

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cllr Alison Born, Lead Member for Adult Services	
MEETING/ DECISION DATE:	On or after 9th September 2024	<small>EXECUTIVE FORWARD PLAN REFERENCE:</small>
		E3567
TITLE:	Community Services Transformation Programme – Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (BSW ICB) Contract Award for Integrated Community Based Care for Children, Young People, and Adults from April 2025	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Not applicable		

1. THE ISSUE

1.1 This paper outlines the next phase of Community Services Transformation in relation to the Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (ICB) decision to contract award for the delivery of ICB commissioned Integrated Community Based Care for Children, young People and Adults contract as of April 2025.

1.2 The ICB are tendering a Bath and North East Somerset, Swindon and Wiltshire (BSW) wide Integrated Community Based Care for Children, Young People, and Adults contract, to start from 1 April 2025 with a proposed length of 7 years plus 2 years. The ICB Integrated Community Based Care contract re-tender will have service and cost implications for B&NES Council Social Care and management of the Better Care Fund.

1.3 The paper details the journey so far for Community Services Transformation to be delivered through this procurement and outlines the requirement for delegated responsibility to a senior B&NES officer to endorse the decision of the Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (BSW ICB – referred to as ICB) for the contract award to deliver Integrated Community Based Care for Children, Young People, and Adults services as of April 2025.

2. RECOMMENDATION

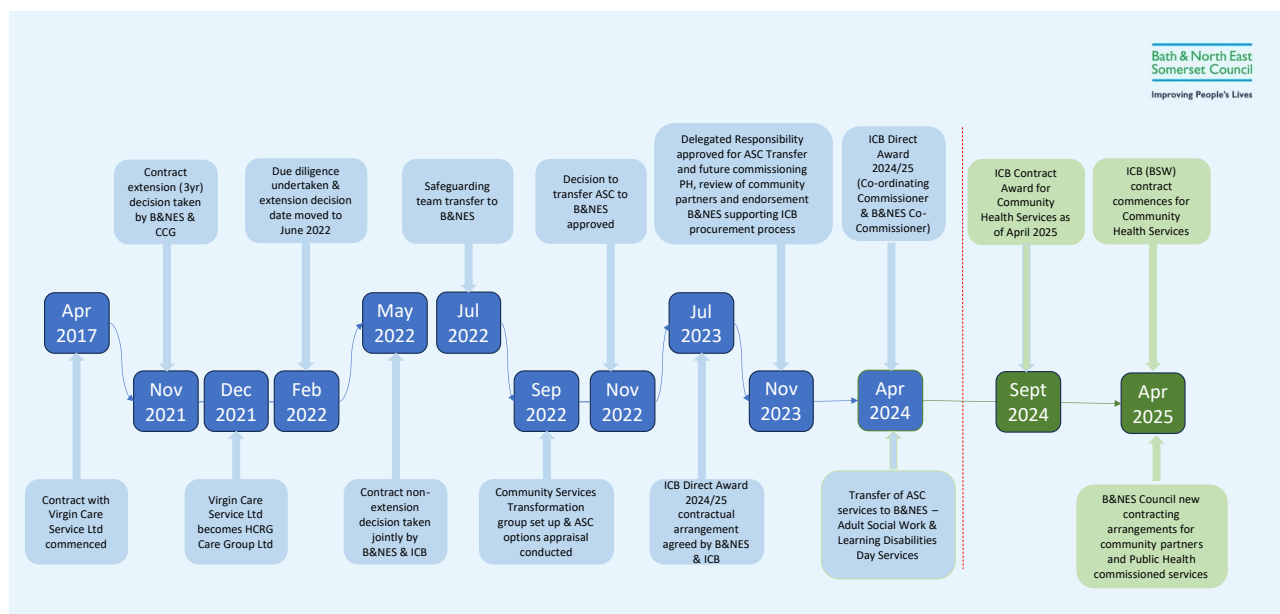
2.1 The Cabinet Member is asked to:

- i. Delegate to the Director of Adult Social Care, in consultation with the Lead Member for Adult Services, the decision to contract for the delivery of Integrated Community Based Care for Children, Young People and Adults services as from April 2025 in accordance with the outcome of the tender exercise currently being co-commissioned with the Integrated Care Board and other Bath and North East Somerset, Swindon and Wiltshire Local Authorities as detailed in this report.
- ii. Subject to 1 agree 'in principle' to commit B&NES and Better Care Funding of £5,062,923 (2025/26) to the Integrated Care Board Integrated Community Based Care for Children, Young People, and Adults contract from 2025-2032 (with a potential for a further 2 years to 2034). The total funding commitment over the initial 7-year contract term from B&NES is £35,440,461. The overall contract is a fixed envelope. Within this there will be annualised uplifts by the cost uplift factor for the NHS and BCF element in line with National operating guidance as published. So, any local authority funding is not subject to an automatic uplift.
- iii. Subject to 1 to appoint the Director of Adult Social Care to be the Council's representative on the Collaborative Oversight Forum as required in the Collaborative Commissioning Agreement (Principle 2.1.3 and clause 5) and delegate to the Director the power to appoint other B&NES officers to sub groups of that body to ensure appropriate governance arrangements are put in place to support shared leadership and accountability for the Collaborative, and to build a strong working relationship and culture of trust between the Collaborative.

2.2 It should be noted that the decisions requested now and in the future, do not replace the Council's existing budget setting or policy frameworks. They are included in the gateways of governance and approvals in this next stage of the process in the delivery of Community Based Care for the B&NES population.

3. THE REPORT

3.1 Community Services Transformation - The B&NES Journey So Far



3.2 BACKGROUND

3.2.1 Bath and North-East Somerset Council (B&NES) and what is now the Bath and North East Somerset, Swindon & Wiltshire Integrated Care Board (ICB) made a decision not to extend the Integrated Community Services contract with HCRG Care Group for the three-year extension term in May 2022 (Non-extension Decision Reference: E3362). This contractual arrangement expired with HCRG Care Group on 31st March 2024.

3.2.2 Following the non-extension decision, the council completed a detailed options appraisal, and the decision was taken to transfer Adult Social Care (ASC) to B&NES Council (Transfer Decision Reference: E3393). The safe transfer of Adult Social Care Services took place on 1st April 2024 for Adult Social Work (including Direct Payments team) and Adults with Learning Disabilities and their Families Day Services from HCRG Care Group to B&NES Council.

3.2.3 In July 2023 a new contractual arrangement was approved by B&NES and the ICB for a one-year period covering 2024/2025 (Refer to Update on Contractual Arrangement Decision 2024/25 Decision Reference E3469). Under this arrangement the ICB are the Coordinating Commissioner for Children's and Adults Health services, Public Health and Community Partner delivered services, with B&NES as Co-Commissioner. The 2024/25 contractual arrangement means B&NES is contributing a best estimate of a funding requirement of £18,403,375 to fund Public Health services and services delivered by Community Partners, along with the continuation of the contributions towards some Adults and Children's Health Services to the ICB.

3.2.4 The difference from £18,403,375 B&NES funding contribution in 2024/25 to a best estimate B&NES funding contribution of £5,062,923 in 2025/26 is due to the changes in contracting arrangements for B&NES funded Public Health and Community Partner delivered services as of April 2025. This means that the following funding will be directly commissioned by B&NES; £6,704,517 for Public Health, £5,746,461 for Council delivered services and £889,474 for B&NES Better Care Funding as of April 2025 as

these services are not included in the Integrated Community Based Care contract commissioned by the Integrated Care Board.

3.2.5 In November 2023 a decision was taken by cabinet to endorse the continued engagement and involvement of relevant officers in the procurement process for the Integrated Community Based Care programme, including the approach to selection, and timelines for community services beyond April 2025, as per the request from colleagues on the Integrated Care Board. This noted, any future commissioning decisions will be in accordance with existing delegations. (Decision Reference E3489 – Section 2.5 Community Services Transformation Programme – Preferred delivery options for 2024/25 and 2025/26).

3.3 Integrated Care Board – The Case for Change

3.3.1 The purpose of an Integrated Care System is to bring partner organisations together to:

- Improve outcomes in population health and healthcare
- Tackle inequalities in outcomes, experience and access
- Enhance productivity and value for money
- Help the NHS support broader social and economic development

3.3.2 The Integrated Care Board (ICB) developed a detailed Memorandum of Information (MOI) which set out the main ambitions for delivery of a new model of care in support of these objectives with a Case for Change which demonstrated that current provision of services is unsustainable and unequitable.

3.3.3 The Integrated Community Based Care programme is seeking to maximise the opportunity for transformational change in the way that services are designed and delivered across the three communities of (Bath and North East Somerset) B&NES, Swindon and Wiltshire. It presents a significant opportunity and is a key part of delivering the agreed Integrated Care Partnership strategy.

3.3.4 The programme is therefore a contract for much more than traditional NHS Community Services contract. The focus is upon prevention, addressing health inequalities and enabling the left shift away from hospital-based care into the community. By commissioning Integrated Community Based Care for Children, Young People, and Adults across all life stages; Starting Well, Living/Ageing Well and Dying Well, BSW ICB and its Local Authority partners wishes to ensure provision of health and care services that work seamlessly and harmoniously with primary care, secondary care, mental health services, local authorities (in particular Public Health and Social Care) and third sector organisations. The intention is to support local people to stay healthy, well and independent in the community.

3.3.5 The ICB and BSW Local Authorities are looking for a lead community partner to deliver this new vision for community care. The way in which they deliver these services will have a key role in transforming the out of hospital care setting in a way that delivers proactive care and person-centered outcomes.

3.3.6 One of the transformative changes in the contract is to focus on outcomes for the population as opposed to specifications for the delivery of individual services. There is an outcomes framework jointly agreed by Local Authority colleagues and ICB colleagues, to support this to ensure we deliver across Children and Adults integrated community based care.

3.4 Scope of Services

3.4.1 This is the culmination of more than a year's work developing detailed services scope, specifications, priority transformation and outcomes.

3.4.2 The work has been done with full engagement across ICB and BSW Local Authorities working together.

3.4.3 The process being followed is under Public Contracts Regulation (PCR) light touch regime, which is a competitive procedure with negotiation. To support this negotiated procurement process the ICB and Local Authorities have reviewed the scope of the services they wish to procure. This has resulted in the creation of three lists: a core service list, a reserve service list, and an excluded service list.

3.4.4. To date the ICB and Local Authorities have jointly reviewed the services, both in scope and potentially in scope (on reserve list) over the lifetime of the contract and have provided detail for the ambitions for transformation of services.

3.4.5 The proposed core services are aligned across BSW and must be delivered within the contract. These will cover key elements of community-based health services for adults and children, plus any additional services that the ICB and Local Authorities decide to include in the contracts from 1st April 2025. For services identified within the core list there is a requirement that these will be harmonised across BSW, ensuring equity of access across all local authority areas, with only warranted variation.

3.4.6 The identification of a reserve services list provides the commissioners with greater flexibility as these services could be introduced into the contract with the selected provider(s) after the date the contract commences without impacting on the contract awarded as a result of the ICBC procurement. This reserve services list includes services that are currently commissioned outside of the five main community services contracts, or where the model of future provision is not yet determined.

3.5 Integrated Care Board Procurement Process and Next Steps

3.5.1 There have been several stages to the procurement process. The first stage was a selection qualification process in line with traditional procurement. Invitation to Negotiate (ITN1) required a bidders submission before entering the dialogue phase and ITN2 which was launched in July is the final stage and will conclude with a traditional evaluation process during August. Evaluators include ICB and Local Authority representatives and the lived experience voice.

3.5.2 The dialogue phase was a very successful step in process and ensured bidders really understood the requirements.

3.5.3 All steps have been robust and followed procurement and legal requirements and approved by the Integrated Community Based Care Programme Board (joint membership of ICB and Local Authority officers). Assurance has been through the Integrated Care Board Finance and Investment Committee (including Local Authority representation) on behalf of the ICB.

3.5.4 The ICB Board will consider any recommendation for contract award in late September 2024. After any decision there will be the required 10 day stand still period

before the contract award. There is a necessary six-month mobilisation period for a contract of this nature and scale, this period would then take us up to the contract starting on 1st April 2025.

3.5.5 Public announcement and briefings will follow the stand still period. A full Equality Quality Impact Assessment (EQIA) has been undertaken throughout and is updated iteratively. The EQIA will be shared as part of those briefings.

3.5.6 Public engagement and co-production on the delivery of transformation priorities will be led by the provider with ICB and Local Authority engagement earlier public engagement, having been deferred due to the announcement of the general election. This does however allow meaningful collaborative engagement when the known bidder is in place.

3.6 B&NES Funding Contribution

3.6.1 The table below lists the B&NES funding contribution to the Integrated Community Based Care for Children, Young People, and Adults contract from April 2025. This funding has been confirmed by the B&NES S151 Officer and reported through the Integrated Care Board Finance and Investment Committee.

Current service name to be delivered within the outcomes for Integrated Community Based Care for Children, Young People, and Adults Contract	B&NES Funding Contribution in 2025/26	B&NES Funding Contribution Full 7 Year Contract Term
Children's Learning Disability Service	£78,429	£549,003
Youth Offending Service Nurse	£6,269	£43,883
Integrated Reablement Service	£28,451	£199,157
Complex Health Team Learning Disabilities	£747,454	£5,232,178
Total B&NES contribution	£860, 603	£6,024,221
Integrated Reablement Service	£3,531,681	£24,721,767
Integrated Reablement Service – Intermediate Care Teams	£618,638	£4,330,466
Stroke Services	£52,001	£364,007
Total B&NES Better Care Funding *	£4,202,320	£29,416,240
Overall Funding Contribution (best estimate per annum)	£5,062,923	£35,440,461

*BCF planning assumptions and uplift will be subject to annual planning cycle led by ICB as co-ordinating commissioner.

4. STATUTORY CONSIDERATIONS

4.1 The Integrated Community Based Care contract arrangements will be covered by a Collaborative Commissioning Agreement (CAA) between the Integrated Commissioning Board and Local Authorities as co-commissioners. This will refer to Section 75 arrangements in the BSW localities and will set out the governance to ensure oversight of the ICB commissioned contract.

4.2 Section 75 of the NHS Act 2006 allows partners (NHS bodies and councils) to contribute to a common fund which can be used to commission health or social care related services. This power allows a local authority to commission health services and NHS commissioners to commission social care. It enables joint commissioning and

commissioning of integrated services. The Section 75 agreements will be updated to reflect the new ICBC arrangements. This will include agreed change process (building on what we have used currently) and continued joint governance as we have currently with the ICBC Programme Board.

5. RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The B&NES and B&NES Better Care Funding (BCF) best estimate funding contribution to the Integrated Community Based Care for Children, Young People, and Adults contract commencing in April 2025 is £5,062,923 in year 2025/26. This is an indicative 7-year funding value of £35,440,461 over the full contract term. This funding value has been approved by the Section 151 Officer.

5.2 The existing B&NES and B&NES Better Care Funding from the current contract arrangement in place between B&NES and ICB for 2024/25 with HCRG Care Group will be used for the new Integrated Community Based Care contract as of April 2025. The B&NES and B&NES BCF indicative funding contribution included in section 3.6.1 of the report.

6. RISK MANAGEMENT

6.1 A risk assessment relating to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

6.2 The ASC Risk Register includes an entry on the new Integrated Community Based Care Contract as of April 2025 and this has also been escalated to the Corporate Risk Register in recognition of the changing contractual relationship between B&NES and the Integrated Care Board.

6.3 The ICBC Risk Register is reviewed as part of the Integrated Community Based Care Programme Board meeting.

6.4 The key risks identified for B&NES are:

Key Risk	Mitigation
There is a risk that the ICB Community Services recommissioning and transformation programme is not effectively organised or sufficiently resourced resulting in key timelines not being met with the potential for reputational, financial, quality, outcomes, legal challenge and delivery risks.	<ul style="list-style-type: none"> ICBC programme structure and governance in place Formal advisory arrangements in place to support effective decision making Additional ICB resources recruited, securing dedicated capacity until September 2025 ICBC programme plan with forward planning through to ICBC contract award and mobilisation
There is a risk of misalignment between ICB and LA commissioning, governance and procurement approaches resulting in fragmented provision, delay in decision making with potential impacts on patient care.	<ul style="list-style-type: none"> Detailed ICBC programme plan includes formal governance gateways for ICB and Local Authorities A Collaborative Commissioning agreement is being prepared to ensure joint oversight of the programme
There is a risk if we do not carefully plan all stages of the programme within the required timeline and deliver against this, then we may be unable to provide a minimum 6 months	<ul style="list-style-type: none"> ICBC Programme Board oversee a robust project plan and work programme Locality governance in place, and Collaborative Commissioning agreement in progress

mobilisation period which would risk the 1 st April 2025 start date.	<ul style="list-style-type: none"> • Programme of briefings with oversight from ICBC Programme Board are planned • New ICB structure and team to oversee the mobilisation and commencement of new contract award
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7. EQUALITIES

7.1 An Equalities Quality Impact Assessment has been completed by BSW Integrated Care Board for Integrated Community Based Care for Children, Young People, and Adults services and this has been shared with B&NES Council and approved at the Integrated Community Based Care Programme Board.

7.2 It is expected that Integrated Community Based Care for Children, Young People, and Adults services will provide equitable access to services across BSW and take account of vulnerable groups and those experiencing health inequalities, with warranted variation where appropriate

8. CLIMATE CHANGE

8.1 No negative impacts are expected from the proposed new delivery models on climate change. The proposed service delivery arrangements for community health services will be comparable to the existing provision delivered across BSW. The procurement aligns with social value and climate change national requirements.

9. OTHER OPTIONS CONSIDERED

9.1 All feasible options have been considered by the Integrated Care Board and reviewed at the Integrated Community Based Care Programme Board for approval of the strategic outline case for the delivery of integrated community services across Bath and North East Somerset, Swindon and Wiltshire as of April 2025.

10. CONSULTATION

10.1 There has been extensive collaborative consultation between B&NES Council with BSW Local Authorities and the Integrated Care Board throughout the delivery of the Community Services Transformation programme to date.

10.2 Representatives from the Council have been involved in all applicable Integrated Community Based Care Programme Board meetings and have provided comments and review of all preparatory documentation to inform the Integrated Care Board led procurement process and Collaborative Commissioning Agreement.

10.3 The Integrated Care Board have led a series of engagement sessions with providers prior to commencement of the procurement process.

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Background papers

Community Services Transformation Programme – Update on Contract Arrangements for 2024/25 Decision Reference E3489
Update on Contractual Arrangement Decision 2024/25 Decision Reference E3469

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