

APPENDIX **A**

THE FRAMEWORK AGREEMENT

The Framework Agreement

The framework agreement is an umbrella agreement between the Council and a number of care home providers that enables individual contracts for specific customers (generally referred to as 'call-offs') to be awarded throughout the period of the framework agreement. It is often used, as in this case, when the total value of the contract is not known as the number of places that the Council needs to purchase will vary from month to month depending on the number of people assessed as needing accommodation in care homes.

This allows the Council the maximum flexibility to vary the number of places it purchases at any time in each care home depending on demand, the individual circumstances of each provider, their location and where people want to go. In this respect it is similar to operating a series of individual contracts through spot purchases but with more robust contractual arrangements in place in terms of the conditions of the framework agreement and the contract price which are established when the framework agreement is let rather than for every individual service that is provided.

Scope of the Agreement

The framework agreement will cover the following providers:

- 1) All care homes for older people with and without nursing in Central Bedfordshire that are registered with the CQC to provide care for people aged 65 years and over, except the 8 care homes that are currently managed by BUPA; and
- 2) Care homes with and without nursing to be opened by new providers who want to move into the area.

The framework agreement will include the following customers:

- 1) Publicly funded customers who are 65+ years old who have dementia or are physically frail or have a physical impairment or ill-health that is primarily age-related;
- 2) Publicly funded customers who have a learning disability, physical impairment or mental health need who are living within care homes in central Bedfordshire registered to provide care to people aged 65 years and over; and
- 3) People in need of palliative and end of life care.

The Council will also purchase short-term care from within this framework agreement. This can be for a number of reasons such as to provide respite care that will enable a customer's carer to take a break from their caring responsibilities, in an emergency when a person's care arrangements have temporarily broken down or where a customer is unable to return home for a short period following hospital treatment or whilst adaptations are being made to their property. In all of these circumstances it is anticipated that the

customer will return home to independent living and the provider will be expected to ensure that the period within the care home will be used to maintain or regain the skills needed to enable the customer to return home with no loss of independence.

The Impact on Existing Customers

Existing customers will not be affected by the introduction of the framework agreement. They will be able to stay within their existing care home unless they specifically choose to move elsewhere.

Additional Services

In addition to the standard services provided within the framework agreement there is the potential to provide a number of additional services depending upon the specified need for these which is currently being assessed:

- 1) **Rehabilitation & Re-ablement.** There are current discussions with the Bedfordshire Clinical Commissioning Group to consider how best to provide rehabilitation and re-ablement services, some of which could be provided to people living in care homes with and without nursing. This will be referred to within the tender documents and when the Council is ready providers on the framework agreement will be approached to discuss how best to set up these services.
- 2) **Respite Care Services.** Opportunities are being explored around the need to commission respite care services that are currently part of the contract with BUPA or which cannot be provided within the BUPA managed care homes. This will be referred to in the tender documents and when the Council is ready to proceed providers on the framework agreement will be approached to discuss how best to set up these services.

Continuing Healthcare Services (CHC).

There are also current discussions with the Bedfordshire Clinical Commissioning Group to include the purchasing of CHC beds for older people within the framework agreement. Issues include which service specification should be used and the contract price to be charged. The purchase of CHC beds will be referred to in the tender documents and when the Council and the CCG are ready the providers on the framework agreement will be approached to discuss the future arrangements for commissioning CHC services.

This could also allow the Council to purchase CHC places for older people on behalf of the NHS. This will take longer to organise with issues around organisational arrangements, budgets and contractual agreements needing to be resolved.

Contract Period

The maximum allowable length of a framework agreement under European Union law is four years. It is proposed that we enter into a 3 year contract with an option to extend it by one year to the 4 year maximum. This is to provide the Council with the maximum flexibility in the event that a new provider with whom we may want to do business enters the care home market during the lifetime of the framework agreement.

Given that it takes at least 3 years from the initiation of a capital project through the planning process to completion it is extremely unlikely that any development project that we are not aware of at the beginning of the agreement will be developed within the initial 3 year period.

The Council will also ensure that at the end of the framework agreement all customers continue to receive care from their existing provider whilst new contractual arrangements are put into place.