

Integration Joint Board
Strategic Planning Delivery and Commissioning Committee

14th November 2024

This Report relates to
Item 10 on the Agenda

Non-Registered Third Sector Procurement Plan Update

Paper presented by Sharon Walker and Rebecca Scott

For Approval

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List of Background Papers:	<p>Procurement of Care and Support Services Best Practice Guidance (https://www.gov.scot/publications/procurement-care-support-services-best-practice-guidance/)</p> <p>Procurement Reform (Scotland) Act 2014 (https://www.gov.scot/publications/procurement-reform-scotland-act-2014-stautory-guidance/pages/13/)</p> <p>IJB Committee 'Non-Registered Third Sector Contract Review' 7th December 2023</p> <p>IJB Strategic Planning Delivery and Commissioning Committee 'Non-Registered Third Sector Contract Review Update' 23rd July 2024</p> <p>HSCLG 'Non-Registered Third Sector Procurement Plan Update' 3rd October 2024</p>
Appendices:	Appendix 1 - Procurement Work Plan Update

1.	Introduction
1.1	This paper provides the IJB Strategic Planning Delivery and Commissioning Committee with an update on the non-registered third sector procurement workplan.
2.	Recommendations
2.1	<p>The IJB Strategic Planning, Delivery and Commissioning (SPDC) Committee is asked to:</p> <ul style="list-style-type: none"> • Note the change of timeframe from 31st March 2025 to 31st March 2026 for the non-registered third sector procurement workplan. • Agree to ask the IJB to extend the procurement plan timeframe from 31st March 2025 to 31st March 2026 for the contract review of non-registered third sector commissions.
3.	Background and Main Report
3.1	A total of 72 different services are commissioned from non-registered third sector partners. The financial value of these contracts is over £12 million.
3.2	The quality or availability of health and social care services can have a significant impact on the quality of life and health and wellbeing of people who might use them and their Carers. Therefore, buying any care and support service is a complex task and requires special consideration within a public body's overall approach to the procurement of goods and services.
3.3	Procurement practice has several processes used to ensure that appropriate, quality services are commissioned to deliver the outcomes determined by strategic commissioning plans within available resources. These processes are regulated through the Procurement Reform Act 2014 and associated guidance, see background papers.
3.4	To be compliant with procurement rules all activity must comply with principles of transparency, equal treatment and non-discrimination, proportionality and mutual recognition. Contracts must be awarded through genuine and effective competition unless there are exceptional reasons to the contrary.
3.5	The IJB on 7 th December 2023 issued a direction to both Dumfries and Galloway Council and NHS Dumfries and Galloway to commission services differently or terminate contracts that are not delivering as expected.
3.6	The timeframe of the direction approved by the IJB on 7 th December 2023 was until 31 st March 2025.
3.7	The Day Centre procurement compliant process added an additional 4 months to the timeframe set out in the original procurement workplan. The initial learning, from the Day Centre process, resulted in small changes being made to the overall timeframe.
3.8	These changes to the procurement workplan were reflected in the update paper presented to IJB SPDC Committee on 23 rd July 2024.
3.9	Procurement Plan Update

3.10	Further insight into the Day Centre process recognised a need for additional steps to be included in the procurement workplan. These steps would require the current timeframe to be extended.
3.11	Appendix 1 provides the updated procurement workplan timeline for the remaining non-registered third sector contracts.
3.12	<p>The main additions reflected in this update of the procurement workplan are:</p> <ul style="list-style-type: none"> • The extension of the existing service specification and strategy development timeframe to enable key operational staff to be fully engaged in this part of the process. • The inclusion of a 3-month mobilisation stage for effective transition of the new contract. This timeframe will also allow, if required, for termination of the existing contract.
3.13	Carers Commissioned Services
3.14	A new Dumfries and Galloway Carers Strategy and Delivery Plan is in development and will be presented at the IJB Full Committee in December 2024.
3.15	To enable time for the Carers Strategy and Delivery Plan to be realised a 1 year negotiated interim arrangement will be scoped, under a light touch direct award regime, with provider partners.
3.16	A full procurement exercise will be undertaken during 2025.
4.	Conclusions
4.1	The revised procurement workplan timeframe has been updated to reflect the learning from the Day Centre tender process.
4.2	The need to revise the workplan timeframe will require a change to be made to the existing IJB direction to Dumfries and Galloway Council and NHS Dumfries Galloway.
4.3	The procurement compliant process for the remaining non-registered third sector commissions will be completed by 31 st March 2026 instead of 31 st March 2025.
5.	Resource Implications
5.1	No resource implications.
6.	Impact on Integration Joint Board Outcomes, Priorities and Policy
6.1	Non-Registered third sector organisations provide a wide range of services which support the delivery of the IJB Strategic Commissioning Plan and Model of Care.
6.2	Non-registered third sector organisations support delivery of the National Health and Wellbeing Outcomes and the IJB Strategic Commissioning Plan
6.3	<p>Non-registered third sector support specifically aligns to:</p> <ul style="list-style-type: none"> • SCI 1 People are supported to live independently at home and avoid crisis. • SCI 3 People and communities are enabled to self-manage and supported to

be more resilient.

- SCI 7 People's chosen outcomes are improved through available financial resources being allocated in line with Model of Care and delivering best value.

7. Legal and Risk Implications

- 7.1 Having compliant contracts for all non-registered third sector commissions will help to ensure that all parties fulfil their legal and financial obligations as well as meet quality standards under the negotiated agreements.
- 7.2 Additional steps in the process and an extension of the timeframe will reduce the risk of increased financial impact if the successful commissioned service is different from the current provider partner.

8. Consultation

- 8.1 This paper has been developed in consultation with Health and Social Care Leadership Group, the Contract Management Group, Strategic Planning, Commissioning and Transformation Commissioning Managers and Contract Manager, Head of Strategic Planning and Commissioning, Deputy Head of Strategic Planning and Commissioning, Dumfries and Galloway Council Finance and Information Manager, Dumfries and Galloway Council Senior Procurement Officer.

9. Equality Impact Assessment

- 9.1 An Equality Impact Assessment is not required at this time and has not been undertaken for this paper.

10. Glossary

EQIA	Equalities Impact Assessment
IJB	Integration Joint Board
SPDC	Strategic Planning, Delivery and Commissioning
HSCLG	Health and Social Care Leadership Group