

London Borough of Hammersmith & Fulham

Report to: Councillor Alex Sanderson, Deputy Leade

Date: 01/05/2025

Subject: Contract Award for the provision of care and support services for residents with learning disabilities at Emlyn Gardens supported living scheme

Report Author: Tara Mullaney, Strategic Lead

Report of: Jacqui McShannon, Executive Director of People and DCS

Summary

1. Vanwall House is a development located on Emlyn Gardens, Shepherds Bush. The property comprises 14 flats, eight of which have been specifically designed for adults with learning disabilities. This report seeks approval to award the contract for the provision of care and support services at Emlyn Gardens supported living scheme to the Preferred Bidder, for three years with an option to extend for a further two years, to commence after a mobilisation period of up to 3 months.
2. The specification for the service includes delivery of housing management functions. The Preferred Bidder will develop and implement high quality housing management practices and ensure it carries out all its duties in accordance with its agreement with the landlord. This includes appropriate maintenance of the property and dealing with relevant financial matters, including rent payment and rent arrears issues, so that the housing is not in any way put at risk for the resident.
3. This contract was previously awarded in July 2022, however, due to unforeseen circumstances was not finalised, therefore a new procurement exercise has been undertaken.
4. The Provider being recommended for award represents the most economically advantageous tender, offering both a high-quality bid and value for money. Commissioners are confident that in awarding this contract, the new service will contribute to the Council's vision for independent living.

Recommendations

That the Deputy Leader:

1. Notes that Appendix 1 is not for publication on the basis that it contains information relating to the financial or business affairs of any person (including the authority holding that information) as set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. Approves the award of a contract to the Preferred Bidder for the provision of care and support services for residents with learning disabilities at Emlyn Gardens supported living scheme. The initial term of the contract will be for three years commencing after the mobilisation period, with the option to extend for up to a further period of two years.

Wards Affected: Askew, All

H&F Priorities

Our Priorities	Summary of how this report aligns to the H&F Priorities
Building shared prosperity	<p>The council is working in partnership to maximise the supply of affordable housing in the borough, both general needs and specialist housing for residents with learning disabilities</p> <p>A demonstration of better use of assets of both the council and of community resources.</p> <p>Development of new support models; better promoting social inclusion and parity of esteem for adults with learning disabilities.</p>
Creating a compassionate council	<p>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.</p> <p>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.</p>
Doing things with residents, not to them	<p>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.</p> <p>Residents have been involved with the design of the new tenant hall. Co-produced social inclusion events and activities within the hall, when it opens, will support the eight residents to become active citizens in the Emlyn Gardens Tenant and Resident Association and their local community.</p> <p>The service specification requires that the new provider ensures that co-production with residents, their families and circles of support is at the heart of service design and delivery and ongoing review/improvement.</p>
Being ruthlessly financially efficient	<p>The development will reduce the pressure on the placement budgets, particularly in terms of high cost, out of borough placements.</p> <p>By bringing packages of care that are negotiated individually back into the borough the council will utilise the economies of scale of the residents being in one building, ensuring that core cost savings can be achieved.</p>
Taking pride in H&F	<p>The service will create opportunities for residents with learning disabilities to be integrated into and to be active participants in 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.</p>
Rising to the challenge of the climate and ecological emergency	<p>The winning provider has made commitments to added value as part of their submission.</p>

Background Papers Used in Preparing This Report

- Emlyn Gardens Procurement Strategy, November 2020 - PUBLISHED
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Legal Implications

This report recommends that the Deputy Leader approves the award of a contract for care and support services at Emlyn Gardens to the Preferred Bidder identified in Exempt Appendix 1. The term of the proposed contract is 3 plus 2 years. The Preferred Bidder will occupy Emlyn Gardens under the terms of a housing management agreement with Shepherds Bush Housing Association as part of its management functions.

The value of the contract is above the threshold for 'Social and other Specific Services (light touch procurements) under Public Contracts Regulations 2015 (PCRs)', the statutory regime that applies to this procurement. A procurement was carried out following an open procedure under PCRs. This was also in accordance with the approved procurement strategy and the rules in the Council's Contract Standing Orders for High Value Contracts.

The decision to award is a key decision (see Article 12 of the Constitution) and must be submitted to Committee Services for publication on the Council's website.

The appropriate decision maker is the Cabinet Member.

Angela Hogan, Chief Solicitor (Contracts and Procurement) 9th April 2025

Financial implications

These are contained in the Exempt Appendix 1.

DETAILED ANALYSIS

Proposals and Analysis of Options

1. This is a new building providing 8 new, high-quality homes for residents with learning disabilities within the borough, three of which are wheelchair accessible. The award of this contract will ensure that eligible residents can move into the building with the appropriate care and support in place. If adaptations are required to accommodate residents' needs, this will be organised through the council's Aids and Adaptations Team.

Options

2. Option 1 – Award the contract to the Preferred Bidder - Recommended

This option is recommended to ensure the provision of good quality, long-term homes for residents with learning disabilities within the borough, close to their family and their circles of support. It will also ensure that the successful provider, the Council and other partners all facilitate an Independent Living approach, providing greater choice and control for our residents.

3. Option 2 - Do Nothing - Not recommended

This does not support the council's long-term commitment to increase the supply of disabled, accessible housing within the borough. This is also not deemed as a viable option as there are several residents proposed for this scheme that have experienced lengthy delays following an unsuccessful contract mobilisation in 2022.

Procurement process and method

4. The chosen procurement route taken was considered the best commissioning option to enable the council to achieve its strategic objectives for the Emlyn Gardens adults with learning disabilities supported living service. The duration of the contract is considered to offer sufficient time to embed and build a service which can make meaningful and measurable changes in the lives of the 8 residents.
5. The Procurement Strategy recommended using an open procedure procurement route. There was a Qualification stage and only those tenderers who passed all aspects of this had their quality and price submissions evaluated. Tenders were evaluated using a quality/price ratio of 60:40 with the contract awarded to the tenderer who submitted the most economically advantageous tender (MEAT).
6. The contract is to be awarded for an initial term of three years with the council being entitled, at its absolute discretion, to extend the contract term for a further two years, making a maximum total contract period of five years.
7. A Contracts Notice was published on the UK's e-notification service, Find a Tender (FTS). <https://www.find-tender.service.gov.uk/Notice/040261-2024> The opportunity was published on CapitalE sourcing, the procurement portal used by the council, on 13th December 2024. Also, on this date further notice of the procurement opportunity was published on [Contracts Finder](#).
8. Tenderers were given from 13th December 2024 to submit tenders, with a closing date of 27th January 2025. Nineteen tenders were received by the closing date. These were first checked against the three compliance standards. These include that a tender is compliant and bona fide, it is capable of legal acceptance, and it is complete as far as the tenderer has undertaken to provide the services as required by the council.
9. Tenderers were required to submit three envelopes, these being Qualification, Technical and Commercial.

Qualification evaluation

10. The Qualification envelope contains the Standard Selection Questionnaire. Only if a tender passes all elements of the Qualification envelope will the corresponding Technical and Commercial envelopes be evaluated.

11. The Qualification envelope requires a tenderer to provide basic information about the organisation submitting the tender and be awarded a pass mark for the following sections:

- Grounds for Mandatory Exclusion
- Grounds for Discretionary Exclusion
- Economic and Financial Standing
- Technical and Professional Ability
- Modern Slavery Act 2015
- Insurance
- Skills and Apprentices
- Previous experience

12. Regarding the Economic and Financial Standing test officers have verified, using Creditsafe and submitted accounts, that tenderers do satisfy this test.

Commercial evaluation

13. The Commercial envelope required tenderers to submit costs for the Annual Core Charge and hourly rate for flexible hours.

Technical evaluation

14. The Technical envelope required tenderers to submit method statements for evaluation and submit details of the Social Value measure they will provide using the Social Value portal.

15. The method statement areas for the technical response were:

- Service delivery
- Assessing quality and outcomes
- Staffing
- Health and safety of service users and staff including safeguarding
- Partnership working and co-production
- Mobilisation plan
- Social Value (Quantitative)
- Social Value (Qualitative)

16. Each method statement was individually evaluated by officers using a scoring matrix of 0 to 5 with the following ratings:

- 0 – unacceptable (fail)
- 1 – poor (fail)
- 2 - fair
- 3 - satisfactory
- 4 – good
- 5 - excellent

Social Value

17. It is a requirement that all contracts let by the council with a value above £100,000 provide social value commitments that are additional to the core services required under the contract.

Contract mobilisation

18. The Preferred Bidder submitted a robust mobilisation plan as part of their submission. The plan includes tasks, risks and mitigations and included a separate mobilisation plan for the delivery of added value elements. Key considerations identified within the plan include communication with families and professionals to ensure a smooth transition.
19. Following the award of contract, a project group will be formed where officers from commissioning and operations will work closely and meet regularly with representatives from the Preferred Bidder to ensure the milestones and key dates included in their Mobilisation Plan are achieved and there is a seamless transfer to working arrangements under the new contract.

Reasons for Decision

20. Following a robust procurement and assessment process it is proposed the contract will be awarded to the provider who submitted the most economically advantageous tender (MEAT).
21. By awarding a three-year contract to the Preferred Bidder this will ensure that the following social care priorities are achieved:
 - 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 co-produce 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 within the borough for adults with learning disabilities.

Equality Implications

22. The recommendations in this report will enable residents with learning disabilities, who will live in the building, to benefit from a new, accessible purpose-built service. Officers completed an Equalities Impact Assessment as part of the procurement strategy for Emlyn Gardens, which considered that there are no negative implications for groups with protected characteristics, under the Equality Act 2010.

Risk Management Implications

23. It is recommended that regular reporting, meetings and spot checks are established to ensure a high quality of service and that failing leads to people, financial and reputational risks.

Jules Binney, Risk and Assurance Manager, 8th April 2025

Climate and Ecological Emergency Implications

24. The Council has committed to making the borough net zero carbon by 2030. It aims to reduce greenhouse gas emissions throughout its supply chain by awarding contracts to suppliers with a track record of reducing carbon and commitments to doing so in the future, and by working with existing suppliers to reduce emissions. The successful provider will seek to reduce carbon emissions from their assets and operations, within the contract, in their back office and in their supply chain.
25. Council officers will work with the new provider during the mobilisation period to develop an action plan for the lifetime of the contract that will include reducing carbon emissions.

*Implications verified by Hinesh Mehta, Assistant Director Climate and Transport,
07/04/2025*

Procurement Implications

26. The procurement process has been carried out under PCR 2015 regulations and has been supported by members of the Procurement and Commercial team. If approval is given, we will support the service in the completion of the award documentation.

Officers will be required to publish an Award Notice via the Find a Tender (FTS) via the Council's CapitalSourcing eProcurement portal, and observe the standstill period before finalising the contract.

27. Once awarded Contract standing orders also require that any contract in excess of £5,000 be recorded on the Council's Contract Register in order to comply with our Transparency Duties and in addition we are required under Public Contract Regulations to publish Contract Award Notice with the details of all contracts in excess of £30,000 (£25,000 ex VAT) on the governments Contract Finder website.

28. Officers, on completion of the necessary contract documentation, must create a

project using the Council's CapitalSourcing eProcurement portal and then create a contract entry (and upload a copy of the contract). A named contract manager must be allocated to the contract.

Implications complete by: Joe Sardone Category Lead – People. Procurement and Commercial 11th April 2025

Digital Services Implications

29. **IT Implications:** There are no IT implications resulting from this report.

30. **IM Implications:** The service will need to complete a Data Privacy Impact Assessment (DPIA) to ensure all potential data protection risks in relation to this proposal are properly assessed with mitigating actions agreed and implemented.

31. The Preferred Bidder will be expected to have a Data Protection policy in place and staff will be expected to have received Data Protection training. The Preferred Bidder will need to complete a (Cloud) Supplier Security Questionnaire.

32. The contract will need to include H&F's data protection and processing schedule.

Implications completed by: Karen Barry, Strategic Relationship Manager, Tel: 020 8753 3481, 10 April 2025.

Local Economy and Social Value

33. It is a requirement that all contracts let by the council with a value above £100,000 propose and commit to social value contributions that are additional to the core services required under the contract.

34. The supplier has committed to Social Value outcomes relating to local employment, work placements and local supply chain spend.

35. It is recommended that the commissioner and supplier liaise with the Social Value Officer, during the mobilisation period of this contract, to ensure the commitments offered are achievable and there is a clear delivery plan. In this instance, the supplier has provided a delivery plan for their Social Value offer which helps to provide some assurance around this point already.

36. It is recommended that the commissioner works closely with Legal Services to ensure appropriate social value clauses are included in the contract, so that the Council can enforce its right to remedies if social value commitments are not delivered.

Implications completed by: Harry Buck, Social Value Officer (Procurement), 2nd April 2025

LIST OF APPENDICES

Exempt Appendix 1 – Contract Price and Procurement details