LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Councilor Larry Culhane, Cabinet Member for Children and Education

Date: 08/12/2021

Subject: Procurement Strategy for Semi-Independent Living (SIL) for

Care Leavers and Young People at Risk and variation of contract

Report author: Adie Smith, Commissioning and Transformation Lead

Responsible Director: Jacqui McShannon, Director of Children's Services

SUMMARY

This report seeks approval of a strategy to recommission, by way of a competitive procurement exercise, all semi-independent living (SIL) services for young people at risk of becoming homeless, at risk of entering the care system and care leavers across Hammersmith & Fulham. Subject to agreement of this decision, a tendering process will commence which will enable the Council to ensure it is receiving best value and competitive rates for this provision.

This decision significantly contributes towards the Council's placements sufficiency programme which will enable more of our vulnerable young people to be placed locally with greater access to family and local support networks, to achieve efficiencies and contribute towards our savings commitments by reducing the need to place in higher cost out of borough spot purchase placements, to improve the quality of services and to offer a person-centered approach to all SIL placements.

In addition, this procurement exercise will enable Children's Services to offer our young people services that provide best value, reduce voids by maximising bed space and decreasing pressures on demand through better utilisation of the service, leading to a seamless transition into adulthood for our young people.

RECOMMENDATIONS

- 1. That the procurement strategy be approved.
- 2. That approval be given to vary the existing contracts with St Christopher's Fellowship and Centrepoint Soho for the provision of supported housing services for young people at risk of homelessness to include an extension from 1 April 2022 to 31 April 2022 for £47,108 (£25,858 and £21,250 respectively), bringing the total value of the contract to £612,404.

Wards Affected: ALL

Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	By increasing the number of young people within the borough who are engaging in Employment, Training or Education.
Creating a compassionate council	To enable vulnerable young people to develop the skills and resilience to be independent in adulthood.
Doing things with local residents, not to them	By preventing homelessness of people aged 16-24 years and preventing 16-17 year-olds from entering care.
Being ruthlessly financially efficient	This proposal increases efficiency by enabling Children's Services to deliver more provision for less money.
Taking pride in H&F	Creating provision for young people from H&F who are placed out of borough to return to home.
Rising to the challenge of the climate and ecological emergency	Reduced CO2 emissions by reducing the need for staff and young people to travel across London.

Financial impact

The current 2021/22 full year budget provision for Semi Independent Living is as follows.

Block contract – Care Leavers (support only)	£744,600
Block contract – Care Leavers (rent)	£546,600
YPAR Young People At Risk	£542,600
Spot purchase	£3,598,100
	£5,431,900

The re-procurement of the contracts provides opportunity to create savings by increasing capacity at a low cost, to enable further 12 Out of Area placements to return to the borough. This will reduce the spot purchase costs by approximately £547,700 per year. This includes both rent and support.

Based on the procurement set out here, the proposed 2022/23 budget (before inflation is applied) for the provision of Semi-Independent Living is:

Block Contract – CL and YPAR (Support only)	£1,223,900	Decrease of £63,300 from 2021/22 block budget (£86,000 decrease on current spend)
Block Contract – provision for flexible support increases	£176,400	Based on current requirement for 46 medium support beds and cost difference between low and medium support
Block Contract Care Leavers (rent)	£702,600	Increase by £156,000 rent at £250 per week for 12 additional rooms all assumed to be ineligible for housing support
Spot Purchase reduced by £547,700	£3,050,400	Saving of £547,700 based on 7 under 18s and 5 over 18s moving out of spot purchase into block accommodation
Total	£5,153,300	

This would create a full year effect saving of £278,600. In addition, the proposal will also eliminate the £22,700 overspend which currently exists on the supporting people contract when compared to the budget.

The supporting people reserve which is funding £30,200 of the budget comes to an end in 2021/22 so the budget saving targeted after this reduction is £248,400.

This will contribute to the delivery of the placements' sufficiency target savings.

Therefore, any inflationary pressure identified as a result of the procurement exercise may reduce targeted savings of £248,400.

Legal implications

The Council is under a duty to provide these services under the Children Act 1989 and the Children (Leaving Care) Act 2000.

The value of the contract is such that the Public Contracts Regulations 2015 (PCR) apply to this procurement. These are "social and other services" under the PCR so the requirements for advertising and competition are more flexible. This is the "light touch regime" referred to in paragraphs 20 and 21 below. The proposed means of procurement complies with the requirements of the PCR. The DPS to be used was procured in accordance with the regulations.

This is a high value contract under the Council's Contract Standing Orders. The procurement strategy set out in this report meets the requirements of CSO 19.1

which allows for the use of an existing Dynamic Purchasing System which meets the requirements of the regulations.

Implications provided by John Sharland Senior solicitor (Contracts and procurement) email john.sharland@lbhf.gov.uk tel: 07979 907148

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Background Papers Used in Preparing This Report: - none

Background

- 1. The Centrepoint semi-independent living housing contract was awarded in 2015 for an initial period of 5 years, from 1 May 2015 to 30 April 2020. The contract was extended in March 2020 for the maximum 2-year period bringing its expiry date to 30 April 2022. The contract was originally called off from the 'Framework Agreement for Housing Related Support Services' with an initial annual contract value of £680,218. The contract has been modified to increase capacity with the addition of two new 9-bedroom services over the previous 3 years bringing total capacity to 92 units.
- 2. The current contracts for the YPAR services expiry date of 31 March 2022 is following direct contract awards in 2018, which was extended for a further 12 months in March 2021. Previously these were managed separately and funded via the Supporting People Budget. This has since been desegregated and the commissioning and contract management of these services now sits within the Children's Commissioning Team.
- 3. The services have a good reputation and deliver effective outcomes to our children and young people coupled with forming a key element of the Care Leavers and Young People's Housing pathway. Contract compliance and performance is strong and regular move-on and contract management meetings take place with Centrepoint, St. Christopher's and internal practitioner staff to review performance and ensure the overall service continues to achieve

positive outcomes for our young people. Outcomes data provided over the lifetime of the contract demonstrates improvements for young people in positive move-on, maintaining accommodation, improving physical and mental wellbeing, reducing debt and participating in structured activities.

Reasons for the decision - Procurement scope - why the procurement is needed

- 4. As these services approach their contract end dates it is necessary to undertake this exercise to ensure we have new arrangements in place for a contract start date of 1 May 2022, and to ensure there is a clear pathway into independent living and in order for the Council to fulfil its statutory responsibilities towards both young people at risk of homelessness and care leavers requiring semi-independent living (SIL) services.
- 5. The services that form part of this procurement exercise will include all semiindependent living services for Care Leavers and Young People at Risk of homelessness, under current contract arrangements the services are:

Service Address	Post Code	Number of units	Cohort
Buffy House - 12 Sinclair Rd	W14 0NH	12	YPAR
6. 47-49 Woodstock Grove	W12 8LG	13	YPAR
5 Fielding Road	W14 0LL	10	YPAR
1-3 Masbro Rd, London	W14 8RL	12	CL
15 Weltje Rd, London	W6 9TG	7	CL
208 Hammersmith Grove	W6 7HG	6	CL
108 Shepherds Bush Rd	W6 7LZ	7	CL
10 Avonmore Rd, London	W14 8RL	7	CL
13-21 Down Place	W6 9JQ	9	CL
16-18 Thornfield Rd	W12 8JG	7	CL
64 Hetley Road	W12 8BB	8	CL
78-86 Percy Road	W12 8PP	8	CL
1A Shepherds Bush Road	W6 7NA	9	CL
40 Charleville Road	W14 9JH	9	CL
Total	124		

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rrangements for young people at risk of homelessness have not been competitively tendered since approximately 2010 and as such do not represent value for money, in addition to this the Centrepoint Care Leavers service was last tendered in 2015. By re-procuring these services, the Council can ensure new services represent competitive market rates and this will also provide the opportunity to include new key performance indicators (KPIs) that better reflect the needs of young people and care leavers, meet service requirements and ensure best value is being achieved.

7. In addition to the above, the following points are also key drivers to the need to run a procurement exercise for existing services.

- Pressure on current availability and placement sufficiency for our Looked after Children and Care Leavers.
- Pressure on the Children's Services budget and the need to deliver savings.
- MTFS commitments for Children's Services.
- To prevent homelessness of people aged 16-24 years.
- To prevent vulnerable 16 & 17-year old's going into care.
- To enable vulnerable young people to develop the skills and resilience to be independent in adulthood.
- To increase the number of young people in employment, training, or education.
- Current provision is no longer able to meet the current demand and is inflexible to the variation in need.
- 8. Children's Services have a statutory duty to support young people leaving care through the Children (Leaving Care) Act 2000, The Authority provides a range of semi-independent living services for Looked After young people aged 16—18 and Care Leavers aged 18—25. The purpose of semi-independent living services is to work with young people to build a range of life skills which enable them to make a successful transition from being looked after to becoming care leaver and then on to living independently.
- 9. Housing Services also have statutory duties under the Homeless Reduction Act 2017 and the Housing Act 1996 to prevent homelessness and provide assistance to people threatened with or actually homeless. Young people which would be considered to have priority need for housing are those aged 16-17 or care leavers aged 18-20.

Contract specifications summary

- 10. The new service arrangements to be tendered will be to supply 60 high support units and 75 flexible support units, with the number of support hours tailored towards the individual. The contract will run over a 3-year contract with a review period and possible break clause at the 2-year point, 30 April 2024. The overall maximum total contract value will be £3,671,607.
- 11. A flexible element of the contract should include a provision for up to £176,400 to allow for low support bed nights to be enhanced to medium or high support on a demand led basis. The overall increase in the costs of the block provision will be £90,378 which will be offset by creating capacity for high cost, out of area placements to back into Hammersmith & Fulham to live within the local community, with improved links to family and local support networks.
- 12. This will reduce the high volume of spot purchase out of area placements that currently do not offer best value. This will be set out as a block contract covering 2 separate areas. Details of which are broken down below.

- Part 1 Block contract to supply 60 bed spaces of High Support need. To
 be used across both the Care Leaver and Young Persons at Risk
 Pathway. To accommodate and support children under the age of 18.
 These will be managed as two distinct pathways, one led by the Children's
 Social Care allocations panel involving the Children's Placements Team
 and one led by the Housing Team for young people at risk of
 homelessness.
- Part 2 A Block contract to supply 75 bed spaces with a 'Core' support followed by additional hours as per individualised level of need. This will cater for individuals who require various levels of support for a range of different needs to be supported within their own home, this part replaces what were previously referred to as medium and low support services.
- 13. The duration of this contract will be to cover the forecast demand for the next 3 years. Ongoing need and demand assessments will continue to be monitored in order to calculate future demand beyond the initial 2 year period, on the basis demand remains at current levels, there will be an option to extend for an additional 12-month period, (1 year). There will be a break clause at 2 years (24 months) to assess current need and demand.

Procurement route and analysis of options

- 14. The route to market to competitively tender these services is to use the H&F led dynamic purchasing vehicle (DPV) for semi-independent living services¹. This system is administered and managed by the Commissioning Alliance and the procurement will be conducted internally but with support from the Commissioning Alliance using the Careplace brokerage system².
- 15. The current DPV system for these and related services is dynamic and flexible, with new providers joining at any time. Placement and block contracting costs can be sought on a case-by-case basis using the online Careplace placement brokerage system.
- 16. In partnership with the Commissioning Alliance, H&F have actively worked to engage local suppliers and are proactively looking to invite additional suppliers onto the DPV. The current market in this area is strong and competitive and the opportunity will be available to any suppliers approved and listed within this system.

¹ A dynamic purchasing system is an 'open' framework for the delivery of works, services and goods commonly available in the supplier market, which enables new and local suppliers to join at any time over the duration of the DPV. A traditional framework is 'closed' with only the selected, and usually large, suppliers appointed following a procurement exercise for the duration of the framework agreement and this therefore limits competition as new or local suppliers cannot join up.

² Careplace is the online brokerage platform used by membership boroughs of the Commissioning Alliance. The system can be used to search for and make placements, including block contracting arrangements.

17. The proposed route to market will be a mini competition using the H&F semiindependent living dynamic purchasing vehicle which is an OJEU compliant Framework under the Public Contract Regulations 2015 (PCR). PCR Reg 34 (5) notes that to establish a DPS, the restricted procedure applies which was the approach taken to establish this system.

The options considered for the re-procurement of these services include:

- Do nothing we do not believe this to be a safe option, the current contracts will expire early in 2022 have not been competitively tendered for a significant period of time and do not offer the volume of units required for both cohorts across H&F. Allowing contracts to expire with no governance approval or contractual arrangement in place with the provider presents a series of risks. In addition to this, we need to ensure we are achieving best value for money and are supporting as many of our young people as possible locally.
- Run a new open tender exercise either as an open or a two-stage restricted tender process, with a potential pre-qualification stage to shortlist a reduced number of suppliers able to proceed to the second stage of the evaluation process. We do not believe this to be the best option as the current DPV currently serves this purpose and has admitted only verified and compliant providers to the system. Undertaking a new restricted or open tender would only create duplication and likely attract suppliers that are already registered on the DPV. In addition to this, a new, separate tender exercise with an associated document suite would put a significant strain on resources.
- Use an existing multi supplier provider Framework Agreement or Dynamic Purchasing System – such as the SIL DPV to enable the Council to call off contracts or run a mini competition, for a single lot contract. This is the recommended option.
- 18. As previously noted, the DPV has been established in partnership with the Commissioning Alliance and so is the recommended recommissioning option. As the suppliers listed on this system have already been approved and passed their due diligence checks, use of this system is recommended for the procurement of these services for both young people at risk of homelessness, looked after children aged 16 and 17 and care leavers.
- 19. This will run as a single lot contract on the basis of the need to coordinate improved management of the service and achieve economies of scale.

Dynamic purchasing vehicle for semi-independent living

20. The DPV was established using a two-stage procedure with a requirement to publish an OJEU notice. However, under the Light Touch Regime LTR, Authorities have the flexibility to use any process or procedure they choose to run the procurement, as long as it respects the obligations above.

- 21. The LTR rules are flexible on the types of award criteria that may be used, but must make clear that certain considerations can be taken into account, including but not limited to:
 - the need to ensure quality, continuity, accessibility, affordability, availability and comprehensiveness of the services:
 - the specific needs of different categories of users, including disadvantaged and vulnerable groups;
- 22. The OJEU notice published in connection with the SIL DPV services clearly set out the proposed procurement process and has a lifetime duration of 8 years with an initial term of 5 years and the remaining years as optional extensions. The SIL DPV commenced July 2020 and is open to all Local Authorities in England and Wales by way of an Access Agreement and fee payable to the Commissioning Alliance.

Market analysis, local economy and social value

- 23. At the time of writing this procurement strategy, there are 78 organisations marketing services on the Semi-independent living Dynamic Purchasing Vehicle. 74 out of those 78 organisations are recorded as specialising in the 'Accommodation with Support' Lot.
- 24. The remaining three Lots are Floating Support, Supported Lodgings and Parent and Child Accommodation with Support. All providing specialist support within the required area.
- 25. In addition to this, the marketplace for supported housing and semiindependent living is well-established with most Local Authorities commissioning or delivering these types of services in their areas. As such Children's Commissioning are confident that a suitable provider will be sourced from this extensive range.
- 26. The supply of semi-independent living and supported housing services is a competitive and popular marketplace with many providers wanting to bid for business. There is a risk that there could be a high number of applications following the mini competition. This risk is mitigated by the fact that we will be procuring from a previously agreed approved DPV system and we can design the mini competition to be lean and robust.
- 27. The procurement will be published with a ceiling budget meaning that providers who cannot deliver the service within the financial envelope will be excluded. There is a risk that providers will be unable to deliver within the allocated budget however this risk will be mitigated through robust benchmarking and comparison of existing contract rates.
- 28. Within the tender we will apply a Social Value Score to the overall tender appraisal. Within this Social Value appraisal, we will look for commitment to

- work with the Council to increase Further Education, Employment and Training opportunities for the Young People of the borough. This Social Value appraisal will equate to 10% of the overall procurement.
- 29. A social value assessment will be requested within the invitation to tender which will focus on employing local residents and improving skills for younger people through opportunities such as training, apprenticeships and meaningful work that pays the minimum or national living wage.
- 30. The additional benefits to this will include a reduction in the need for staff working within the service to travel across or into London, with a corresponding overall reduction in carbon emissions. This meets the Council's overarching priorities of both Building Shared Prosperity and actions to address Climate Change coupled with meeting the Themes, Outcomes and Measurements in the Council's Social Value Framework (examples include: HF1, NT9, NT10, RE16, NT11 NT13, NT32 and NT49).
- 31. This Social Value assessment will be recorded within the Social Value Portal and contribute 10% of the overall procurement value. Commissioners will work with the provider to ensure that Social Value is delivered and monitored within the Contract Monitoring.

Timetable

Activity	Due Date
Key Decision Entry (Strategy)	17/05/2021
Contracts Assurance Board (Strategy)	25/11/2021
Notice of Commissioning Intentions to providers on	26/11/2021
SIL DPV	
Key Decision Entry (Award)	26/11/2021
Cabinet Member Approval (Strategy)	06/12/2021
Distribute to cabinet members (48 hours)	07-08 /12/2021
Allow for call in period (3 days)	09-10-13 / 12/2021
Key Decision Entry (Award)	14/12/2021
Open Tender	14/12/2021
Closing date for clarifications	21/12/2021
Closing date for submissions	03/01/2022
Evaluation of Tenders	04/01/22 - 07/01/22
CLT (Award)	18/01/2022
CAB (Award)	26/01/2022
Cabinet Member(Award)	14/02/2022
Allow for call in period (3 days)	17-18-21/02/2022
Find a Tender Service Contract Award Notice	22/02/2022
Contract engrossment	22/02/2022
Contract mobilisation and implementation	01/03/2022
Contract Commencement date	01/05/2022

Selection and award criteria

- 32. It is proposed this contract be awarded to the most economically advantageous tender based upon a ceiling price set from the available budget. The award will be given to the tender application that evidences best value after having met all other criteria.
- 33. Quality is already assured by the fact that suppliers from whom we are inviting to tender, have already been admitted onto the semi-independent living DPV and will have met all the minimum standards required for this system.
- 34. Budget limitations require this service to be delivered within a predetermined ceiling.
- 35. The criteria required in order to submit a tender for this contract is as follows:
 - The provider must have previously met the acceptance criteria and quality assurance measures in order to be accepted onto the DPV.
 - The provider must have a proven track record of delivering semi-independent living and or supported accommodation services to vulnerable young people including 16- and 17-year-olds.
 - The provider should demonstrate experience of delivering services locally to H&F including an understanding of other local services

Scoring methodology and pricing structure

- 36. The Tender will be awarded on the following ratio:
- 37. A previous decision report has gone through Governance and been agreed stipulating that a call-off contract can be procured from this DPV with a minimum of 10% quality. This is to allow a procurement focused on delivering best value as stringent Quality Assurance measures have already been applied in order to accept the potential supplier onto the DPV.
- 38. The Council's Contract Sanding Orders state that at this contract value, a minimum of 10% of the total score shall be attributed to Social Value.
- 39. This will equate to a total 20% quality including the Social Value element which will be marked via the Social Value Portal.
- 40. The DPV allows for the use of mini competitions and the procurement exercise will use this to assess quality from 5 main areas, this includes:

Categories for Quality assessments	Weighting % of Q
Promote the welfare or safeguarding of a young person.	25%
Supporting the young people to achieve independent living	25%

Ensuring quality, continuity, accessibility, availability and	25%
comprehensiveness of the service	
Ensuring sufficiency of high-quality provision in a location	25%
that meets the needs of young people and supports the	
sufficiency duty of H&F's Children's Services	
Providers ability to meet the Council's requirements for	50%
Social Value	

41. 80% Price. Any applications received which are out of scope in terms of price will be scored as a zero. All applications within the scope of price will be scored as a percentage, which will form 80% of their overall score.

Contract management

- 42. The Commissioning Alliance contract monitor all providers registered on the DPV to ensure compliance with standards and safeguarding requirements and this is detailed in the attached Appendix 1, schedule G:
- 43. The Children's Commissioning Team will also monitor additional key performance Indicators through routine quarterly contract monitoring arrangements to the home are aligning support plans with the Children (Leaving Care) Act 2000 and Care Act 2014 in order to promote independence and reduce the need for future input from Adult Social Care.

OUTCOMES AND KPI'S TO WHICH THE CONTRACT WILL BE MONITORED AGAINST

- **Financial and Economic Wellbeing**; The support provider will be able to evidence how they are enabling service users to maximize their income potential, enabling them to budget and manage day to day finances independently.
- Manage and Maintain Nutrition; There will be clear support plans in place aimed at providing individuals with the skill set to menu plan, create shopping lists, shop, prepare and then cook nutritious meals.
- Maintain Personal Hygiene; All residents will be supported to independently manager their own personal care needs in order to maintain dignity. This support will also include the understanding of appropriate clothing.
- Maintain a habitable home environment and making use of a home safely; The support provider will enable the residents to maintain a habitable home independently. This will provide throughput as the residents will then be supported to complete a structured move into a less restrictive more independent home.
- Accessing and engaging in work, training, education or volunteering;
 The support provider will evidence how they are supporting young people to engage in meaningful day time opportunities, that will increase the resident's impact upon society.

- Making use of necessary facilities or services in the local community;
 The provider will enable its service users to access public transport and local recreational and support facilities. Evidencing how the individual is connected to their local community.
- **Developing and maintaining family or other personal relationships**; With a person-centered approach, the support provider will understand who is important and why that person is important to their service user and encourage them to maintain those healthy relationships.
- Maintain Mental and Physical Wellbeing; The service users will be registered with their local GP and any other appropriate agencies such as Mental Health Services and encouraged to attend all appointments. Young people to report a positive response on their quality of life and aspirations for the future.
- In addition to support aimed at meeting the above personal outcomes, there
 will be additional service specific outcomes to meet. These will include but are
 not limited to working in partnership with H&F to avoid voids, maximize
 service utilization throughout and promote the independence and safety of all
 who use the service.

Equality implications

- 44. There are no anticipated negative implications for groups with protected characteristics, under the equalities act 2010, by the approval of these proposals. Whilst there will be a reduction in capacity in the young people's pathway and increased within the Children Looked After this is based on void analysis over a 3-year period and therefore reflects current demand.
- 45. It is anticipated that there would be no impact in relation to the protected characteristics as the services will remain in place following re-procurement, a continuing positive impact has been identified.
- 46. As part of the commissioning relationship with the provider, quality of service delivery and protected characteristic groups will be monitored regularly with a focus on actions required for hard-to-reach groups.

Risk management implications

47. Contracts are to be placed on a forward plan and reviewed at the Council's Contracts Assurance Board periodically to ensure that the best possible services are delivered in accordance with the Being Ruthlessly Financially Efficient priority. All services are to be delivered in compliance with HM Government, Health and Safety Executive and Sector guidelines that are applicable throughout the Covid pandemic.

Risk Implications verified/completed by: Ray Chitty, Head of Insurance, 07739315565

Climate and ecological emergency implications

- 48. This decision does not involve changing infrastructure to hard standings or buildings. It does create additional space within the borough for Out of Area places Care Leavers to return to the Borough. Thus, reducing the need to travel in order to connect with peers. In addition, education around Climate and Ecology Emergency are to be added to the service specifications.
- 49. The climate change toolkit has been completed for this procurement and follows the necessary guidelines in supporting the Council to meet its Climate and Ecological Emergency Targets.

Implications verified by: Hinesh Mehta Strategic Lead – Climate Emergency

Local economy and social value implications

- 50. The social value assessment in this procurement strategy is in line with the Council requirement, 10% overall is included in the quality questions.
- 51. Bidders will be required to register on Social Value Portal to enter social value quantitative responses. The Successful Bidder is responsible for paying the Social Value Portal Management Fee for the term of the Contract.
- 52. Contract managers will need to work with the Council's Social Value Officer to ensure commitments are being effectively monitored and delivered. The final contract should contain appropriate social value clauses so that the Council can enforce its right to compensation if social value commitments are not delivered.

Implications by: Ilaria Agueci, Social Value Officer, tel. 0777 667 2878,

Consultation

- 53. The 'Young Inspectors Programme' has consulted with Young People to hear their voice and to understand what improvements they want from their support services. The purpose of the programme was to create change and improve services for the benefit of young people.
- 54. A questionnaire was developed and shared with all service users accessing Semi-Independent Living provision.
- 55. Overall the response was complementary towards the service and the support being delivered. With some suggested improvements facilities such as improved Wifi, and decoration of communal areas.

56. These considerations have been used to co design the service specifications and requirements.

List of Appendices

Appendices: Appendix 1: Schedule G, Contract Management