-driven approach.
- 2.3 A decision was taken at North Yorkshire County Council Executive in July 2022 to re-procure the Shared Lives Scheme. Further detail regarding the new operating model (including changes to the payments made to Shared Lives Carers) was agreed by Health and Adult Services Executive (HASEX) on 10th March 2023. Notice has been served to the incumbent scheme provider and the current service is due to end on 31st October 2023.
- 2.4 Since the decision at HASEX on 10th March, officers have worked intensively to finalise the service specification, contract and additional tender documentation. Due to the complexity of the service, and the need to incorporate the changes to the Shared Lives Carer payment model, a longer procurement timetable is proposed to ensure the market has sufficient time to take account of the proposed service delivery model - and we achieve optimum quality tenders. In addition, a 4 month implementation period is recommended given the complexity of service change if a new provider was successful in the re-procurement.
- 2.5 It is therefore recommended that the notice period for the existing Shared Lives Scheme is extended for a further 3 months only.
- 2.6 HASEX is asked to consider the content of this report and agree to the proposed Option as identified in 1.1 above.

3.0 Issues

3.1 Impact on people

3.1.1 The proposed extension of the notice period by 3 months will have minimal impact on existing people using the service and their Shared Lives Carers. If anything, it will be beneficial as there is a longer contract handover period built into the re-procurement timeframe to enable a seamless transition to the successful provider.

3.2 Impact on the market

3.2.1 There is likely to be interest from regional and national providers in the procurement exercise. The proposed extension period will include a minimum 40 day timeframe for providers to prepare tender submissions, rather than 30 days as per previous proposals. Both this, and the longer handover period built into the re-procurement timeframe, will be more attractive to the market and encourage more submissions.

3.3 Impact on the Local Authority

3.3.1 There will be minimal impact on the Local Authority by agreeing to the proposed approach.

4.0 Performance Implications

4.1 There are no concerns with the performance of the incumbent provider, and therefore no significant implications from a performance perspective.

5.0 Policy Implications

5.1 This procurement is in line with the intentions set out within the Council Plan and the Health and Adult Services 2025 vision and priorities. The service has been developed in line with national policy and legislation.

A dynamic and successful Shared Lives Scheme will make a significant, meaningful contribution to the vision set out in the Council Plan 21-25; a vision that every adult has a longer, healthier and independent life, and in particular that;

- People have control and choice in relation to their health, independence and social care support.
- People can access good public health services and social care across our different communities.

6.0 Options Considered

6.1 Other options considered include:

Retain existing notice period: The current notice period issued to the incumbent provider expires on 31st October 2023. To re-procure the service within the timeframe originally proposed would mean that providers would have the minimum 30 day window in which to prepare tender submissions, and the contract handover period would be little over two months. This would be unattractive to the market in terms of both preparing and submitting tenders, and the risks associated with such a short handover timeframe (potential TUPE, establishing an operating base etc) are significant.

Extend the provider notice period for two months: Whilst it would be possible to complete the re-procurement exercise by extending the incumbent provider's notice period for only two months, this would make the tender submission and implementation period more rushed. It would also mean that contract handover (if a different provider was successful) would need to be finalised over the busy Christmas weeks with a commencement date of 1 January which is a bank holiday. This could also prove to be challenging for existing Carers in terms of transfer of their agreements and working arrangements to a new provider.

7.0 Financial Implications

7.1 The current contract would continue for a further 3 months at a cost to the Council of circa £33,000 per month.

8.0 Legal Implications

8.1 The agreement with Adult Placement Services Limited to deliver a Shared Lives Scheme in North Yorkshire commenced on 1st November 2013. Adult Placement Services are now trading as Avalon Group (Social Care). No expiry date was included within the original contractual agreement and the same provision has continued for almost 9 years.

A decision was taken at NYCC Executive on 5 July 2022 to re-procure the service and to terminate the existing contract (giving 12 months' notice to the incumbent provider in accordance with the terms of the contract). Notice was served under cover of a letter dated 27 October 2022 which purported to terminate the contract on 31 October 2023.

An additional 3 months has been requested due to a range of factors including the requirement for longer procurement timetable due to a complex service, enabling sufficient implementation and avoiding a commencement date for the new contract on a bank holiday.

Any amount of notice period is acceptable, provided it is a minimum of 12 months. If the extension of 3 months is approved, the intention is to serve a further letter on the Provider to update the notice period given in the letter dated 27 October 2022, by an additional 3 months and purporting to give additional notice.

9.0 Consultation Undertaken and Responses

9.1 The incumbent provider would need to be willing to agree to their notice period being extended. Conversations have been held with the provider, who has already indicated their willingness to agree to this approach.

10.0 Impact on Other Services/Organisations

10.1 It is anticipated that extending the notice period will have no implications for other services or organisations.

11.0 Risk Management Implications

11.1 Extending the notice period for a further 3 months is likely to significantly reduce any risks associated with the re-procurement process, and subsequent service delivery.

12.0 Equalities Implications

12.1 The proposal is to extend the existing Shared Lives service by three months. An EIA screening tool assessing the impact of this has been undertaken, and it has been determined that a full EIA is not necessary to extend the service. The refreshed Service Specification, and changes that are being introduced to the Shared Lives Carer payment model, will also require an EIA screening (and potential full EIA) at a future point.

13.0 Environmental Impact

13.1 Consideration has already been given to the potential for any environmental impacts arising from the procurement of the Shared Lives Scheme. An extension to the existing scheme for a further 3 months is likely to have minimal environmental implications.

14 Recommendation(s)

To seek approval to extend the notice period for the current North Yorkshire Shared Lives service for a further 3 months, as outlined in Section 1.1 of this report.

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