

## London Borough of Hammersmith & Fulham

**Report to:** Councillor Ben Coleman, Cabinet Member for Health and Adult Social Care

**Date:** 24/11/2020

**Subject:** Emlyn Gardens: Adults with learning disabilities supported living procurement strategy

**Report of:** Michele Roberts, Programme Lead

**Responsible director:** Lisa Redfern, Strategic Director of Social Care

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### Summary

Hammersmith & Fulham Council, in partnership with Shepherds Bush Housing Group, are currently developing high quality one-bedroom purpose-built flats to provide new homes for adults with learning disabilities at Emlyn Gardens, located in Shepherds Bush. The development comprises 14 flats, eight of which have been specifically designed for adults with learning disabilities and to accommodate a range of complex needs including physical, sensory and needs relating to behaviours that challenge.

There will be 24-hour care and support on site attached to these eight units. The other six general needs units do not relate to the procurement activity set out in this strategy.

There is currently a lack of specialist accommodation for people with learning disabilities in borough with a large proportion of the current housing stock for people with learning disabilities being Victorian buildings that are difficult to modify and make accessible. This means that many residents with complex needs are accommodated out of borough, away from family members and the services that support them. This building and the future service have been developed to meet this gap in local provision and allow more people with learning disabilities to remain in or return to living in borough.

This report seeks pre-tender approval for the procurement strategy which sets out the intention to tender for the specialist care and support service which will be provided at Emlyn Gardens. Details of this are set out in Appendix 1.

As a compassionate council H&F is committed to addressing the gap in local, good quality, accessible housing for adults with learning disabilities. The aim of the strategy is to improve: personal outcomes; choice and control and service quality. It also aims to: ensure compliance with the Care Act 2014; provide added and social value; deliver best practice and to manage demand for more intensive health and care settings.

The new service will deliver value for money, improved outcomes for residents and contribute to the council's commitment to maximising the end to end opportunities for adults with learning disabilities. The service will contribute to the council's Disabled People's Housing Strategy, the Disabled Persons Commissions' recommendations and the Independent Living Strategy. The strategy supports the policy principles for specialist housing approved by Cabinet in December 2018.

A Core and Flexible Hours' model is recommended, which has been developed to: maximise well-being; place the resident at the centre of the service; and improve financial transparency of the service costs to individual residents. Value for money can be achieved through this model as service volumes are based on individuals' personal budgets. Additionally, ensuring that the provider delivers a strength-based approach with residents, their families and their local communities can inform reduced levels of assessed care need for residents, thereby reducing spend on an individual's flexible hours. Appendix 1 sets out the financial benefits of this model.

There will be the requirement to pay London Living Wage in the new contract. This will affect future costs.

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## **Recommendations**

1. To note that Appendix 2 is not for publication on the basis that it contains information relating to the financial or business affairs of any person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).
2. That the Business Case & Procurement Strategy for the procurement of one learning disability contract as set out in Appendix 1 attached, in accordance with the Council's Contract Standing Orders (CSO) (18.1), be approved.

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Wards Affected: Askew, All

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## H&F Priorities

Our Priorities	Summary of how this report aligns to the H&F Priorities
<ul style="list-style-type: none"> <li>Building shared prosperity</li> </ul>	<ul style="list-style-type: none"> <li>The Council is working in partnership with Shepherds Bush Housing Group to maximise the supply of affordable housing in the borough, both general needs and specialist housing for residents with learning disabilities.</li> <li>A demonstration of better use of assets of both the council and of community assets.</li> <li>Development of new support models; better promoting social inclusion and parity of esteem for adults with learning disabilities.</li> </ul>
<ul style="list-style-type: none"> <li>Creating a compassionate council</li> </ul>	<ul style="list-style-type: none"> <li>The provision of eight high specification units for adults with learning disabilities, will enable several residents to remain and/or move back into borough to be closer to their families/networks of support and to live a more independent life.</li> <li>It will address the lack of suitable specialist housing units within the borough for adults with learning disabilities with a range of complex needs including physical, sensory and needs relating to behaviours that challenge.</li> </ul>
<ul style="list-style-type: none"> <li>Doing things with local residents, not to them</li> </ul>	<ul style="list-style-type: none"> <li>Residents with learning disabilities and their families will be involved in the design layout and furnishing of the units to ensure they meet their needs and to support independence.</li> <li>Residents have been involved with the design of the new tenant hall. Co-produced social inclusion events and activities within the hall will support the eight residents to become active citizens in the Emlyn Gardens Tenant and Resident Association and their local community.</li> <li>The service specification will ask that the new provider ensures that co-production with residents, their families and circles of support is at the heart of service</li> </ul>

	design and delivery and ongoing review/improvement.
<ul style="list-style-type: none"> <li>• Being ruthlessly financially efficient</li> </ul>	<ul style="list-style-type: none"> <li>• The development will reduce the pressure on the placement budgets, particularly in terms of high cost, out of borough placements.</li> <li>• By bringing packages of care that are negotiated individually back into borough the council will utilise the economies of scale of the residents being in one building, ensuring that core cost savings can be achieved.</li> </ul>
<ul style="list-style-type: none"> <li>• Taking pride in H&amp;F</li> </ul>	<ul style="list-style-type: none"> <li>• It will create opportunities for residents with learning disabilities to be integrated into and active participants of their local community There will be a high specification new tenants hall and function room to be used by the residents and other local community groups to enhance community cohesion and social inclusion.</li> </ul>

## Financial Implications

1. This report seeks approval to procure a supported living learning disabilities contract for 8 units at Emlyn Gardens.
2. The financial implications of the procurement will be fully detailed in a future contract award report.
3. The budget available for the service is £65,625 per client, equating to £525,000 per annum for the service. The £65,625 per client is calculated using the average budget available for each of the 18 clients who are being considered for a move to Emlyn Gardens. The average budget per client and total budget available will be known when the final 8 clients are confirmed as those moving into the property. Any shortfall in funding for the contract will need to be addressed as part of the procurement exercise, and further work carried out by the LD team will ensure all clients will be reviewed under their care assessed needs to ensure the projected cost is within budget.
4. The financial values in the exempt part of the report, Appendix 2, have been verified by Finance by Prakash Daryanani, Head of Finance, Social Care, and Emily Hill, Director of Finance.

## Legal Implications

5. This report is recommending the approval of a Procurement Strategy in respect of a contract for the provision of specialist care and support services, which will be provided at Emlyn Gardens.
6. The proposed contract shall adopt a Core and Flexible Hours' model. The proposed services fall under the category of "Social and other Specific Services" under Schedule 3 the Public Contracts Regulations 2015 (PCR). This is known as the "Light Touch Regime" as it has more flexible procedural requirements than the standard requirements.
7. The proposed contract is for an initial term of three years with plus two (3+2) years and the total estimated cost for the lifetime of the contract is estimated to exceed the existing EU threshold for contracts under the 'Light Touch Regime' is £663,540. Therefore, the Light Touch Regime provisions under the PCR apply in full.
8. In the absence of a suitable framework agreement a procurement exercise must be undertaken in order to comply with the PCR. However, under the 'Light Touch Regime' regulations 74-76 of the PCR only requires that a contract notice is placed and that some form of competitive exercise is undertaken which follows the principles of fairness and transparency.
9. In practice it is often the case that in order to demonstrate fairness and transparency, it is easiest to adopt one of the standard procedures that apply to contracts not covered by the Light Touch Regime. The PCR require some sort of competitive award process to be undertaken, here it is proposed to adopt an open procurement process for the proposed contract. By adopting the open procedure, the Council would be able to demonstrate compliance with the PCR 2015.
10. A contract notice must be published in the Official Journal of the European Union prior to the procurement process and shall be followed by a contract award notice at the conclusion of the procurement process.
11. The total value of the proposed contract in accordance with CSO 16.1 is considered a high value contract. CSO 18.1 provides that for a high value contract the approval process for the Procurement Strategy lies with the relevant Cabinet Member (as the value of the proposed contract is between £1.5m - £5m). Further, CSO 36 outlines the requirements for the Procurement Strategy which have been complied with in preparing this report.

Legal implications completed by: *Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council*

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## **Background Papers Used in Preparing This Report**

None.

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## **DETAILED ANALYSIS**

### **1. Proposals and Analysis of Options**

- 1.1 A service review of existing learning disability supported living services has been undertaken in accordance with CSO 17.2.
- 1.2 A range of options were considered including:
- Independent Service Fund (ISF) as currently used in our in-borough commissioned learning disability supported living service
  - Block contract
  - Core and flex

1.3 It is proposed to procure a new service as follows:

<b>Contract</b>	<b>Type of service</b>	<b>Procurement method</b>
Three plus two (3+2) years with an annual contract value as set out in the exempt part of the agenda	Eight units of high quality, high support accommodation for adults with learning disabilities operating on a core and flexible model.	Open procedure

1.4 All the relevant factors and options are set out in detail at section 3 in Appendix 1, including the business case and procurement options.

## **2. Reasons for Decision**

2.1 The aim of the Emlyn Gardens: Adults with Learning Disabilities Supported Living Procurement Strategy is to enable people with learning disabilities to remain in the borough, close to their family and their circles of support and in doing so deliver better outcomes, value for money, improved quality and choice and control for our residents.

## **3. Equality Implications**

3.1. There are no negative implications for groups with protected characteristics, under the Equality Act 2010, by the approval of the business case and procurement strategy set out in this report.

3.2. Officers have undertaken an Equalities Impact Assessment (Appendix 3) and have considered the overall impact to be neutral including for adults with learning disabilities who will benefit from the proposed supported living scheme.

3.3. *Implications completed by: Fawad Bhatti, Policy & Strategy Officer, tel. 07500 103617.*

## **4. Risk Management Implications**

4.1. Sections 4.6 and 4.7 of the Procurement Strategy has outlined many of the risks and issues that the proposal seeks to address. Contract and performance management are key in ensuring that the Council continues to deliver services at a high level, proposals are set out in the Procurement Strategy at section 13 and 14 in response to meeting that requirement ensuring that residents' needs, and expectations are met. This means that people with learning disabilities have good opportunities; are fully engaged in

their communities; have somewhere decent to live; and receive support that promotes their health and wellbeing.

- 4.2. *Implications verified by Michael Sloniowski, Risk Manager – Telephone 020 8753 2587*

## **5. Commercial and Procurement Implications**

- 5.1. Procurement Officer, Tim Lothian, has been involved in the development of this procurement strategy.

## **6. Consultation**

- 6.1 Full details of all the stakeholders consulted is included at Section 7 in Appendix 1.

## **7. Local Business Implications**

- 7.1. Emlyn Gardens is fully aligned with H&F's commitment to an inclusive economy by providing potential residents the opportunity to remain in the borough and be supported to access support and training which may lead to employment or employment related outcomes. There is also the potential for care related jobs and apprenticeships paid at London Living Wage being made available to local residents.

*Implications verified by: Kamal Motalib, Head of Economic Development, tel, 07773353914.*

## **8. ICT Implications**

- 8.1. IT Implications: No IT implications are considered to arise from the proposal in this report. However, to encourage digital inclusion and provide support to residents through the use of technology and innovation, consideration should be given to the provision of wi-fi to the 8 flats discussed above. This would allow those residents who are able and interested to connect with family, friends and community resources, and would expand opportunities for the use of assistive technology and health monitoring. If wi-fi connectivity is of interest, it is recommended that the service contact H&F Digital Services to discuss this further.
- 8.2. IM Implications: A Privacy Impact Assessment should be completed to ensure all potential data protection risks resulting from this proposal are properly assessed with mitigating actions agreed and implemented.
- 8.3. The supplier will be expected to have a GDPR policy in place and all staff will be expected to have received GDPR training.



- 8.4. The contract should include H&F's data protection and processing schedule which is GDPR compliant.
- 8.5. *Implications completed by: Karen Barry, Strategic Relationship Manager, tel 020 8753 3481.*

## **9. HR IMPLICATIONS**

- 9.1. It is considered that TUPE (Transfer of Undertakings, Protection of Employment) will not apply, as it is a new service.

### **List of Appendices:**

Appendix 1 - Learning Disability Supported Living Services Procurement Strategy

Appendix 2 - Exempt financial information

Appendix 3 – Co-Production

Appendix 3 - Equality Impact Assessment

## Appendix 1

### Procurement Strategy – Emlyn Gardens: Adults with learning disabilities supported living

#### 1. PROCUREMENT SCOPE – WHY THE PROCUREMENT IS NEEDED

- 1.1. The procurement of a supported living service for adults with a learning disability with assessed care and support needs is proposed within an existing council development, Emlyn Gardens, in Shepherds Bush. Shepherds Bush Housing Group have been developing the site in partnership with H&F since 2018.
- 1.2. There will be 14 new affordable homes for residents, eight of which are one-bedroom purpose-built flats to provide high quality new homes for adults with learning disabilities. There will be 24-hour care and support on site. It is anticipated that provision of this scheme will improve the lives of residents. This procurement strategy relates to the procurement of support for the eight learning disability flats exclusively.
- 1.3. A new care and support contract is being commissioned to ensure that the individuals are supported appropriately for their health, wellbeing and safety in the community. It will also ensure that:
  - Residents currently living out of borough can return;
  - Those who can no longer live with family/carers are able to stay in the borough;
  - Young adults who are moving out of residential schools and colleges can live in local accommodation that meets their needs, close to their family support networks.
- 1.4. This development enables the Council to meet several strategic priorities including delivering decent homes, supporting residents requiring specialist support, and creating safer and healthier places to live; the contract will help to fill the gaps in specialist housing within the borough as outlined in 2.5 and 3.5.
- 1.5. Supported living services play a vital role in Hammersmith and Fulham supporting people with learning disabilities to maintain their independence, remain in the borough, in their own home and with their own tenancy.
- 1.6. The contract is intended to benefit the Council and residents in the following ways:
  - To provide a bespoke, community-based service that enables people to live as independently as they are able; to have real choice and control over how their needs and desired outcomes are met;
  - To ensure that people with learning disabilities have good opportunities; are fully engaged in their communities; have somewhere decent to live, and receive support that promotes their health and wellbeing;

- That a holistic approach to supporting people will be delivered that is built around individuals, their strengths and potential and that considers housing alongside other priorities such as employment and friendships;
- For the Council to coproduce design and delivery of services with residents with learning disabilities, families and carers;
- To enable people to live near to their families and friends, and continue to be able to access local services and support they have previously enjoyed and benefited from;
- To enable people to feel valued by their communities and feel like they belong;
- To ensure access to leisure and social activities to reduce social isolation and improve well-being;
- To enable people to engage in meaningful activities such as paid employment, volunteering and life-long education;
- Supporting smooth transitioning for looked after children moving to adult social care;
- Ensure a ruthlessly efficient use of financial resources by bringing eight individual care packages in different settings into one building to reduce management overheads and transactional costs;
- Stimulate the market to develop innovative solutions to providing homes for adults with learning disabilities.

## **2. The Procurement Strategy – A Summary**

- 2.1. The strategy has been developed following an analysis of: wider market trends and developments; our knowledge of existing services; and consultation with providers, and our customers.
- 2.2. To meet the strategic objectives set out above, it is proposed the council undertake an open tender procurement exercise as set out in detail at section 3. The council is required under the Public Contracts Regulations to expose a contract of this value to commercial competition.
- 2.3. Officers are proposing a contract with provision for three plus two years with an annual contract value as set out in paragraph 1.0 in Appendix 2.
- 2.4. Officers are proposing to introduce a Core and Flexible Hours' model. We consider this model will ensure that: service outcomes are achieved; residents have choice and control over how they meet their identified needs; there is greater transparency of the breakdown of costs and which services residents are receiving and the model will deliver better value for money for the Council

- 2.5. On December 2, 2018, Cabinet approved the policy direction for the reform of our specialist housing portfolio. The commitment set out in the paper brought to Cabinet was to provide the right home with the right support at the right time as the basis to improve outcomes for residents. The report sets out how a transformed supported housing offer can contribute to the Council's strategic priorities as set out below. This procurement strategy is aligned with the policy framework approved by Cabinet in December 2018.

<b>Creating a compassionate council</b>	<b>Doing things with residents, not to them</b>	<b>Being ruthlessly financial efficient</b>
Further enhancing our independent living offer giving people greater choice and control over their lives.	Co-producing new models of support and embedding this in delivery.	Changing how we invest, shifting towards greater prevention.

- 2.6. Importantly, Emlyn Gardens will ensure that residents will have self-contained homes and legal rights to occupy underpinned by housing law. The new accommodation is well-designed housing with room layouts that can be easily adapted to specific needs. This includes hoists over beds, assistive technology and soundproofed walls and ceilings to account for challenging behavior. There will be access to on-site 24-hour care and support designed to enable people to self-care for longer. The building is located within a local community with easy access to green spaces, public transport and amenities.
- 2.7. Council Officers are working to ensure that the residents with learning disabilities will feel safe in their homes, the building, on the estate and in their local community. There will be CCTV outside of the property and an audio-visual entry system with video handsets in the downstairs office of the care and support provider. Additionally, an alarm system will be fitted in each flat linked to this office. Council teams (including the Learning Disability Team, Commissioning, Housing Estate Management, Resident Engagement and Community Safety) are working with the local police to ensure that residents will be and will feel safe and that any issues in the future are quickly escalated and jointly managed.
- 2.8. A new community hall attached to the building will allow for activities and events to foster social inclusion, both on the estate and within the local community. As such, Emlyn Gardens is a key component in a new strength-based approach for providing homes for residents with learning disabilities.

### **3. THE STRATEGIC CONTEXT**

- 3.1. Hammersmith and Fulham Council are committed to:

- Enabling people with learning disabilities to have access to local high quality local, good quality homes that are suitable to their needs (including supported living services);
  - Ensuring that people with learning disabilities have good opportunities; are fully engaged in their communities; have good quality accommodation and receive support that promotes their health and wellbeing;
  - People being able to live independently; to have real choice and control over how their needs and desired outcomes are met;
  - Coproducing the design and delivery of services with residents with learning disabilities, their families and carers.
- 3.2. This procurement strategy aims to improve local services to meet the needs of residents and their families; improve health and well-being and to contribute to the Council's strategic priorities.
- 3.3. In terms of national legislation and policies this strategy is guided by:
- Care Act 2014: Local authorities have a duty to facilitate and shape the market for adult care and support to enable local people to have choice of high-quality provision;
  - Children's and Families Act 2014: It is the duty of local authorities to provide a local offer for children and young people with special educational needs and their families;
  - Special Educational Needs and Disability (SEND) Code of Practice (January 2015)
  - The NHS England Building the Right Support (2015): a national plan sets requirements to reduce inappropriate inpatient admissions and stays. Our NWL Transforming Care Partnership aims to address this locally.
- 3.4. This strategy supports the key strategic priorities of Adult Social Care: promoting prevention; supporting residents to live well and age well and have healthy, independent lives; choice and control; personal responsibility; working together; embedding strength-based practice-based approach across the department and commissioning providers and co-production of service design and delivery with residents, families and carers.
- 3.5. Improving the mix and availability of supported accommodation to more effectively meets current and future supported living needs across the borough is also a prominent workstream for the Specialist and Accessible Housing Board.
- 3.6. This strategy is also informed by:
- The Improving Transitions task group final report 2018 which includes a recommendation to improve the housing pipeline, so young disabled adults have suitable housing available when they need it.

- The Disabled People’s Commission, a resident-led commission that was set up to review local services and whose report contains eight recommendations that aim to make H&F become the most accessible and inclusive borough in London. Not having enough accessible housing in the borough featured as one of the barriers to equality affecting disabled people.
- The Independent Living Strategy 2019 (draft), which offers an opportunity to develop an ambitious and innovative approach to social care as a key facilitator of Independent Living, working with Disabled residents in the borough. Accessible/adapted housing is a vital part of this strategy.
- The Disabled Peoples Housing Strategy 2020, which highlights the key role good quality housing has in supporting disabled residents to have choice and control in their lives, improve their wellbeing, quality of life and support independent living. The strategy includes the commitments: to continue to review and, where necessary, amend the Local Plan to facilitate the development of new housing to meet the needs of Disabled residents; to provide new homes built to meet Disabled residents’ changing circumstances over a lifetime; and to have housing provision for Disabled residents fully integrated within housing developments, so that housing provision extends beyond the home itself, such making community spaces accessible for all residents.
- The Housing Strategy 2015, which includes a commitment to increase the amount of genuinely affordable housing being delivered. The Council is currently developing its new Housing Strategy, which will emphasise the importance of implementing the principles of co-production.
- Affordable Housing Development Framework for council-owned sites. This innovative framework enables H & F Council to work with housing providers to deliver up to 800 new affordable homes in the borough on Council owned sites over six years. These homes will meet the housing needs of many groups including Disabled residents.
- The Local Plan is a policy document that sets out the council’s vision for the borough until 2035, including placing more people in decent, affordable homes in a stronger local economy that provides training and job opportunities for residents.
- H&F business plan 2018-2022 which includes a commitment to developing a new partnership strategy with our housing association partners to deliver more genuinely affordable homes through a joined-up approach.

#### **4. Current in borough supporting housing provision**

4.1. There are two supported living services in H&F as detailed in Table 1 below.

Table 1: Current in borough supported living services

<b>Scheme name</b>	<b>Care &amp; Support Provider</b>	<b>No. people/ units</b>	<b>No of properties</b>	<b>Unit Type</b>
Individual service fund (ISF) commissioned service	Yarrow	53 (+ 2 long term voids)	12	shared houses
In-house provision	LBHF	16	4	shared houses

- 4.2. There are three social housing landlords across the 16 buildings: Shepherds Bush Housing Group, Notting Hill Housing Group and Metropolitan Housing.
- 4.3. Eight of the 16 buildings are housing managed by Yarrow Housing and the other buildings are managed by the landlords.
- 4.4. These supported living services provide a range of person-centered interventions, support and other activities promoting social inclusion, independence and reducing risk. These include:
- Strength-based support planning focusing on people’s strengths not deficits;
  - Co-produced support plans and risk assessments;
  - Tailored independent living skills programmes including: cooking; budgeting; being a good neighbour;
  - Support to access to health, social care, social inclusion and other services;
  - Support to access volunteering, education and employment opportunities;
  - Health and well-being programmes providing in-reach activities for example, physical therapy, health eating; podiatry;
  - Managing risks to individuals and the community whilst encouraging positive risk taking.

### **Outcomes**

- 4.5. Table 2 below shows the positive outcome rates for selected outcome domains.

Table 2: KPI performance for the Commissioned ISF service

<b>KPI</b>	<b>Target</b>	<b>Result</b>
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Proportion of customers in settled accommodation	100%	100%
Proportion of Customers with a person-centered support plan	90%	98%
Proportion of Customers with an Individual Service Fund Agreement in place	90%	100%
Proportion of Customers achieving personal outcomes	90%	98%
Evidence of use of community resources	90%	98%
Proportion of Customers in Secure settled accommodation	56%	66%
Proportion of Customers satisfied with the service	90%	100%
The proportion of Customers who feel safe	90%	100%
Proportion of Customers in Employment	7%	25% of residents were actively involved in or were looking for employment 12/19
Local People: Meaningful Employment Opportunities & Training	Social value plan	Assessed end of Yr. 2

- 4.6. There are however several issues with the current provision which include:
- 4.6.1. A mismatch of supply and demand, with not enough stock to match resident need and a lack of bespoke, fit for purpose properties which impacts on the ability to deliver positive outcomes and achieve best value for money;
  - 4.6.2. A lack of diversity in our offer, with limited opportunities for residents to exercise genuine choice over the type of accommodation or support;
  - 4.6.3. The provision has not been co-produced, with residents not provided with the opportunity to work together with providers to shape the way services are provided;
  - 4.6.4. Budget pressures in the council's wider placement budgets because of current provision not meeting overall need and people needing to be placed out of borough;
  - 4.6.5. Most of the properties are Victorian houses with poor access, narrow stairways and corridors. Some buildings either need significant adaptation or are no longer suitable for adults with learning disabilities;



- 4.6.6. Repairs and upkeep can be a challenge, with some landlords very slow to act;
- 4.6.7. There are very few accessible houses/bedrooms, which is an issue for an aging cohort. Of the current residents in the ISF service 76 per cent are over 50 years as demonstrated in Table 3 below.
- 4.6.8. Table 3: Age breakdown in the ISF commissioned May 2020

<b>Age range</b>	<b>18-29</b>	<b>30-39</b>	<b>40-49</b>	<b>50-59</b>	<b>60-69</b>	<b>70+</b>
%	10	10	4	48	16	12

- 4.6.9. The supported housing offer in borough is not appropriate for some young people and they either travel long distances away from home either each day or are living in out of borough residential placements, which causes disruption to family life and does not allow for inclusion in the local community. Subsequent transitions to local services are challenging when a young person returns to the borough as he or she will have built up an existing network of support in another location;
- 4.7. All the supported living properties in borough offer individual bedrooms in a shared house, which presents issues in terms of filling voids when people have differing needs and wishes as to who they would like to live with;
  - 4.7.1. Some of the rooms in the shared houses are very small, thus personal space and privacy are restricted;
  - 4.7.2. The layout of the buildings is not suitable for some residents with autism, and behaviours that challenge;
  - 4.7.3. Residents in supported living services have been supported to learn independent living skills but very few have been supported to move into independent living. There are social housing properties available each year for people who want to move out of supported living services and five places per annum for people who live in another tenure who want to live independently (for example, moving out of family home with aging parents). The use of these opportunities is not being maximized by stakeholders;
  - 4.7.4. Extra care is also an option for those residents who are over 55 years old and who can hold a tenancy. The uptake of this offer has improved in recent years, with approximately seven residents with learning disabilities currently in the services now. More residents from the ISF pathway have identified themselves as wanting to move to extra care but there needs to be a more coordinated approach to this pathway to ensure timely moves;
  - 4.7.5. Often people get placed on an emergency basis rather than in a planned

coproduced way. There needs to be a greater emphasis on forward planning for our residents' accommodation preferences to enable the development of future housing options similar to Emlyn Gardens. ASC commissioning and operations senior management teams are committed to ensuring that this happens.

- 4.7.6. A task group, consisting of operations, commissioning, housing and planning officers and residents and family members (as part of the Specialist and Accessible Housing Board) will ensure that current and potential future demand for children and adults with learning disabilities is mapped and analysed to enable the continued development of a range of suitable, and accessible accommodation-based options.
- 4.7.7. There is a lack of clarity in terms of void management with our commissioned supported living in-borough provider. A robust nominations agreement will need to be in place with the relevant stakeholders for Emlyn Gardens.

## 5. Current funded placements of adults with learning disabilities

- 5.1. Table 4 below provides a snapshot of where our funded placements for residents with learning disabilities with care and support needs are living.

Table 4: H&F and CCG funded learning disability placements May 2020

	% of people in borough	% of people out of borough	Total%
LA Supported living	31	7	38
CCG supported living	1		1
LA Registered Care home (RCH)(spot purchased)	6	39	45
CCG funded RCH		13	13
Nursing - LA and CCG		1	1
CCG TCP		1	2
Total	38	62	100

5.2. Key messages from the data:

- 63 per cent of our H&F funded residents are currently placed out of borough;
- These placements are overwhelmingly (89 per cent), in registered care, TCP and nursing homes settings, which offer a lower degree of independence & choice for individuals compared to supported living.

5.3. Table 5 below shows the percentage of residents with learning disabilities who live in other tenure types. This table reflects the low number of adults with learning disabilities who hold their own tenancies and even fewer who own a property. Although people who live in supported housing services in Table 4 hold their own tenancies, predominantly this is in shared houses where they have their own bedroom.

Table 5: Types of tenure for residents with learning disabilities

Type of tenure	Settled mainstream with family	Council/housing association tenant	Extra care	Owner occupier
% of current adult learning disability population	26	11	2	0.33

**6. Current and predicted demand**

6.1. There has been a significant increase in the number of children and young people with severe learning disabilities and the number of school pupils with profound or multiple disabilities to have doubled. This cohort includes increasing numbers of young people with profound or multiple disabilities: complex autism; mental health needs and people who have behaviours that challenge.

6.2. Table 6 below demonstrates the costs to the adult social care budget related to four individuals who are turning 18 years old in 2021 who will continue to have to live out of borough in high cost placements, unless we can develop local alternatives.

Table 6: The cost of four young people (turning 18 years) and moving to adults 2021/22

Individual	AA	BB	CC	DD	Total
Cost 21/22	£273,750	£150,750	£159,800	£214,322	£798,622

6.3. Population data suggests that there may not be a very significant increase in overall numbers of people with a learning disability in H & F, however, the composition of the group of people served is likely to change over time. A greater proportion of the total population supported by commissioned and

funded services are likely to present more complex needs and require more complex packages of support to sustain them in an accommodation setting alongside an ageing cohort of people in funded accommodation-based services.

- 6.4. Table 7 below demonstrates the high proportion of adults 60 years and over with learning disabilities open to social care as at 31 March 2020 and receiving a long-term service.

Table 7: Adults over 60 years of age receiving long-term service as at 31/03/20

<b>Age Range</b>	<b>H&amp;F Age Population</b>	<b>Residents with learning disabilities 31<sup>st</sup> March 2020 receiving a long-term service.</b>	<b>Residents-Yarrow commissioned services-May 2020</b>
18 – 29	25.6 %	22%	10%
30 – 39	21.5%	21%	10%
40 – 49	13.7%	15%	4%
50 – 59	8.7%	22%	48%
60 – 69	6.4%	14%	16%
70+	6.2%	6%	12%

- 6.5. Messages from the data:

- 28 per cent of people living in supported housing are over 60 years compared to adults with learning disabilities open to ASC, 20 per cent and the general population, 12.6 per cent.
- There also a large number of people, 48 per cent, of those in supported living who are aged between 50 and 59.

This demonstrates the current and future need for additional appropriate accessible properties to be available to this cohort of people.

- 6.6. Analysis suggests that current key issues regarding demand and supply include:

- Budget pressures in the Council’s wider placement budgets as a consequence of current local provision not meeting overall need;
- People are often placed as an emergency response to a change in circumstances. This leads to very few examples of planned coproduced moves to accommodation-based services;

- A need to drive improved collaboration across the Council and the wider health and social care system particularly regarding: effectively mapping children's and adults current demand for accommodation-based services; utilising the current housing offer more effectively: planning for moves from children into adult services; repurposing buildings to suit different cohorts and identifying future housing design and setting needs for individuals;
- An ageing group of people with learning disabilities living in borough and in out of borough placements who will require accessible housing in borough, as highlighted in Table 7 above;
- An evidenced increase by Children's Services (and forecasted further increase) of young people with complex needs who are often being placed in high cost residential placements out of borough with no exit options when they move into adult social care, as highlighted in Table 6;
- There is likely to be a short-term increase in demand for accommodation-based services due to a larger older population combined with younger people requiring accommodation-based support, although the two groups will have different needs.

6.7. Other developments in the pipeline to address demand are:

- A proposed repurposing of a property within the in borough adult supported living commissioned pathway for a transition's cohort;
- A new Extra Care Housing (ECH) development in White City which will be going live in July 2021. There will be 60 units (45 for affordable rent and 15 units for shared ownership). To date Extra Care has been predominantly used for older residents. Extending the eligibility criteria to include more people with learning disabilities; younger adults (45+) with physical disabilities and people with mental health issues will enable more residents to remain in the borough rather than having to move to other areas. There will be financial benefits too as the unit costs of extra care are comparatively cheaper than many residential placements for people with physical and learning disabilities and mental health issues.
- Specialist, accessible housing units have been allocated in a proposed new council development at Earls Court, with completion of the site approximately five years away. Operations and commissioning officers have been asked by planning colleagues to provide details of the modeled types of properties that would meet people's needs. This is part of the council's commitment to include specialist housing as part of the schedule of ongoing new developments.

## 7. Stakeholder Engagement

- 7.1. A range of stakeholders' views have been sought and their feedback has been central to the development of the strategy. These include two separate engagement projects in the last year with residents and families.

7.2. In 2019 Yarrow commissioned Mencap to conduct a series of engagement sessions with residents called Count Me as part of the ISF commitment to co-production. The final report highlighted a number of themes:

- Residents were really accepting of what was provided. The facilitator recommended that they can be encouraged to raise their expectations- to know their right to a baseline quality assurance and a minimum standard of accommodation;
- A number of people felt that their homes in general need to be maintained to a higher standard with better paintwork, newer and more accessible kitchens and modern bathrooms;
- The facilitator recommended some focused work with each person to really maximise their enjoyment of their own room. This could involve reviewing key details about the room, such as the lighting, temperature, the fixtures and fittings, furnishings, colour schemes, the scent, style and position of the furniture;
- Residents identified the home as a base for forming friendships and lasting relationships and a place where they experienced a genuine level of care, respect and mutual admiration;
- At least eight residents expressed a clear wish to move on, six to be more independent, but two people said they wanted more support;
- A few people living in these services indicated that they need a more positive culture of support (to include consistency in key workers) and quality of accommodation so that they feel safe, secure and respected.

7.3. The Improving Transitions Task Group engaged with young people and parents in 2018 and the Final Report March 2018 summarised what the residents wanted in terms of an improved housing offer, which included:

- Local accommodation that will offer good quality care and support in a safe environment;
- More options and flexibility to meet their individual needs. For example, some tenancies do not allow hard flooring which might make the accommodation unsuitable or allowing for changes to the environment or eligibility for housing that might enable the family to live together longer, changes such as soundproofing, property size and layout of the property.
- Community supported living, such as a cluster of flats with shared care that enables living in and being support by the community;

- Suitable adapted accommodation and manageable navigation of the housing allocations process;
- Provision for autism in the borough, such as specialist housing and support services.

7.4. In relation to the local offer for young people aged 18 and above, residents and advocates identified areas of priority as being;

- To have an option of moving into shared accommodation with their peers;
- To be close to family and friends;
- A supportive housing application process and transparency on banding decisions and reviews.

### **Co-production with residents**

7.5. Residents with learning disabilities and their circles of support, including families and carers, will be meaningfully and actively involved as equal and valued partners, in the design, decision-making, evaluation and governance of the service. Details of this are set out in Appendix 3, along with a co-production timetable.

7.6. We fully acknowledge that Emlyn Gardens is a relatively small provision and that that we have many other residents with learning disabilities looking for independent and supporting living. Hence, we hope to engage with the residents with learning disabilities (and with their families and carers) at Emlyn to support our thinking and evolving business case to support such future developments, including the White City Extra Care Scheme.

### **Council officers**

7.7. Key officers within Brokerage; Learning Disability Team; SEND, Transitions Team, Economy and the commissioner supporting the Extra Care Housing scheme, which uses the recommended model of service delivery, have been consulted.

### **Landlords**

7.8. The landlord of the supported housing building, SBHG, has been consulted on the proposed tender timescales.

### **The Market**

7.9. As identified above, supported living is a housing and care setting and the property owner or landlord is a key stakeholder in supported living services. There is an important distinction between the provision of the housing services (property maintenance, rent collection, management of voids) and the provision of care and support services (the services to be procured

through the open tender).

- 7.10. There are different models for how the housing and care service are delivered as follows:

<b>Integrated</b>	<b>Separate Landlord and Care Provider</b>	<b>Management Agreement</b>
The Landlord/owner of the property, in which the supported living service is delivered, and the care provider commissioned by the Council is the same organisation	The care provider is commissioned by the Council to deliver the care services is different to the landlord/owner of the property in which the supported living service is delivered. The landlord carries out the housing functions.	The landlord of the supported living property is different from the care provider but enters a management agreement with the care provider (or another provider) to carry out the day to day housing management functions.  The landlord still has a keen interest in the service and property as the residents are still their tenants.

### **Housing/Landlord Arrangements**

- 7.11. Shepherds Bush Housing Group (SBHG) are the landlord of Emlyn Gardens. SBHG will enter into a Service Level Agreement with the successful care and support provider to provide the housing management functions.

## **8. Market Trends**

8.1. Through our market analysis we have learned:

- Covid-19 has affected the way services are currently operating and delivering care and support. There is uncertainty in the market as to whether there will be a second spike and what recovery will look like for residents with learning disabilities;
- There has been a significant increase in the number of children and young people with a severe learning disability, as noted for H&F in 1.27;
- De-registration continues across local authorities for existing learning disability registered care home provision;



- There are provider concerns regarding the expectation of paying London Living Wage from most local authorities without the subsequent uplifts;
- There are some market concerns about recruiting and retaining quality staff to the wider health and social care market;
- Providers are concerned about the impact of shrinking budgets on their ability to deliver good outcomes and quality services within the available resources and often no provision for cost of living increases;
- The core and flexible model is increasingly being used by councils;
- The use of assistive technology is growing, H&F are in discussion with Yarrow Housing and AutonoMe to trial the use of educational technology and one to one support to improve outcomes;
- Inner London boroughs all have similar issues with Victorian street properties and the lack of accessible properties and repair and maintenance by landlords of older properties;
- Other local authorities are experiencing voids due to suitability or standard of the accommodation or compatibility issues in shared services;
- Due to the scarcity of suitable sites and the high price of land councils are developing council-owned sites;
- New developments are increasingly located in desirable areas, close to amenities and offering a mix of tenure choices.

### **Market Analysis**

8.2. Currently there is one commissioned care and support provider delivering supported living support services for adults with learning disabilities. There is also an in-house supported living service in H&F. The market for learning disability care and support and housing related support is competitive and robust; it is therefore anticipated that there will be significant interest in this opportunity.

### 8.3. **Benchmarking**

ADASS has conducted a robust London benchmarking exercise over a five-year period. Table 8 demonstrates that the average weekly cost of a placement where it is reported that a learning disability is the primary support reason is higher than the other categories for both age ranges. Support for those who are over 65 are often supporting people whose primary care need is related to physical frailty, which can often be met at a lower cost, in line with the costs of providing generic personal care needs.

8.4. Table 8: March 2020 ADASS London unit costs per week for long term care (residential and nursing care) by primary support reason.

<b>Average weekly cost by age group and reported Primary Support Reason (PSR)</b>	<b>Learning Disability Support</b>	<b>Mental Health Support</b>	<b>Physical Support</b>	<b>Sensory Support</b>
Adults (18 - 64)	£1,467	£906	£1,009	£1,208
Older people (65 +)	£1,055	£751	£713	£721

8.5. Table 9 below compares the cost of in and out of borough (OOB) placements.

- OOB placements average at £1284 per week, in borough placements at £1183
- Spot provision is a higher average cost than our contracted services
- A review is underway to review all adult social cares spot placements. This will help us to understand why our in-borough supported living placements are more expensive than our out of borough placements and whether this is needs based.

8.6. Table 9: Average weekly cost of H&F local authority funded learning disability placements May 2020

<b>Type of placement</b>	<b>Supported living, in borough</b>	<b>Supported living in borough (spot)</b>	<b>Supported living OOB (spot)</b>	<b>RCH in borough(spot)</b>	<b>RCH OOB (spot)</b>
Av cost pw	£893	£1409	£1248	£805	£1321

## **9. PROCUREMENT ROUTE OPTIONS AND CONSIDERATIONS**

9.1. The Service Review concluded that as the council does not have extensive experience of directly delivering supported living services for adults with complex needs and because there are well-established markets in place, it is recommended we externally source these services. There are several procurement options available to the Council for the provision of the future contracts.

### **9.2. Procurement Options**

- Establish/use a multi-provider framework agreement
- Spot purchase
- Restricted tender

D. An open tender

9.3. There are different market and business considerations for each option. These differences are reflected in the options appraisals below.

Option	Advantages	Disadvantages/Risks	Recommended YES/NO
A	<ul style="list-style-type: none"> <li>• ASC has experience of using Frameworks.</li> <li>• Universal specification requirements supplemented at call-off to meet individual service requirements.</li> <li>• Streamlines procurement effort and processes for Council and providers.</li> </ul>	<ul style="list-style-type: none"> <li>• A Framework is likely to take 3-4 months longer to establish and it is unlikely new contracts will be in place in time.</li> <li>• Can be unwieldy for smaller providers.</li> <li>• West London Alliance DPS is used for spot purchases, core and flexible models for an entire service.</li> </ul>	NO
B	<ul style="list-style-type: none"> <li>• The teams (brokerage, social work) are currently in place to establish and manage placements</li> </ul>	<ul style="list-style-type: none"> <li>• The total cost of the combined packages of care at Emlyn Gardens is likely to be higher than that of a negotiated price of the whole service due to the loss of economies of scale.</li> </ul>	
C	<ul style="list-style-type: none"> <li>• The Council can restrict the number of organisations it wants to shortlist, while ensuring enough quality bids</li> <li>• Reduces the Council's transactional costs associated with the evaluation of many tenders.</li> </ul>	<ul style="list-style-type: none"> <li>• By restricting the number of Tenders, the Council may limit competition.</li> </ul>	No
D	<ul style="list-style-type: none"> <li>• Increases competition and maximises the number of tenders available to be assessed.</li> <li>• Procurement can be tailored to meet</li> </ul>	<ul style="list-style-type: none"> <li>• A burden on providers that are not able to meet the requirements of the specification who waste time submitting tenders.</li> <li>• Evaluation of a</li> </ul>	Yes

	<p>the needs of our desired model and service specification</p> <ul style="list-style-type: none"> <li>• More likely to reach new and/ or smaller providers.</li> <li>• Council can specify desired social value to come from the contract.</li> </ul>	<p>significant number of full tenders will not necessarily produce a better outcome.</p>	
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9.4. Option D is considered the best option to enable the Council to achieve its strategic objectives for Emlyn Gardens supported living service.

9.5. **Service Model Options**

- A. ISF
- B. Block contract
- C. Core and flex

Service Model Option	Advantages	Disadvantages	Recommended YES/NO
A	<ul style="list-style-type: none"> <li>• Promotes choice &amp; control.</li> <li>• ASC wants to increase the uptake of Direct Payments.</li> </ul>	<ul style="list-style-type: none"> <li>• The ISF approach has led to a number of issues related to historical issues around voids</li> </ul>	NO
B	<ul style="list-style-type: none"> <li>• Block contracts are tried and tested.</li> <li>• There are no variable costs</li> </ul>	<ul style="list-style-type: none"> <li>• Care Act requirements to extend choice and control will not be met.</li> <li>• Block contracts are not sufficiently transparent and intrinsically inflexible.</li> <li>• Block contracts do not necessarily provide good value as they increase financial risks of voids.</li> </ul>	NO
C	<ul style="list-style-type: none"> <li>• Choice and control</li> </ul>	<ul style="list-style-type: none"> <li>• Service sustainability and quality at risk if</li> </ul>	YES

	<p>requirements met.</p> <ul style="list-style-type: none"> <li>• Greater transparency and flexibility of use of resources.</li> <li>• Increasingly adopted model by other councils</li> </ul>	<p>Core is not adequately scoped.</p> <ul style="list-style-type: none"> <li>• More complex service delivery model as potentially multiple care and support providers.</li> </ul>	
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9.6. Service Model Option C is considered the best option to enable the Council to achieve its strategic objectives for ECH services

**The Service Model**

9.7. Following a review of existing H&F Extra Care Housing (ECH) and learning disability supported living commissioned services, officers are proposing we introduce a Core and Flexible Hours’ model into Emlyn Garden. We consider this model will ensure that: service outcomes are achieved; residents have choice and control over how they meet their identified needs; there is greater transparency of the breakdown of costs and which services residents are receiving and the model will deliver better value for money for the Council.

9.8. The core element operates like a block contract: one organisation will provide the core service to all residents. This will enable the availability of 24-hour staffing to respond to emergencies and episodes of unplanned care as well as other core activities best delivered by one provider for example, health and safety and care and support planning.

9.9. The flexible hours element will allow packages of care to be flexed up or down according to need. Residents will be able to use their Personal Budgets to choose how and from whom they want to purchase their care and support to meet their assessed needs. There will be a range of options for a resident to achieve greater choice and control including a Direct Payment or an Individual Service Fund. Equally a resident can choose to receive their personal care and support from the provider delivering the Core service and for the council to manage the arrangement through a spot purchase of domiciliary care.

9.10. We are committed to ensuring we model the core hours and account for hidden costs to promote service sustainability. In some models, there is insufficient provision in the core which the ECH market confirms leads to unsafe and unsustainable services. In other examples, too much provision for the personal care and support is included in the core undermining the objective of increasing choice and control of residents.

9.11. There is consensus that its critical to get the core costs right. Hidden costs must be accounted for, otherwise sustainability is at risk. In some models there is insufficient provision in the core which the ECH market confirms

leads to unsafe and unsustainable services and in other examples too much provision for the personal care and support is included in the core undermining the objective of increasing choice and control of residents.

9.12. It is anticipated the Core and Flexible Hours model will deliver better value for money as:

- It will ensure individual packages of care are based on an individual assessment of need;
- It will reduce the financial risk of voids (as evident in the current ISF contract) as there is a core block;
- Economies of scale will be achieved through the delivery of domiciliary care at the same site (particularly with regards to staffing costs);
- It is anticipated a high quality, flexible, strength-based service could prevent or delay the need for additional health or social care services in the future;
- Operational colleagues will review support hours and ensure there is more choice and control, within a framework of positive risk taking;
- The implementation of assistive technologies and shared waking night provision, where appropriate, will support the reduction of sleep in nights and increased independence.

9.13. We have defined the core as follows and consider this will support the delivery of safe, sustainable services while promoting choice and control and better outcomes and value for money.

Core Element	Flexible Element
<ul style="list-style-type: none"> <li>• Provision of 24-hour staffing</li> <li>• Quality assurance</li> <li>• Assessment, care and support planning</li> <li>• Social inclusion</li> <li>• Medication management</li> <li>• Family &amp; professional liaison</li> <li>• Health &amp; safety</li> <li>• Responding to emergencies and unplanned care needs</li> </ul>	<ul style="list-style-type: none"> <li>• Planned personal, activity and domiciliary care hours for individual customers and based on assessed eligible needs and desired outcomes.</li> <li>• Customers can use their personal budget to purchase care from the core provider or elsewhere.</li> <li>• Multiple providers delivering flexible element.</li> </ul>

9.14. **Risks and Mitigating Factors of Recommended Service Model Option**

Risk	Mitigations
<ul style="list-style-type: none"> <li>• This model hasn't been used with adults with learning</li> </ul>	<ul style="list-style-type: none"> <li>• Being used in ECH informs our understanding of the model</li> </ul>

disabilities in the borough	<p>and lessons learnt.</p> <ul style="list-style-type: none"> <li>National and regional evidence indicates positive benefits of the model.</li> </ul>
<ul style="list-style-type: none"> <li>Variable costs will make it harder to forecast budgets</li> </ul>	<ul style="list-style-type: none"> <li>Under the Care Act 2014, all customers should have an accurate personal budget; therefore, block supported living contracts are no longer sufficient.</li> <li>Processes and techniques are already in place to facilitate budgetary control and forecasting.</li> </ul>
<ul style="list-style-type: none"> <li>Increase in transactional costs associated with paying more suppliers due to increased customer choice</li> </ul>	<ul style="list-style-type: none"> <li>Should a customer elect to have their personal, flexible hours of care delivered by a different provider other than the core provider, this will be managed using Direct Payments and Individual Service Funds. These contractual processes were developed to facilitate personalisation and as such can be used to increase customer choice without resulting in significant increases in transactional activity for officers.</li> </ul>
<ul style="list-style-type: none"> <li>Sustainability of model</li> </ul>	<ul style="list-style-type: none"> <li>Market intelligence indicates the model is sustainable if the core is sufficiently scoped and costed.</li> <li>Hidden costs such as staff handover time must be factored in to avoid undermining the essence &amp; benefits of supported living.</li> </ul>
<ul style="list-style-type: none"> <li>No growth in available budget for future services There will be cost pressures from the requirement to pay London Living Way; inflation and additional</li> </ul>	<ul style="list-style-type: none"> <li>Proposed core and flex model to ensure that efficiencies are able to be made in core costs for 8 residents.</li> </ul>
<ul style="list-style-type: none"> <li>Ruthlessly Financial Efficiency</li> <li>The cost of flexible element could exceed the available budget</li> </ul>	<ul style="list-style-type: none"> <li>The contracts will be robustly monitored throughout the contract terms. Modification and break clauses will enable the council to vary the contract terms including price as</li> </ul>

	<p>required.</p> <ul style="list-style-type: none"> <li>Utilising assistive technologies will support a delivery model that maximises independence as well as reducing the number of hours for sleep-in and waking nights where appropriate</li> <li>The model is fair on both parties as payment most accurately reflects the actual services provided</li> </ul>
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**10. FINANCIAL INFORMATION**

The financial information relating to this strategy is set out in Appendix 2.

**11. COMPETITION PROCESS TIMETABLE**

<b>Phase 1 – Determine Commissioning Requirements</b>	
Resident and stakeholder engagement	May – September 2020
Co-production with residents and families	July-April 2021
Market engagement	June 2020
<b>Phase 2 – Governance</b>	
Senior Leadership Team	September 2020
Cabinet Member Approval of Procurement Strategy	October 2020
<b>Phase 3 – Procurement Contracts 2 and 3</b>	
Contract documentation drafted	July 2020-August 2020
Launch Tender	November 2020
Submission Deadline	December 2020
Tender Evaluation	January 2020
Governance	January-February 2020
Award Contract	February 2020



<b>Phase 4 – Contract Implementation</b>	
Mobilisation	February-April 2021
Service Commencement	May 2021

**12. SELECTION AND AWARD CRITERIA**

**CONTRACT AWARD CRITERIA**

**Price: Quality Ratio**

12.1. Due to the complexity of needs of our residents with learning disabilities and the market challenges related to this, it is recommended that the evaluation for the procurement of the contracts uses a 40% price and 60% quality weighting to ensure the delivery of quality services. There will be a Qualification stage and only those tenderers who pass all aspects of this will have their quality and price submissions evaluated.

12.2. Quality will be assessed on the responses to set questions. This quality weighted ratio is proposed for several reasons including:

- In comparison to current block contracts, the core and flexible model reduces the guaranteed spend under the contract, so the potential negative financial implications of a quality weighted ratio are reduced;
- Supported living services deliver substantial benefits to residents, the Council, the department and the wider health and social care market. These benefits will only be yielded if residents want to move into the schemes and given the magnitude of any such decision for the resident, it is vital the service is of high quality and delivers outcomes.

**12.3. Price**

A maximum of 40 per cent will be available for price and will be assessed in two ways. These are outlined in the table below, along with the rationale and individual weightings.

<b>Price sub-criteria</b>	<b>Award weightings</b>	<b>Rationale</b>
Core price	10%	It is anticipated the annual core spend will equate to approximately 21.71% of total spends of the total contract. It is the only guaranteed spend in the contract and thus securing value for money is of vital importance.
Flexible hourly rate	30%	It is anticipated the Flexible element of the contract will equate to 78.29% of the total

		spend of each contract.
Total	40%	n/a

## Quality

- 12.4. The maximum score available for Quality will be 60 per cent. This process will be the most detailed element of the tender. Tenderers will be assessed against several award criteria.
- 12.5. The table below outlines the criteria/factors to be used to score quality, along with their individual weightings and rationale.

Quality sub-criterion	Award weightings	Rationale
Mobilisation Plan	5%	Providers will need to demonstrate that they have a robust mobilisation plan given that this is a new service and all residents will be moving into the property. This mobilisation plan needs to take account of a strength/asset-based approach and co-production.
Service delivery model\achieving outcomes\strength(asset) based approach	18%	Providers will need to demonstrate how they will deliver the model working with stakeholder strengths/assets, improving outcomes and independent living.
Partnership working	10%	Providers will need to demonstrate how they will work in partnership with a range of agencies to improve outcomes for residents.
Assessing Quality & Outcomes	10%	We want providers to demonstrate how they will assess service quality & impact and contract compliance for e.g. audit, distance travelled tools, peer reviews.
Staffing – structure, management, retention, qualifications, terms, and conditions LLW	10%	Staff are critical to successful services. We need to understand how providers will organise and structure their staffing resources, including training, staff progression and retention.
Improve resident employment, education, and training opportunities	10%	Providers must demonstrate how they will work in partnership with other local statutory and community and voluntary sector providers to deliver improved outcomes for

		residents
Health and Safety of Service Users and Staff including Safeguarding (and approach to risk)	10%	Providers will need to demonstrate how they will manage risk and safeguard residents from abuse and neglect.
Added/social value	17%	We want to understand what organisational and financial added value providers will bring to meet the service specification requirements.
Co-production and social inclusion	10%	We want to see innovative approaches to co-production
Total	*100%	n/a

\*Scores are then equated to a mark out of 60

## Social Value

- 12.6. Social value is intrinsic to the delivery of effective supported living services as they seek to reduce social isolation; maximise individual and community assets and promote choice and control. Social value will be built into the contract award criteria.
- 12.7. Tenderers will be asked to demonstrate their contribution relating to the economic, social and environmental well-being of the borough including:
- Local supply chain benefits;
  - The potential opportunity for the employment of local care and support staff;
  - Volunteering opportunities for residents in the borough;
  - Enhanced opportunities for partnerships between the successful provider and local voluntary and community organisations to provide social inclusion and leisure opportunities;
  - Improved health and well-being and social inclusion for other residents with learning disabilities in the borough.
- 12.8. Tenderers will be required to offer measurable targets of social value and will be required to complete a questionnaire which can be found on the Social Value Portal (“Social Value Questionnaire”). An online social value calculator will quantify the commitments. Tenderers must also provide a rationale for each social value proposal in a Method Statement in order to demonstrate that they have credible processes in place to deliver what is being offered.

- 12.9. Social value proposals made as part of tender bids will form a contractual commitment for the successful tenderer. The Provider will also be required to contract directly with the social value portal who will require confirmation of evidence of outcomes and provide quarterly reports showing progress against targets. This will be monitored as a Key Performance Indicator by council officers during the contract term.

### **13. CONTRACT PACKAGE, LENGTH AND SPECIFICATION**

#### **Contract length**

- 13.1. We are proposing three years plus two. We are looking to align this contract with the commissioned ISF contract, to enable them to go out to tender together in the future.
- 13.2. We propose to include a 6-month break clause in the contract to be activated by either party at any point in the contract. Although six months is not very long to put in place new service arrangements in the eventuality of a supplier issuing notice, in line with standard business continuity practice in the sector, officers would negotiate short-term provision of the services from another recognised provider pending tendering a new contract. It is considered that overall there is a benefit to the Council of being able to terminate a contract that is not meeting the needs of residents within a 6-month period.

#### **Service Specifications, Outcomes and Performance Measures**

- 13.3. A specification will set out the Council's expectations for Emlyn Gardens.
- 13.4. The specification is under-pinned by what residents and families have told us they want from supported living services as well as the underlying principles a local authority must have regard to in its care and support system as set out in the Care Act 2014 including: promoting well-being; preventing or delaying the development of needs for social care services and placing the customer at the center of service.
- 13.5. We want the supported living service to be outward facing; involved in the local community and making better use of individual and community assets. This will support increased social and community benefits and facilitate partnerships between local organisations in the delivery of care and support services.
- 13.6. The new specification will set out key performance indicators and outcomes to be achieved. This will help to drive up quality. The specification will include the following outcome domains:
- Residents will achieve specific, measurable, achievable, realistic, time bound (SMART) personal outcomes as detailed in person centred support plan;
  - There is an improvement in health and wellbeing of residents as detailed in the health and social care support plan;
  - Residents will have increased choice and control in their lives;
  - Residents will be able to manage and maintain their tenancy;
  - Residents independence is maximised and there is a reduction in support needs;
  - Residents will be able to manage their finances appropriately;

- Residents and circles of support will have a good experience of care and are satisfied with the service;
- Residents will feel safe and secure in their homes and community;
- The provider will deliver a minimum of 10% of contract value in social value.

## **14. CONTRACT MANAGEMENT**

- 14.1. The contract will be managed from within the Adult Social Care commissioning and operations teams utilising robust contract management and supplier relationship tools and techniques. Contract management meetings will take place on a quarterly basis following submission by the provider of activity level data relating to that quarter. There will also be annual contract review meetings.
- 14.2. During contract mobilisation, the Provider will work with the Council and other relevant stakeholders to develop a contract monitoring process that incorporates innovative approaches to maximising the resident and parent/carer/circle of support voice throughout.
- 14.3. The role of the contract manager will include:
- Ensuring that residents with learning disabilities and their circles of support (including families and carers) will be meaningfully and actively involved, in the design, decision-making, evaluation and governance of the service for the duration of the contract;
  - Managing expectations and relationships between stakeholders;
  - Ensuring that there is regular engagement with resident and their circles of support to establish whether they are satisfied with the service, staff and their environment;
  - Ensure that co-production is evident in terms of service delivery and care and support at all stages of the contract;
  - Conducting periodic surveys with care staff to get their views of the service and their employer;
  - Ensuring the obligations of all parties are met;
  - Managing commercial and operational risk (including financial stability, ethical performance, and quality control);
  - Managing change and ensuring due governance is undertaken;
  - Aligning contract delivery to residents' needs and the commercial and operational objectives of the Council;
  - Performance management and reporting;
  - Seeking opportunities for increased and added value and fostering innovate.

## **Procurement strategy – Emlyn Gardens- Adults with learning disabilities supported living**

### **Appendix 3 – CO-PRODUCTION**

1. For the eight individuals who have been highlighted as having the highest priority. the council will work with the circles of support (including family members, friends and key professionals) to co-produce the transition and associated support into Emlyn Gardens. This includes establishing an infrastructure of support for those residents to ensure that they have equal voice and visibility to their non- learning-disabled peers within the provision.
  - 1.1. As important, will be co-producing the specification for each individual unit, to ensure that each resident is able to live as independently as possible, integrated within the wider provision and equally able to inform improvements (and initially address snagging issues).
  - 1.2. The council will involve residents in the development of the service specification for the entire service, particularly in key areas such as Key Performance Indicators.
  - 1.3. An important component of the assessment of providers that are bidding for the business will be their demonstration of innovative approaches to co-production which will include how they will:
    - Utilise quality assurance systems;
    - Engage with residents and circles of support to ensure they actively contribute to the design and delivery of the service;
    - Develop structures to ensure that co-production of services is embedded in the delivery of the core and flexible model;
    - Assist residents to participate in the local community.
  - 1.4. During contract mobilisation, the Provider will work with the Council and other relevant stakeholders to develop a contract monitoring process that incorporates innovative approaches to maximising the resident and parent/carer voice throughout.
  - 1.5. Residents (and their circles of support) will be supported to:
    - Have ownership of care plans;
    - Be involved in the design and delivery decisions for the service;
    - Have an equal voice and visibility in the Tenants and Residents Association (TRA) and local community;
    - Be involved and supported by resident groups (both learning disability specific and other);
    - Be involved in programmes of volunteering/ buddying/mentoring.
  - 1.6. Through the lifetime of the contract The Provider will be expected to use people's ideas, experiences and feedback to shape services. They will be expected to invest and prioritise organisational resources in line with what matters most to the people being supported.

1.7. We fully acknowledge that Emlyn Gardens is a relatively small provision and that that we have many other residents with learning disabilities looking for independent and supporting living. Hence, we hope to engage with the residents with learning disabilities at Emlyn Gardens to support our thinking and evolving business case to support such future developments, including White City.

1.8. Emlyn Gardens Co-production Timetable

<b>Co-production Activity/Stakeholders</b>	<b>Start date</b>	<b>Finish date</b>
Co-production with residents and circles of support- Including ongoing monthly meetings, involvement in the specifications for the flats, design and running of service, addressing structural barriers Involvement in procurement. Offers made to residents will be expanded	August 2020  November 2020	Lifetime of the contract
Virtual Market Engagement Event with providers	June 2020	June 2020
Resident engagement in the procurement process	November 2020	TBC
Co-production of questions for interested tenderers	TBC	TBC
Residents on the EG estate including TRA, Resident Involvement, Estate Housing Officer	Dec 2020	Lifetime of the contract
Engagement with co-production leads and completion of the co-production checklist	August 2020	January 2020

Safety Leads-Community Safety, SNT, Operations Team	September 2020	January 2020
Local community: Ward Councillors, community groups, Yarrow market shaper, HF Can, volunteers, launch of service in local community	January 2021	April-May 2021



APPENDIX 4  
H&F EQUALITY IMPACT ANALYSIS TOOL



### CONDUCTING AN EQUALITY IMPACT ANALYSIS

An EQIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative, or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (pseud). The duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

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- 1. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under this act;**

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  - 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**

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  - 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your equality impact assessment, you must analyse your proposal against the three tenets of the equality duty.

## GENERAL POINTS

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1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
  2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
  3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense, and reputational damage.
  4. Where dealing with obvious equalities issues e.g. Changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
  5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the equality officer for support.
  6. Further advice and guidance can be accessed from the separate guidance document (on the intranet) or [acas - eia](#). Or you can contact the councils equalities lead (see below).
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## H&F Equality Impact Analysis Tool

Overall information	Details Of Full Equality Impact Analysis
Financial year and quarter	2020/21
Name and details of policy, strategy, function, project, activity, or programme	<p>Title Of EIA: Learning Disability Supported Living Procurement Strategy</p> <p>Short Summary:</p> <hr/> <p>Approval is sought in the procurement strategy to procure a new contract for the care and support for Emlyn Gardens.</p> <hr/> <p>High quality one-bedroom purpose-built flats are being developed to provide new homes for adults with learning disabilities in shepherds bush at Emlyn gardens, a council site. There are eight units which have been specifically designed to accommodate a range of complex needs including physical, sensory and needs relating to behaviours that challenge. There will be 24-hour care and support on site. The new accommodation is well-designed housing with room layouts that can be easily adapted to specific needs. This includes hoists over beds, assistive technology and sound proof walls and ceilings to account for behaviours that challenge.</p> <hr/> <p>The building is located within a local community with easy access to green spaces, public transport and amenities. There is an accessible community hall attached to the building, which will allow for activities and events to foster social inclusion, reduce isolation and loneliness and enable people to feel part of their local community.</p> <p>Emlyn Gardens is an important addition to the council's housing and care pathway for residents with learning disabilities with assessed care and support needs.</p> <hr/> <p>The aim of the strategy is to improve service quality, outcomes and value for money; provide added and social value and</p>

deliver best practice and to manage demand for more intensive health and care settings. The new service will be delivered with a strength-based approach.

The strategy supports the policy principles for specialist housing approved by Cabinet in December 2018 and is a key workstream of the Specialist and Accessible Housing Board.

Currently many residents with complex needs are accommodated out of borough away from family members and the services that support them. Therefore, this building and service has been developed to meet a gap in local provision and allow more people with learning disabilities to remain in or return to living in borough.

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All the nominations are residents with learning disabilities who have been assessed as eligible for care and support. Currently they are living in a variety of settings including:

- Spot purchased placements: including out of borough registered care homes, supported living services and residential schools
- In borough supported living and registered care homes
- Family homes
- Local commissioned supported living service for residents with learning disabilities

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Within these settings a significant number of people currently have a bedroom in a shared property with very little personal space and privacy. They will now have their own tenancy for a one-bedroom flat, which will significantly improve their quality of life.

We will work with residents identified as priority for Emlyn Gardens and with their families to co-produce the milestones and activities which will ensure that:

- They are central to the design of each property around their individual needs;
- We work with them to support transition from their existing living environment;
- They have equal access and inclusion in the day to day facilities, which will include representation on the tenant-group which will address initial snagging and ongoing improvements within the property.

This work will inform how we co-produce future specialist housing and the integration of our residents with learning

	<p>disabilities across general housing in the borough.</p> <p>There will be no adverse impact for Hammersmith &amp; Fulham residents. All residents currently receiving a service will continue to receive a comparable (and anticipated enhanced service).</p> <p>It is important to note that any changes to living environments or care provision would involve consultation, discussion and agreement with the person in question and their parents, families and carers, to ensure people retain choice and control over their lives.</p> <p>It is anticipated that the strength based, coproduced approach and high specification living environment will improve our residents' life outcomes, however, we acknowledge that it will be essential that we work with each individual and their network of support to minimise turbulence in transition from their existing living environment into Emlyn Gardens.</p>
<b>Lead officer</b>	<p>Michele Roberts  Programme Lead  Michele.Roberts@lbhf.gov.uk  07391 734084</p>
<b>Date of completion of final EIA</b>	<p>DRAFT</p>

<b>Section 02</b>	<b>SCOPING OF FULL EIA</b>
<b>Plan for completion</b>	<p>Timing: 2020-21</p>

Resources:

Michele Roberts – Programme Lead;  
 Rebecca Richardson- Programme Manager;  
 Tim Lothian – Procurement Officer

**Analyse the impact of the policy, strategy, function, project, activity, or programme**

Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral, or negative impact on equality, giving due regard to relevance and proportionality.

Protected characteristic	Analysis				<i>Impact:</i>
Age	<u>Table 1: Age</u>				Neutral
	Age Range	H&F Age Population	Residents with a learning disability 31/03/2020 receiving a long-term service	Residents-in-borough commissioned supported living services May 2020	
	18 – 29	25.6 %	22%	10%	
	30 – 39	21.5%	21%	10%	

	40 – 49	13.7%	15%	4%
	50 – 59	8.7%	22%	48%
	60 – 69	6.4% =12.6%	14%=20%	16% =28%
	70+	6.2%	6%	12%
<p>Table 1 demonstrates that:</p> <ul style="list-style-type: none"> <li>• In the general population residents over 60 years represent 12.6% of the population;</li> <li>• 20 % of residents with a learning disability 31/03/2020 receiving a long-term service are over 60 years;</li> <li>• 28% of residents with learning disabilities living in our commissioning supported living service, in borough, are over 60 years;</li> <li>• 48%, with learning disabilities living in our commissioning supported living service, in borough, are 50-59 years.</li> </ul> <p>This demonstrates the current and future need for appropriate accessible properties to be available to this cohort of people.</p> <p>Most of the properties within the current commissioned and in-house services in the borough are Victorian houses with poor access, narrow stairways and corridors. Some buildings either need significant adaptation or are no longer suitable for ageing residents.</p> <p>The eight accessible flats at Emlyn Gardens begin to address the gap in specialist accessible housing in the borough.</p>				

		There is also a new Extra Care housing scheme anticipated to be opening in July 2021. For those individuals who are not allocated a unit at Emlyn Gardens this is a potential option. We will begin to work on eligibility criteria for the Extra Care scheme immediately, acknowledging that demand for Emlyn Gardens outweighs small number of places available.	
	Disability	All residents who move in are adults with learning disabilities and meet the eligibility criteria for care and support.	<i>Neutral</i>
	Gender reassignment	There are no identified impacts for gender re-assignment.	<i>Neutral</i>
	Marriage and Civil Partnership	There are no identified impacts for marriage and civil partnerships, although as the units are 1-bedroom flats, it could be possible for residents to live with their partner/spouse.	<i>Neutral</i>
	Pregnancy and maternity	There are no identified impacts for pregnancy and maternity.	<i>Neutral</i>
Race	The new service will be expected to ensure equality of access for all residents; provide culturally sensitive services and deal robustly with all incidents of racially motivation harassment, violence and/or abuse.	<i>Neutral</i>	



Table 2 – Ethnicity

<b>Ethnicity</b>	<b>Borough %</b>	<b>Learning disability assessed care needs 2020 %</b>
Asian / Asian British	9.1	9
Black / Black British	11.8	23
Mixed	5.5	6
White British	44.9	44
White Irish	3.5	5
White Other	19.7	7
Other ethnicity	5.5	3
Not known	-	3

There is a higher percentage of black/black British in the learning disability population compared to the that in the borough profile (this does not account for any demographic changes since 2014)

3 of the 8 people on the shortlist are from BAME communities.

	Religion/belief (including non-belief)	<p>There are no identified impacts for religion/belief.</p> <p>The new service will be expected to support residents to practice their religion/beliefs.</p>	<i>Neutral</i>
	Sex	<p>This service will be delivered to male and female residents.</p> <p>A little over 50% of H&amp;F population are female.</p> <p>Within learning disability services 40% are female, 60 % male.</p> <p>Currently in the current commissioned learning disability supported living service 45% of the residents are male and 55% female which is consistent with the overall population.</p>	<i>Neutral</i>
	Sexual Orientation	<p>There are no negative impacts for sexual orientation.</p> <p>The new service will be expected to ensure equality of access and treatment for all residents; provide sensitive services and deal robustly with all incidents of homophobic harassment, violence and/or abuse.</p>	<i>Neutral</i>
<b>Human Rights or Children's Rights</b>			

	<p>If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? No</p>
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<b>Section 03</b>	<b>Analysis of relevant data</b>
	Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
<b>Documents and data reviewed</b>	Council data it holds for the purpose of monitoring the use and effectiveness of the services.
<b>New research</b>	

<b>Section 04</b>	<b>CONSULTATION</b>
<b>Consultation</b>	
<b>Analysis of consultation outcomes</b>	

<b>Section 05</b>	<b>ANALYSIS OF IMPACT AND OUTCOMES</b>
<b>Analysis</b>	<p>What has your consultation (if undertaken) and analysis of data shown? You will need to make an informed assessment about the actual or likely impact that the policy, proposal, or service will have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance)</p> <p>The service is new and hence residents will be relocating from a number of settings including;</p> <ul style="list-style-type: none"> <li>• Out of borough supported living and residential;</li> <li>• In borough supported living;</li> <li>• Family home with parents;</li> <li>• Residential schools/colleges.</li> </ul> <p>Any issues that individuals are experiencing are not considered to have an impact on protected characteristics but will be addressed for all the new residents through the service specification; co-production and future contract monitoring.</p>
<b>Section 06</b>	<b>Reducing any adverse impacts and recommendations</b>
<b>Outcome of analysis</b>	<p>Include any specific actions you have identified that will remove or mitigate the risk of adverse impacts and / or unlawful discrimination. This should provide the outcome for LBHF, and the overall outcome.</p> <p>No adverse impacts are anticipated.</p>
<b>Section 07</b>	<b>Action plan</b>
<b>Action plan</b>	<p>Note: You will only need to use this section if you have identified actions as a result of your analysis</p>

	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan

<b>Section 08</b>	<b>AGREEMENT, PUBLICATION AND MONITORING</b>
<b>Chief officers' sign-off</b>	Name: Position: Email: Telephone No: _____
<b>Key decision report (if relevant)</b>	Date Of Report To Cabinet/Cabinet Member: Xx / Xx / Xx Key Equalities Issues Have Been Included: Yes/No _____
<b>Equalities lead (where involved)</b>	Name: Position: Date Advice / Guidance Given: Email: Telephone No: _____