

North Yorkshire Council

Health and Adult Services

Executive Member Meeting

28th June 2024

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

Care Market Representative Organisation Contract

1.0 Purpose Of Report (required)

To provide an update on the planned procurement of a Care Market Representative Organisation to support the Care Market of North Yorkshire.

2.0 Background

A Care Market Representative (CMR) organisation's purpose is to collaborate with the wide range of adult social care providers and wider stakeholders supporting the people of North Yorkshire. It should encourage the development of the care industry across North Yorkshire and nationally, when appropriate.

It should represent the interests of all independent care providers, including voluntary sector providers, in North Yorkshire. Ensuring effective, objective representative consultation and feedback on all appropriate developments and issues affecting social care provision in North Yorkshire.

The current organisation is a membership organisation for partners and providers across the social care market in North Yorkshire and York. The purpose of the organisation is to keep members involved and informed across a whole range of quality, safety, finance, and business operating aspects. The organisation is engaged and contributes to, local operational and system wide discussions. They are consulted on matters affecting the care market in North Yorkshire and represents the care market in negotiations around the annual inflationary uplift award.

The Council is planning to undertake a procurement exercise to find a suitable organisation to be awarded the Care Market Representative Contract for a period of 3 years.

3.0 Issues

Without a CMR, given the size of the Care Market in North Yorkshire, it would be difficult for the Council to effectively engage with the care market on such matters as service developments, market shaping and transformation, policy changes and market wide fee negotiations (inc. Annual Inflationary award).

The Council has a legal requirement under the Care Act to develop and implement local approaches to market-shaping and commissioning and having a Care Market Representative will assist the Council in meeting its obligations.

4.0 Performance Implications

The Contract contains suitable monitoring clauses and regular meetings will be arranged to ensure the successful organisation meets its contractual responsibilities. The contract monitoring will be managed by the HAS Contracting Team.

5.0 Policy Implications

The Council has a legal requirement under the Care Act to develop and implement local approaches to market-shaping and commissioning and having a Care Market Representative who can work in collaboration with care providers will assist the Council in meeting its obligations.

6.0 Alternative Options considered

Option 1

Undertake a Procurement exercise to award a 3-year Agreement to the successful organisation at the current contract value (£37,783.48).

Option 2

Undertake a Procurement exercise to award a 3-year Agreement to the successful organisation, with an increased budget to allow further development of the services available to the care market.

Option 3

Undertake a Procurement exercise to award a 3-year Agreement to the successful organisation and increase the current budget by a nominal uplift as the contract has not received any uplift since 2020. (preferred).

Option 4

Let the current contract cease at the end of September 2024 and do not undertake a procurement exercise and provide no funding after this date. Without a CMR, significant work would be required around how the Council would engage with the care market on such matters as policy changes and market wide fee negotiations (inc. Annual Inflationary award).

7.0 Financial Implications

The current budget stands at £37,783.48 per annum. The current budget has not received any uplift since 2020. The intention is for the budget to be increased to £40,000, to take account of inflation, it will be a flat rate contract for the 3-year term.

8.0 Legal Implications

Legal resource has been requested to draft the terms and conditions of the contract.

9.0 Consultation undertaken and responses

The North Yorkshire Care Market was surveyed to understand what care providers in North Yorkshire want from a care market representative, this feedback has been considered as part of the specification development for the procurement.

10.0 Contribution to Council priorities

The Council has a legal requirement under the Care Act to develop and implement local approaches to market-shaping and commissioning and having a Care Market Representative will assist the Council in meeting its obligations.

11.0 Equalities Implications

An Equality Impact Assessment Screening Tool has been completed, demonstrating no requirement to complete a full equality impact assessment.

12.0 Climate change implications

The Council does not expect any adverse impact on climate change as a result of this contract.

13.0 Reasons for recommendation

Support HASLT approval to commence a Procurement of the contract.

15.0 Recommendation/s (required)

- Support HASLT approval to commence a Procurement of the contract.

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