

SCHEDULE 8 – ALLOCATION OF WORK TO PROVIDERS [2024]

1. Individual Agreements under the Flexible Contracting Arrangements and the Framework Agreement will be advertised via a Micro Procurement process to relevant categories of providers; based upon the service user's care requirements; and then awarded to a Provider based upon the Provider/s with the highest Overall Provider Quality Rating as determined in accordance with Schedule 15 (Integrated Quality Assurance Framework).
2. The Micro Procurement process will facilitate short-listing and selection of a Provider.
3. The Micro Procurement system will automate key components of the Flexible Contracting Arrangement and the Framework Agreement wherever possible.
4. If introduced during the lifetime of the contract, Care Homes With and Without Nursing will be required to keep the Commissioners up to date with the number of 'vacancies' that they are holding, via the Micro Procurement system.
5. If introduced during the lifetime of the contract, Care and Support (Supported Living) Providers will be required to advise the Commissioners of the number of vacancies that they are holding and give information about the types of property available, via the Micro Procurement system.
6. Providers of Care and Support (Supported Living) will be required to confirm at the time of any offers that there is an accommodation offer and who the landlord or accommodation provider is. In line with CQC guidance and associated Legislation and Regulations, the personal care must be provided under separate contractual arrangements to those for the citizen's housing.
7. As requested, other appropriate vacancy related information will need to be completed by all Providers within the Micro Procurement system.
8. A Service Provider will be selected to deliver a care package in line with the following process:
 - a. A long list of potential Providers from the Flexible Contracting Arrangement or the Framework Agreement, who can meet the needs of the Service User, will be generated. This will be based upon: Provider categories, geographic location and service type.
 - b. Providers will be asked to respond within a defined period of time stating:
 - i. Whether they can meet the needs and outcomes of the Service User and have the capacity to meet those needs within the specific timescales, by responding to the care requirements and submitting an On-line Tender.

9. The defined period of time referred to above will vary for Care Homes With and Without Nursing (and other categories of care as appropriate) if an emergency placement or quick discharge from hospital is required.
10. The top 'ranked' provider(s) will be identified and the score will be based upon the Overall Provider Quality Rating as determined in accordance with Schedule 15 (Quality Assurance Framework).
 - a. For the avoidance of doubt, from the date of award of the Home Support Flexible Contracting Arrangement [2024], a Home Support Location's CQC quality rating at the date of contract award shall be used to calculate the Location's Overall Provider Quality Rating, until such time as the Council or NHS carry out a Quality Monitoring Visit or the CQC carry out an inspection and a new rating is awarded. From that point onwards the most recent of the ratings (as set out in Schedule 15) will be used to determine the Overall Provider Quality Rating. For clarification, Quality Monitoring Visits carried out by the Council or NHS prior to the date of contract award will not be used to determine the Overall Provider Quality Rating
11. The Service User will be presented with details of the top-ranked Provider(s) in accordance with clause 12 of this Schedule 8. The Provider chosen to deliver Services to the Service User will have confirmed that they are able to meet the Service User's needs, preferences and requirements as described in the Support Plan.
12. Where there is no clear difference between the Overall Provider Quality Ratings of more than one Provider making an offer for the package, the following processes to determine the successful bidder will apply:
 - a. Home Support and Home Support Quick Discharge Service Plus – the Provider with the highest rated customer feedback will win the tender. The customer feedback rating for this purpose will be calculated as described in accordance with the Council's published guidance (which may be varied from time to time at the Council's sole discretion).
 - i. For the avoidance of doubt, for a period of 6 months only from the date of award of the Home Support Flexible Contracting Arrangement [2024], customer feedback ratings will not be used to determine the successful bidder. During this period the successful bidder will be that which submitted the offer first. After 6 months has elapsed from the date of contract award customer feedback shall be used to determine the successful bidder.
 - b. Home Support Sensory Loss - the Provider with the highest rated customer feedback will win the tender. The customer feedback rating for this purpose will be calculated as described in accordance with the Council's published guidance (which may be varied from time to time at the Council's sole discretion).

- c. Care Homes With and Without Nursing Services – the Citizen will be invited to choose which of the highest rated Providers delivers their Service. Where it is not possible for the Citizen to choose or they decline to do so then the Provider who made the offer first will be selected.
 - d. Care and Support (Supported Living) – the citizen will be invited to choose which of the highest rated Providers delivers their Service. Where it is not possible for the citizen to choose or they decline to do so then the Provider who made the offer first will be selected.
 - e. The Provider’s customer feedback rating will be based on data gathered from assessments and reviews.
13. There may, however, be circumstances where the top-ranked Provider is not chosen by the Service User. The Service User can exercise their right to choose and select an alternative Provider, as long as:
- a. The Provider does not have a CQC Rating of ‘Inadequate’.
 - b. For Home Support Sensory Loss only, an alternative Provider has been selected via a Direct Payment option (Direct Payments do not currently apply to Care Homes With and Without Nursing).
 - c. For Care and Support (Supported Living) only, the Service User has selected a specific scheme and there is an on-site care Provider that comes with that scheme.
 - d. For Care Homes With and Without Nursing only, the Service User can choose where they want to live in line with the Choice Directive but the Service User and/or advocate understands and agrees that where the chosen Provider’s price is above the Standard Residential Fee or the Standard Nursing Fee, a Third Party Top Up will be requested unless there are exceptional circumstances, which will be considered on a case by case basis at the Council’s in accordance with relevant Legislation. Where a Third Party Top Up under the Choice Directive is made, a direct allocation will be made to the chosen Provider and they will be asked to confirm the Third Party Top Up amount and enter into a Third Party Top Up Funding Agreement.
 - e. Any Third Party Additional Payments must be agreed between the Provider and Third Party and will not form any part of the micro tendering process.
 - f. The choice is reasonable, with legitimate reasons why the Service User would like to choose that specific provider i.e. the Service User cannot use the process to unreasonably reject a Provider.