

Committee: Cabinet

Date: 18 September 2023

Wards: ALL

Subject: Procurement Approach for Carers Services

Lead Director:

John Morgan, Executive Director, Adult Social Care, Integrated Care and Public Health

Jane McSherry, Executive Director, Children's, Lifelong Learning and Families

Lead member: Councillor Peter McCabe, Cabinet member for Health and Social Care

Contact officers:

Heather Begg, Commissioning Officer, Adult Social Care

Mellisa Stewart, Commissioning Manager, Children's, Lifelong Learning and Families

Recommendations:

- A. That Cabinet approves the procurement approach for the provision of Carers Services for adult carers of adults. The contract term is for 5 years (April 2024 to March 2029) with an estimated contract value of £1,700,000.
 - B. That Cabinet approves the procurement approach for the provision of assessment and support packages to meet the specific needs of young carers aged 5 to 18 and their families in Merton on a term of 5 years, (April 2024 up to March 2029), with an estimated total contract value of £375,000.
 - C. That Cabinet approves that authority for the award of contracts and any consequent extension provision be delegated to the Executive Directors of Adult Social Care, Integrated Health and Public Health and Children's, Lifelong Learning and Families (CLLF) through the Departmental Procurement Groups.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 Merton aims to improve outcomes for carers needing care and support as defined in the Care Act 2014, the Children and Families Act 2014 and the Merton Carers Strategy 2021-2026. The Carers Service will link to the Council 3 key priorities of nurturing Civic Pride, building Sustainable Communities by improving carers resilience and to support carers to be more active to improve their wellbeing as part of making Merton a Borough of Sport.

1.2 Adult Social Care (ASC) has a duty under section 10 of the Care Act 2014 to undertake an assessment of any carer who appears to have any level of need for support. The Children and Families Act 2014 gives young carers and young adult carers in England a right to a carer's assessment and to have their needs met (if the assessment shows this is needed).

- 1.3 NHS England define a carer as follows: “A carer is anyone, including children and adults who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid”.
- 1.4 A Young Carer, (YC), is defined in section 96 of Children and Families Act (2014) as: “A person under 18 who provides or intends to provide care for another person (of any age, except where that care is provided for payment, pursuant to a contract or as voluntary work)”. This relates to care for any family member who is physically or mentally ill, frail, elderly, disabled or misuses alcohol or substances. It also applies to young adult carers up to 25 and the transition from children’s services to adult care and support.
- 1.5 Merton has seen a growth in demand for carers and young carers support over the last 10 years and the Covid 19 pandemic has adversely impacted many carers in our communities. The Council recognises the importance of working closely with its partners and the community and voluntary sector in responding to the needs of carers to ensure that we are appropriately supporting carers to maintain their health and wellbeing whilst continuing in their caring role.
- 1.6 The caring relationship can be rewarding, give a sense of purpose and increase closeness with a loved one. However, caring can also be challenging with some carers experiencing stress, social isolation, financial hardship, ill health and minimal time for themselves. Building resilience in carers relies on having informal and local support when they need it and knowing where to access help when needed.
- 1.7 Merton Council intends to commission services for adult carers of adults and young carers in Merton and will adopt the key principles and learning from the Merton Carers Strategy and 'Merton Building a Better Merton Together' Plan. Adult Social Care and Childrens departments are proposing to align their commissioning and procurement approach and will follow the same timeline to commence services for Carers in April 2024. It is proposed that there will be 2 lots, which will result in 2 specifications and 2 contracts. A business case (gateway one report) has been approved by the Departmental Procurement Group and the Procurement Board in July 2023 to proceed to Cabinet.

2 DETAILS

2.1. LOT 1 Services intentions supported by recommendations:

- 2.2. The Carers Services will provide preventative services to prevent, reduce and delay carers needs from increasing. The Carers Services aims to support Adult Carers (people over 18 caring for another adult) in Merton to access a range of interventions, assessments, support plans, reviews in accordance with the Care Act, information and advice, case work and support access to activities, training, workshops and events to assist carers in their caring role.
- 2.3. A review of the future approach and benchmarking exercise has now been completed and following approval at DMT on the 6 July, it has been agreed to go out to tender for Carers Services as a key part of Merton’s Prevention agenda.

- 2.4. A review of current and future carers pathways is underway and led by the Head of Integrated Learning Disability Service and reports to the Carers Strategy Implementation Board. This review aims to provide clarity on carers support service processes and equality of access to services and support. Therefore, this service will be looking at creative and innovative ways to support carers, developing an integrated approach to recording statutory requirements and taking an appropriate and proportionate approach to ensure more carers receive the support that they need.
- 2.5. The service specification will be developed in line with statutory guidance, legislation and local strategic documents. Please see appendix 2 for service objectives and outcomes. The Carers Service will work to deliver the key themes of the Merton Carers Strategy:
- 2.5.1 Identification and Recognition of Carers
- 2.5.2 Health and Wellbeing of Carers
- 2.5.3 Realise and Release potential of Carers
- 2.5.4 A life alongside Caring
- 2.6. **Lot 2: Service intentions supported by recommendations**
- 2.7. Merton ensures young carers can exercise their right to an assessment and support packages by commissioning Carers' Support Merton to conduct the assessment of children and young people, (CYP), aged 5 – 18 years old and to produce and/or deliver packages of support that meet need identified as a result of said assessments.
- 2.8. The current 7 month waiting time for an in-person assessment is not aligned to Merton's commitment to young carers. CSM cite their inability to adequately staff the service within contract value as a reason for the waiting time and have adapted practice to mitigate this issue.
- 2.9. Following consultation with Children's Social Care staff, (Head of Service, Family Support/Safeguarding, Children with Disabilities, SWIS & Workforce Development), it was felt that the volume of YC known to social care who wish to access support delivered by CSM is low.
- 2.10. Children's Social Care have requested the service is recommissioned for delivery from April 2024 on a like for like basis with some changes to referral practices and with the inclusion of actions from the joint carers' implementation plan:
- To support the development of procedures and practices for schools to use when presented with a young carer
 - To support the development of referral pathways into services from Adult Services, Schools and Children's Services and to provide subsequent training.
 - To support the implementation of a young carers forum to oversee the development of services and strategies.
- 2.11. The service intention is to ensure that we continue to make available services that fulfil our statutory duties to YC and that also:

- reduces the waiting time between referral and assessment.
- better prioritises need as schools become better placed to identify and address low level need.
- Deliver on key commitments articulated in the joint Carers' Implementation Strategy.

3 ALTERNATIVE OPTIONS

3.1. **Do not commission any provision:** The advantage would be initial cost and resource avoidance and all statutory duties provided in house could provide full control of processes and statutory duties. However, failing to ensure support available to all carers would increase the risk to some of our most vulnerable carers. This option would create a significant increase in waiting times for support, assessments in Childrens and Adults Social Care and Mental Health Community Services and there would be no added value of early intervention and one-stop shop for advice and support via a carers service.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. There has been extensive consultation and engagement with carers on the development and implementation of the Carers Strategy. It is proposed that as part of the commissioning plan for carers services, proposals on carers services will be discussed and feedback has been sought from carer peer support groups including those at Carers Support Merton, Merton Mencap, Alzheimer's Society and other stakeholders that support carers to help inform the specification for Carers Services.

4.2. Market warming events have been organised for potential providers and were well attended. Information on the proposal has been sent to providers unable to attend events.

5 TIMETABLE

5.1. Detailed below is the indicative timetable for commissioning and procuring carers services. This includes a three-month mobilisation period. For a more detailed timeline, please refer to appendix 1.

Invite to Tender	September 2023
Evaluation of submissions	October 2023
Contract Award Approval	November 2023
Notify bidders of outcome	December 2023
Contracts award	December 2023
Mobilisation	January 2024-March 2024
Contract Start Date	1 April 2024

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The services subject to Lot 1 in this report are funded by existing grant funding within the core budget and additional funding via the Clinical Extremely Vulnerable Government Grant and the ASC Hospital Discharge fund. A proposed break clause will be added to the 5-year contract after 2 years to review funding, as the hospital discharge fund is allocated for the next 2 years (24/25 and 25/26). The current carers service has received £276,219pa since 2016, and has received additional capacity funding for the past 3 years. This report proposes a slight increase to the core budget at an estimated £340,000pa. If the overall budget is reduced, then there will be significantly fewer assessments completed and waiting times for assessments will increase.
- 6.2. The services subject to Lot 2 in this report are funded by grant funding from the Centralised CLLF Commissioning Budget. The annual allocation is sufficient to cover the annual cost of this recommendation. The total annual costs over the contract term will remain at £75,000.00 which is no change from the current financial year so there is no financial impact forthcoming from this contract.
- 6.3. If the recommendation made in the report is agreed, the commissioning process will be fully informed by a delivering better value for Merton's carers.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Key local and national strategies, frameworks, and legislation that have informed the commissioning requirements for Carers Services include:
- Care Act 2014.
 - Children's and Families Act 2014
 - The Equality Act 2010
 - Mental Capacity Act 2005
 - Human Rights Act 1998
 - Data Protection Act 2018
 - Public Services (Social Value) Act 2012
- 7.2. The contract and recommendation subject to this report support fulfilment of our statutory obligations and achievement of organisational commitments articulated in several key corporate and departmental strategies including but limited to Merton's:
- Special Educational Needs strategy
 - Building a Better Merton Together
 - Merton Carers Strategy 2021-2026
 - Young Carer's Strategy
- 7.3. The Carers Service will have a key role in the implementation of the Carers Strategy and will work with a range of partners including the officers across

different departments in the Council, ICB, NHS, MH Trust and VCS to support the delivery of the key priorities highlighted by carers in Merton.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. As part of this work, the Equalities Analysis will be developed to determine the potential positive and negative impact protected characteristics. If any negative impact is identified, a mitigating action plan will be developed.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None specific to this report. The proposals in this report do not have a direct crime and disorder impact; however, they will contribute to an inclusive and cohesive society and improve the resilience of vulnerable residents.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. Risk of compliance with the Care Act 2014 regulations. - Maintaining staff competency especially associated with legislative requirements around ensuring assessments are evidence based, care act compliant and legally defensible may be at risk due to lack of financial resources to fund and embed training and ensuring assessments are consistent across all teams and external providers.
- 10.2. Risk to service improvement and delivery - Risk of not fulfilling the ambition of creating a more responsive, efficient, and effective organisation, which improves performance and service user / customer satisfaction through an agile working programme.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix 1: Procurement Timetable.

Appendix 2: Key objectives and outcomes for the Lot 1 carers service.

Appendix 3: Lot 2: Current contract details

12 BACKGROUND PAPERS

N/A

Appendix 1: Procurement Timeline:

Action	Duration	Period
Prepare GW1 and business case DMT report	2 weeks	15/06/23-29/06/23
Present GW1 report to DPG for procurement approval	1 day	5 July 2023
GW1 Business Case approval by DMT	1 day	6 July 2023
Presentation of Gateway 1 Report Procurement Board Meeting	1 day	18 July 2023
Notify existing providers of procurement intentions	1 day	19/07/23
Market Warming Events	2 weeks	1/08/23-14/08/23
Prepare tender documents (including specification, Method Statements, Evaluation Matrix, ITT instructions, Pricing Schedule, terms and conditions, Receive TUPE information from current providers etc)	6 weeks	20/07/23-31/08/23
Add to forward plan	1 day	18/08/23
Present to LSG	1 day	04/09/23
Present to Cabinet	1 day	18/09/23
Invite to Tender	4 weeks	21/09/23-20/10/23
Evaluation of submissions	3 weeks	23/10/23-31/10/23
Prepare GW2 Contract Award Report and add decision to forward plan	1 day	31/10/23
Presentation of Gateway 2 Report to DPG	1 day	1/11/23
Presentation of Gateway 2 to LSG	1 day	16/11/23
Presentation of Gateway 2 Report Procurement Board Meeting	1 day	21/11/23
Submit GW2 Contract Award Report to Director	1 Day	22/11/23
Contract Award Approval	1 week	23/11/23-30/11/23
Notify bidders of outcome	1 day	1/12/23
Standstill period	10 days	1/12/23–15/12/23
Contracts award	1 day	18/12/23
Mobilisation (Lead in period)	3 months	1/01/24 – 31/03/24
Contract Start Date		1/04/24

Appendix 2: Key objectives and outcomes for the Lot 1 carers service.

Lot 1 Service Objectives:

- Provide a point of contact for carers that can prevent, reduce or delay the need for health and social care services, by focusing on enabling people to do things for themselves by building new and strengthening their existing networks and partnerships.
- Supports carers to complete carers assessments, carer reviews and support plans and record on Merton Council's Electronic Record Management System in line with the Care Act (2014).
- Via support planning process recommend one off support such as carers discretionary grant (to be distributed by the Council), or ongoing community-based support such as a direct payment.
- To support adult carers of adults over the age of 18 who live in Merton and / or caring for someone who lives in Merton and where young carers are identified to adopt a whole family approach and refer to the relevant agency.
- To support all adult carers of people with learning and physical disabilities, mental health and substance misuse issues, older people, people with long term conditions and people with Dementia.
- To ensure that the service seeks to address inequalities and ensure support is accessible for all adult carers of adults.
- Work with partners including health, adult social care, VCS and universal services to strengthen the wider community approach across Merton to improve carers wellbeing, maximise independence and help people live the fullest life possible.
- To support Carers with the prevention of admission and hospital discharge process.
- To support young carers and parent carers through their transition into Carers Services of Adults where required.
- Enable a greater focus on prevention, early intervention and support for self-care through promoting self-management at the earliest opportunity and link to the wider prevention agenda across Merton to provide holistic support.
- Seek creative and innovative solutions, which draw upon family and community networks not reliant on health and social care services, enabling carers to support their loved ones to stay as independent as they can be.
- To support carers of adults to understand their rights, entitlements and financial support available to support with their caring role.
- To be flexible, creative and innovative in how to support carers, including making best use of technology and online information, advice and guidance.
- Provide a platform for volunteers to seek opportunities and compliment the carers service.

Lot 1 Carer Service Outcomes:

- **Choice and Control**-carers are enabled to make informed decisions about their lives and have a voice in the development of carers services.
- **Wellbeing**-Carers are supported to optimise their quality of life and well-being in a way that is personalised to them so they can continue to be effective in their role as a carer for as long as it is right for them.
- **Prevention**-Carers are supported to plan for their lives and consider their health and social care needs to support them in their caring role.
- **Social Capital**-Carers make best use of universal services, volunteers and other resources available to them to have a life alongside caring.
- **Independence**-Carers can live an independent life and less dependent on statutory services.
- **Value for money**-the service can evidence value for money.
- **Social Value**-The service can demonstrate how it meets the principles of the Social Value Public Services Act.

Appendix 3: Lot 2: Current contract details

The current contract held by Merton's Children, Lifelong Learning and Families Department, (CLLF), and Carers' Support Merton, (CSM), commenced in April, 2017.

It was informed by previous contracts issued to CSM to deliver the same provision and the contract requirements have not changed significantly since the original version issued in 2009 and have remained virtually unchanged since the contract issued in 2013.

1.1 The current contract issued in 2017 requires CSM work with up to 120 CYP a year to:

- Assess all young carers referred in line with the Children and Families Act (2014) where assessments will include an analysis of whether it is appropriate for the young carer to provide, or continue to provide, care for the person in question, in the light of the young carer's needs for support and other needs and wishes.
- Give full considerations to Young Carers undergoing transitional arrangements (aged 18 and over) that are transferring to adult services or other appropriate services ensuring that assessments will also adhere to the Care Act (2014) (as amended).
- Produce and co-ordinate and/or deliver individual support packages directly informed by outcomes of assessments ensuring the support offered is delivered in line with priority outcomes as defined in the Carer's Strategy.

1.2 In the fulfilment of this contract, CSM support Merton to meet our statutory obligation and commitment to ensure that CYP aged 5 – 18 years old with caring responsibilities are able to:

- identify themselves/be identified as carers at an early stage,

- recognise the value of their contribution and to involve them from the outset both in designing local care provision and in planning individual care packages.
- fulfil their educational and employment potential.
- have a family and community life.
- remain mentally and physically well.

1.3 CYP can self-refer or be referred by services or individuals.

1.4 Between 2021/22 and 2022/23 the % of referrals from social care remained stable at circa. 26% of all referrals. In the same period, the % of referrals from schools reduced by more than half.

1.5 While the reasons for the reduction in referrals from schools are likely to be varied, anecdotal evidence from schools and CSM suggest that factors may include:

- Schools require additional support and training to correctly identify young carers
- The circa. 7 month waiting time for an in-person assessment may deter both self-referrals from young carers seeking help and referrals from education professionals supporting them to access help, from engaging with CSM
- Universal and targeted support services are more readily available online due to changes in delivery methodology resulting from Covid and this approach may make them more attractive to CYP.