

Sandwell Metropolitan Borough Council

Action to Be Taken Under Delegated Powers Exemption from Procurement and Contract Procedure Rules

Extending a service for the Provision of an Electronic Rostering and Monitoring Application

1. Summary Statement

1.1. Exemption being sought

1.2. An exemption to allow a further contract extension beyond that provided for in the original contract is being sought for the purpose of business continuity and efficiency within Adult Social Care. This being a one year extension up to 31st July 2018 to the existing Electronic Rostering and Monitoring Application which will ensure continued fit with the in-house re-ablement service (STAR) and the external providers who also use the existing Electronic Rostering and Monitoring Application. Further the in-house re-ablement service (STAR) is undergoing a significant service redesign and to add a system change is not desirable. An interface with the existing Electronic Rostering and Monitoring Application and the new Liquid Logic IT has been built and this extension will provide further stability as the new Liquid Logic system is rolled out across the Directorate. Any change to the existing Electronic Rostering and Monitoring Application could adversely impact in these areas.

1.3. Summary

1.4 In 2013 SMBC started a procurement exercise to appoint a provider for the provision of Electronic Rostering and Monitoring Applications, Maintenance, Support and Training for the Council's Domiciliary Care services, STAR and Fast Response as well as contracted independent sector domiciliary care providers.

1.5 In July 2013, following discussion with the Procurement Strategy Officer and Legal Services, it was decided to halt the

procurement process and to undertake further market testing as it was proving difficult to find credible suppliers who were interested and able to provide the service within the available budget. To increase the likelihood of a successful procurement, it was identified that the Eastern Shire Procurement Organisation (ESPO) had awarded a framework for the Supply and Maintenance Electronic Hardware Monitoring and Scheduling Solutions to eleven providers and it was agreed that this framework could be used to attempt to procure a service provider for SMBC. All eleven providers were issued with the specification and budget. Six providers responded to confirm they would be able to meet the requirements.

In compliance with the ESPO Framework a mini-competition was undertaken with those six providers. Only two providers submitted a tender document however they both failed to meet the criteria on both cost and technical capability.

- 1.6 Following this a further supplier (Intrallect Limited) was identified and it was agreed that the outline specification could be issued to them. Following evaluation, the provider met the criteria on price and quality. As the Council's Contract Procedure Rules at that time stated that a minimum of six tenders must be obtained where the total value of the contract is £60,001 and above, an Exemption was sought, on the basis that all other interested parties failed to progress past ITT Stage due to technical capability and price.
- 1.7 This process was approved and the contract for a period of 2 years with a 1 year option to extend was awarded at an annual value of £50,000. The Contract Extension period will cease on 31st July 2017.
- 1.8 On 1st April 2016 the Contract for Community Care and Support (Domiciliary Care) was awarded to six providers, and included a clause which stipulated the requirement for an electronic rostering and monitoring system to be used by the providers. This included the option to use a system provided by SMBC. At this time, two providers use the SMBC system on a free of charge basis. This contract is due to expire on 28th February 2018, and therefore an extension to the Electronic Rostering and Monitoring Application contract will cover this period and is likely to reduce the risk of systems change for the two providers

and any subsequent cost claims arising from withdrawing the free access to the SMBC system.

1.9 The Council has explored a number of options with regards to the future of the Electronic Rostering and Monitoring Application.

- (Option 1): Allow the contract to expire with no immediate replacement. This would require a return to manual scheduling and rostering within STAR, and a variation to the Domiciliary Care Contract.
- (Option 2): Explore Framework Agreements with a view to undertake a mini competition exercise or direct award to a provider already established, in full compliance with public procurement legislation.
- (Option 3): Request an extension to the current contract, via an Exemption from Contract Procedure Rules. This will align the Domiciliary Care contracts with the Electronic Rostering and Monitoring contract which will enable continuity of service and ensure best value.
- (Option 4): Undertake a light touch procurement exercise to implement a new system prior to end of July 2017.
- (Option 5): Undertake an Invitation to Quote exercise to obtain a minimum of 3 quotes.

Option 3 is the preferred option as per above summary statement. It is the lowest risk option, supports stability across in-house and external service provision and takes advantage of the recently developed interface between SMBC's IMPRESS and the Intrallect systems. The contract will re-tendered during the extension period.

1.10 Currently, the application procured through this contract is also used by the Adult Social Care in house re-ablement service (STAR).

The existing contract is due to cease on 31st July 2017. In the event that an exemption is not agreed. A procurement process

could be undertaken but this would create additional challenges to the directorate due to the reasons described above.

- 1.11 In accordance with the Council's Procurement and Contract Procedure Rules (Rule 15.5), an exemption from any Rule may be endorsed by the Section 151 Officer where they are independent from the original decision making process, confirming that they are satisfied that the exemption is justified by special circumstances. The report must be approved by the Cabinet Member for Core Council Services.

2 Recommendation

- 2.1 That an exemption is sought to extend the current contract in place with the current Provider: Intrallect Limited, for a term of one year until 31 July 2018.
- 2.2 That any necessary exemptions be made to the Council's Procurement & Contract Procedure Rules to enable the course of action referred to in 2.1 above to proceed.

In accordance with the Council's Procurement and Contract Procedure Rules, I intend to take the action(s) recommended above.

I do not have ~~an~~ interest to declare in this matter

[REDACTED]

Stuart Lackenby
Chief Operating Officer Adult Social Care
Date:

I ~~do~~/do not have an interest to declare in this matter

[REDACTED]

Darren Carter
Interim Director of Resources
Date: 22-12-2016

I ~~do~~/do not have an interest to declare in this matter

[REDACTED]

Cllr. Trow
Cabinet Member for Core Council Services
Date: 22 Dec 2016

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3 Procurement Implications

- 3.1 The Procurement & Contract Procedure Rules allow that a Contract can be let for a maximum of four years (Rule 10). However, the initial advert and documentation should include details of all contract extensions.
- 3.2 Advice has been sought from the Procurement Services Manager (as per rule 10.4) prior to submission of this Exemption. While it is not ideal to extend the contract, it is felt that there is a low risk in doing so.

4 Legal and Statutory Implications

- 4.1 The total value of the budget does not exceed £100k.

5 Background Details

- 5.1 The IMPRESS Project is a £5million pound investment project being implemented within the Adult Social Care and Children's Social Care Services to improve the social care record for all ages of people accessing services. Phase 1 was implemented on 28th November 2016 and resulted in the switch-off the AIS/SWIFT systems and replaced with a system called Liquid Logic. The system exports information to Intrallect 4 times daily and also enables external suppliers to report their service activity into the Social Care record. It also enables schedules to be generated and billing information to be recorded accurately.
- 5.2 STAR is a borough wide service that provides care and reablement support to people in their own home for up to a maximum of six weeks, free of charge. The aim is to improve daily living skills, to maximise independence, promote hospital discharge or prevent hospital admission.
- 5.3 Fast Response is also a borough wide service that can respond quickly (within one hour) to a crisis situation. The service is short term lasting for a maximum of 6 days. This service is also provided free of charge.

- 5.4 Cabinet on 19 October 2016 approved a review of the two services and consultation with the associated staff. The need for this review was necessitated by significant pressure for the Council to improve the speed and capacity for hospital discharge and hospital avoidance.
- 5.5 It is planned to introduce a new rota system to ensure equal coverage across 7 days, with shift patterns that fit the demand of the service. An Electronic Rostering and Monitoring system is required that will support the management team to plan work allocation in geographical areas.

The system will:

- Provide an integrated rostering and electronic real time monitoring system for the Council's in house Service.
- Be supported by the Contractor's Help Desk 24 hours a day 365 days a year
- Offer appropriate contingency planning and data backup provision along with data archiving facilities within the system.
- Be required to operate a map-based rostering functionality where service users and workers can be matched together using map based technology.

Have map-based functionality which will as a minimum:

- Filter the closest carer to the service user, in terms of distance;
- Filter the number of times a Carer has visited a service user;
- Filter the skill set / qualification of the worker identified to meet the needs of the Service User;
- Display the amount a worker has worked in relation to their contracted hours. This should be displayed via a percentage amount.

If the recommendations in this report are not approved:

- There is a risk to the stability of the current in house STAR service which is heavily reliant on the use of electronic rostering and scheduling in order to achieve required capacity and staffing levels. This could in turn impact on the vulnerable

service users in receipt of that service should a replacement system not be implemented.

- The Council would need to renegotiate the terms of the Contract for Community Care and Support (Domiciliary Care) which stipulates that the Authority will provide a system for providers use. There is a risk that this would be a upward pressure on costs.
- There is a risk to the stability of some of the providers of the Contract for Community Care and Support (Domiciliary Care), who are reliant on the use of electronic rostering, scheduling and monitoring in order to achieve required capacity and staffing levels. This could potentially effect service provision to vulnerable service users and contract costs.