

Agenda Item

5.2

Joint Commissioning Committee

Care Home Framework Report

Dyddiad y Cyfarfod / Date of Meeting	18/11/2025
Statws Cyhoeddi / Publication Status	Open/ Public
	Not Applicable
Awdur yr Adroddiad / Report Author	Joanna Dainton Assistant Director of Commissioning for Mental Health, Learning Disabilities and Vulnerable Groups
Cyflwynydd yr Adroddiad / Report Presenter	Adrian Clarke Interim Director of Commissioning for Mental Health, Learning Disabilities and Vulnerable Groups
Noddwr yr Adroddiad / Report Sponsor	Huw George, Chief Commissioner

Pwrpas yr Adroddiad / Report Purpose	For Approval
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Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/Group)		
Committee / Group / Individuals	Date	Outcome
Senior Leadership Team- JCC	12/11/2025	Noted
Collaborative Commissioning Leadership Group	18/11/2025	Endorsed
Senior Leadership Team- JCC	19/11/2025	Noted

Acronyms / Glossary of Terms	
CCAPS	Commissioned Care Assurance Performance System
CCLG	Collaborative Commissioning Leadership Group
CIW	Care Inspectorate Wales
CQC	Care Quality Commission
DOFs	Directors of Finance
DOPs	Directors of Planning
JCC	Joint Commissioning Committee
NCCU	National Collaborative Commissioning Unit
NWSSP	NHS Wales Shared Services Partnership
PSR	Provider Selection Regime
RLW	Real Living Wage
WHSSC	Welsh Health Specialised Services Committee

1. BACKGROUND/PURPOSE

The purpose of this paper is to:

- Provide JCC with an update on the current position in relation to the renewal of the Care Home Framework.
- Ask for the approval of the JCC for the option (Option 4) that has been agreed by CCLG as the preferred option. However, there should also be consideration to the fact that although CCLG's preferred option was Option 4, there was no agreement made by CCLG with regards to funding this option.

NWJCC and its predecessor organisation has had responsibility for delivery and management of the Care Home Framework since 2016.

The Framework provides a compliant route for the commissioning of services for Adult Mental Health and Learning Disability Care Homes via the National Framework Agreement, commissioning across 80 providers, 252 Care Homes and 616 care settings.

However, changes to procurement regulations in February 2025 with the introduction of The Health Services (Provider Selection Regime) (Wales) Regulations 2025 (PSR Wales), as previously updated at JCC, will mean that any new framework agreement post March 2026 will exclude exclusive use by Local Authorities and only allow Local Authorities to commission via the Framework Agreement if the majority of any package is Health Funded.

As a result of these changes, the JCC, NWSSP and other partners concluded that the Current Care Home Framework Agreement would need to change.

The key proposed changes to the renewed Framework Agreement, post March 2026 were:

- Change to Quality Rating (NWJCC Q rating to be dropped as CIW have initiated new rating system from April 2025)
- Discontinuation of CCAPS as a mechanism for placement selection, quality oversight, pricing information, performance information and contract compliance etc.
- NWSSP Procurement Services to manage the agreement from a contractual perspective, to include, but not be limited to, carrying out annual due diligence in relation to finances, insurances, uplift requests and contractual queries and provision of an approved list of providers/services of adult mental health/learning disabilities care homes.
- Commissioners in the Health Boards required to monitor the quality of the provider, in conjunction with CIW/CQC.

Extensive consultation on the proposed changes were undertaken via the Intelligence Sharing Group and through bespoke meetings with individual Health Boards between October 2024 and May 2025. Following a request at the July JCC, a paper was provided to Health Boards in August 2025 to share with their boards to support further consideration of the proposal and seeking approval for the changes to be received by the NWJCC by end of September 2025. A copy of this paper is attached as **Appendix 1**.

At the September JCC Committee concerns were raised around the implications of the revised quality and governance arrangements that would be in place with the new framework agreements. As a result, further options have been developed for consideration and decision by JCC members.

Whilst the JCC understand current financial pressures, Options 3 or 4 cannot be implemented without additional funding and funding would need to be agreed from April 2026 in order to ensure oversight for the framework extension period.

Queries have been made as to how quality assurance has been provided by the JCC (NCCU) previously but is no longer possible. When the framework was originally implemented, the NCCU were fortunate enough to have clinicians in various roles (such as Director of Quality, Deputy Director of Quality etc) which allowed the organisation to undertake the quality assurance process at no extra cost to Health Boards or Local Authorities. Therefore, no additional funding was requested at that time and the assurances were given that the quality oversight of Care Homes would be in place for the remainder of the framework term (i.e. until April 2026). The only additional funding provided at that time was via an SLA with WHSSC who commissioned the NCCU to undertake quality oversight of Mental Health services commissioned by them via the NHS (i.e. High Secure, Medium Secure, CAMHS and Neuropsychiatry).

Since the amalgamation of these organisations into the JCC, some of the staff at the NCCU who also held clinical roles, now work in more commissioning focused areas and are unable to offer time to the quality oversight function.

Some concerns have also been raised that Health Boards do not have the capacity to increase the caseloads of their Mental Health/Learning Disabilities teams. It should be noted that the quality oversight under the terms and conditions of the framework **does not** and never has replaced the responsibility of oversight of individual patients/residents. That responsibility remains with the Health Board teams via the usual care coordination processes. The framework quality oversight is and always has been in relation to services, rather than individuals within those services.

Should Option 4 be approved, the committee should be aware that there will be some duplication in quality oversight as CIW and the JCC will now both offer a rating system for quality.

2. OPTIONS EVALUATION

The options identified for consideration and decision by CCLG were as follows:

- Option 1: Framework ends March 2026
- Option 2: Framework as proposed to Health Boards (without CCAPS and QA)
- Option 3: Framework with the inclusion of CCAPS
- Option 4: Framework with the inclusion of CCAPS and Quality Assurance.

The full options evaluation is attached as **Appendix 1**.

2.1 Additional Risks & Mitigation

2.1.1 Gap in continuity from current framework agreement to the new framework agreement

If Option 1 is chosen the framework will come to a natural end and there will be an end to mitigation in terms of procurement,

NWSSP and the JCC will seek confirmation from Contracting Authorities with regards to the status of their current placement agreements under the framework agreement.

Approval will be sought from Health Boards and Local Authorities to determine if they wish for the end date of their current Resident Placement Agreements (RPAs) to be adjusted to the 31st March 2027 and for future placements to have the same updated end date. This will future proof existing contracts to ensure that there is a compliant agreement in place for a significant number of placements.

2.1.2 Extension not agreed by Velindre

Should full approval not be received for an 'at risk' extension of the framework agreement the following steps will need to be undertaken:

- Advise JCC and HB key stakeholders that the extension request has not been approved. As a result of the non-approval NWSSP-PS will not be in a position to further extend the framework agreement which will end on the 31 March 2026.
- Provide additional information to Health Boards on actions they are required to take, under the PSR Wales, to ensure all new individual placement agreements from the 1 April 2026 are compliantly awarded
- Abandon the refresh process
- Advise all providers that the framework agreement will end on the 31 March 2026.

NWSSP and NWJCC will work with Health Boards and Local Authorities to adjust the end date of current placement agreements for a further 12 months.

2.2 Timescales

Actions	Timescale
<p>Consider future Care Home Framework Options:</p> <ul style="list-style-type: none"> • NWJCC SLT • CCLG – Health Board Discussion on Options • Health Board Formal Approval of Option? • In-Committee / JCC – Formal Approval of option 	<p>November 2025 – indicative timescale.</p>
<p>Consideration of procurement implications & actions based on agreed option</p> <p>Extend individual placements until 2027</p> <p>If applicable, request Framework extension</p>	<p>Dependent on option chosen (VUNHST).</p>
<p>NWJCC Implications & Actions dependent on Option agreed</p> <p>Option 1: No further action</p> <p>Option 2: Original briefing paper to be signed off and NWSSP Procurement Services to advise on revised timescales.</p> <p>Option 3 & 4: Recruitment to posts; Task and finish group of NWSSP Procurement, JCC and HB representatives to support in the drafting of the tender documents.</p>	<p>NWSSP to advise on revised timescales; subject to chosen option.</p>

3. ASSESSMENT

Objectives / Strategy	
Dolen i Amcan (au) Strategol CBC / Link to JCC Strategic Objectives(s)	Reduce Duplication
Dolen i Ddeddf Llesiant Cenedlaethau'r Dyfodol – Nodau Llesiant / Link to Wellbeing of Future Generations Act – Wellbeing Goals 150623-guide-to-the-fg-act-en.pdf (futuregenerations.wales)	Not Applicable
	If more than one applies please list below:
Dolen i Hwyluswyr Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Enablers of Quality (Duty of Quality Statutory Guidance (gov.wales))	Choose an item.
	If more than one applies please list below:
Dolen i Feysydd Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Domains of Quality (Duty of Quality Statutory Guidance (gov.wales))	Efficient
	If more than one applies please list below:
Effaith Amgylcheddol/ Cynaliadwyedd (5R) / Environmental /Sustainability Impact (5Rs)	No - Not Applicable
	If more than one applies please list below:

Impact Assessment		
Ansawdd <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Ansawdd? /</i> Quality <i>Have you undertaken a Quality Impact Assessment Screening?</i>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below: Dependent on preferred option.
Cydraddoldeb <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Gydraddoldeb? /</i> Equality <i>Have you undertaken an Equality Impact Assessment Screening?</i>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below: Dependent on preferred option.
Cyfreithiol / Legal	There are no specific legal implications related to the activity outlined in this report.	
Enw da / Reputational	There is no direct impact on the reputation of the Joint Committee as a result of the activity outlined in this report.	
Effaith Adnoddau <i>(Pobl / Ariannol) /</i> Resource Impact <i>(People / Financial)</i>	Yes (Include further detail below)	
	As this framework was managed without additional resources. JCC will now use full resources to manage Hospital Framework Agreement	

4. RECOMMENDATIONS

The Members of the Joint Commissioning Committee are asked to:

- **Note** the content of the report
- **Approve** the paper and preferred option.

5. NEXT STEPS

Following approval of preferred option, the JCC will work with NWSSP in order to gain the required at risk extension from Velindre NHS Trust on the current framework agreement whilst working to develop the new framework agreement.