



Decision of Cabinet Member for Community Health and Wellbeing

Report from the Corporate Director, Community Health and Wellbeing

AUTHORITY TO TENDER FOR A CARE AND SUPPORT CONTRACT FOR SUPPORTED LIVING SERVICES AT PEEL ROAD IN ACCORDANCE WITH PARAGRAPH 13 OF PART 3 OF THE CONSTITUTION

Wards Affected:	Northwick Park
Key or Non-Key Decision:	Key decision
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Name: Mark Mulvenna Job Title: Team Manager – Commissioning (Supported Living) Email: mark.mulvenna@brent.gov.uk 07804883039

1.0 Purpose of the Report

- 1.1 This report concerns the 24 hour Supported Living service at Peel Road. This report requests individual Cabinet Member approval to tender for a new care and support contract at Peel Road as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

That the Cabinet Member for Community Health and Wellbeing, having consulted with the Leader of the Council in accordance with paragraph 13 of Part 3 of the Constitution:

- 2.1 Approves inviting tenders for a new care and support contract at Peel Road on the basis of the pre - tender considerations set out in paragraph 3.11 of the report.
- 2.2 Approves officers evaluating the tenders referred to in 2.1 above based on the evaluation criteria set out in section (vi) of the table at paragraph 3.11 of the report.
- 2.3 Delegates authority to the Corporate Director for Community Health and Wellbeing to approve the contract award to the successful provider.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The upcoming tender for the Peel Road Supported Living setting is strategically positioned to significantly contribute to Brent Council's Borough Plan outcomes. This setting, dedicated to serving vulnerable adults with diverse and significant health and social care needs, including learning disabilities, physical disabilities, sensory needs, and mental health challenges, is crucial in enhancing resident health and well-being through bespoke care plans and specialised support. By providing an inclusive and accessible environment, the facility actively works towards reducing inequalities and strengthening community ties through engagement initiatives and robust partnerships with local organisations. Furthermore, the setting not only supports employment in the local community through job creation and specialised training but also enhances the resilience of these communities by fostering supportive networks. This tender will ensure the continued alignment with and contribution to the Council's aspirations, promoting a healthier, more equitable, and unified community.

Background

- 3.2 The Peel Road service has been home to up to 11 residents since 31st August 2020. The building is owned by Brent Council and managed by the Brent Housing Management and care is currently delivered by Westminster Homecare Limited.
- 3.3 The Peel Road service was designed to provide supported living accommodation and ensure accommodation was available to adult, social care residents with high support needs to allow them to live more independently and promote their wellbeing. The service supports borough residents to live independently in their home and reduce the potential of living within or moving to residential care. Residents have their own accommodation, with self contained flats as well as communal facilities.
- 3.4 The service provides 24 hour on-site care and support in line with the supported living model of care for individuals with a range of needs. Peel Road provides care and accommodation predominantly for adults with physical disabilities, and a learning and/or physical disability.
- 3.5 The service delivers support in line with the 'active' model of care, working on a planned basis in delivering proactive support to residents to develop daily living skills within the home and community. This support includes cooking, cleaning, self-care, community access and participation as well as support to manage their finances. The service was designed to be innovative when working with residents to develop new skills.
- 3.6 The existing contract with Westminster Homecare is due to expire in February 2025. Officers therefore recommend the procurement of a new contract to provide continuing care at Peel Road. It is proposed that this new contract will be based on a core and flexi model with only the core element being commissioned through this procurement. The core service is designed to meet daily living needs, unplanned and emergency care needs and night support to provide 24 hour support. The flexi hours are based on residents' assessed needs, with their care and support plan outlining support to ensure their outcomes are met.

- 3.7 Details of the cost modelling are provided in the financial section of this report, at Section 5.
- 3.8 At Peel Road, the main service required will be 306 core hours per week and a management presence of 15 hours per week. There are currently 5 service users who have individually assessed extra hours which total 66 hours and these have are included in our financial estimates. The 306 hours ensure that there are 2 staff on site from 7am to 9pm, plus 40 extra day time hours spread over 7 days and a waking night member of staff between 9pm and 7am, ensuring continuous 24-hour care throughout the week for all 11 residents.
- 3.9 In addition to the benefits that this model gives to service users, the scheme generates efficiency savings to ASC through the provision of care and support as an alternative to Residential placements where tenants are unable to claim Housing Benefit. Within the supported living scheme, the Council fund care and support while residents are supported to claim Housing Benefit to pay accommodation costs.
- 3.10 Officers propose to let this contract as a 3 year contract with the option to extend for a further two, one year periods (3+1+1), subject to satisfactory performance of the successful provider. The length of this contract will be attractive to the market, whilst at the same time maintaining a degree of flexibility for the Council.

Pre-tender Considerations

- 3.11 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations for the procurement of the contract for care and support at Peel Road (the “Contract”) have been set out below for the approval of the Cabinet Member for Community Health and Wellbeing.

Ref.	Requirement	Response
(i)	The nature of the service	Delivery of care and support services at Peel Road – Supported Living scheme. This care and support is for adults with range of needs including physical disabilities, learning disabilities, mental health needs and additional communication needs.
(ii)	The estimated value.	Up to £432,692 ex VAT annually and up to £2,163,462 ex VAT over the full contract period including extensions (3+1+1)
(iii)	The contract term.	Three years with the option to extend for a further two, one-year extensions (3+1+1)
(iv)	The tender procedure to be adopted.	A variation of the Open process under the Light Touch Regime
(v)		Invite to Tender
		11 th July 2024

Ref.	Requirement	Response	
	The procurement timetable.	Tender Workshop	18 th July 2024
		Deadline for Tender	13 th August 2024
		Panel evaluation	14 th August to 31 st August 2024
		Report recommending Contract award circulated internally for comment	01 st September 2024 to 15 th October 2024
		Cabinet Member approval	18 th October 2024
		10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers	21 th October 2024 to 02 nd November 2024
		Contract Mobilisation	04 th November 2024
		Contract start date	February 2025
(vi)	The evaluation criteria and process.	<p>1. At initial stage based on evaluation criteria published and the use of a supplier questionnaire the panel will identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise. The questionnaire and criteria are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria: 50% quality, 10% Social Value and 40% price.</p>	
(vii)	Any business risks associated with entering the contract.	Financial Services and Legal Services have been consulted concerning this contract and there are no risks identified associated with entering into this contract.	
(viii)	The Council's Best Value duties.	The adoption of an open tendering process under Light Touch Regime will enable the council to achieve best value for money.	
(ix)	Consideration of Public Services (Social Value) Act 2012	The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act	

Ref.	Requirement	Response
		with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement and social value forms 10% of the evaluation score. Consultation is planned with the ward councillor for the setting.
(x)	Any staffing implications, including TUPE and pensions.	There will be TUPE implications which have been taken into consideration within the time scales. See Section 9 below.
(xi)	The relevant financial, legal and other considerations.	See sections 5 and 6 below.
(xii)	Sustainability	This has been assessed in line with the Procurement Sustainability Policy and determined that a quality measure for sustainability is not required and can be captured as part of the Social Value criteria.
(xiii)	Key Performance Indicators / Outcomes	Appropriate Key Performance Indicators/ Outcomes will be included in the contract.
(xiv)	London Living Wage	The Contract will require the payment of the London Living Wage.
(xv)	Contract Management	This contract has been assessed against the contract segmentation process which determined it is classified a major contract. A contract manager will therefore be appointed and quarterly contract management meetings will be included in the contract as part of the performance management requirements.

4.0 Stakeholder and ward member consultation and engagement

4.1 Stakeholder engagement re-commenced in March 2024. Some activity had been undertaken by previous commissioners in the autumn of 2023. Co-production is at the heart of the Brent approach. Officers visited the service, met with all the residents and with some family members. The feedback received has been very positive with only minor changes to the delivery model proposed.

4.2 The lead member has been consulted and the specific session planned with the ward councillor for the setting.

5.0 Financial Considerations

5.1 The estimated total value of the contract over the contract term of 5 years (3+1+1) is up to £2,163,462 based on an estimated yearly value of £432,692. This is based on a

core service of 306 hours per week. It also requires that the successful provider will provide 15 management hours on site per week. The number of extra assessed hours being provided as of May 2024 is 66 hours per week and this has also been included in our estimated yearly value. Each resident will have an equal share of the Core hours of 306 per week, which is 27.81 per person and includes the waking night member of staff. Any further assessed hours that are required as per individual support plans will be purchased based on the hourly rate that is agreed as part of the new contract.

- 5.2 The estimated value of this contract will be funded from existing ASC budgets. Cost modelling has taken place, and it is expected that the change of provision of the service will be contained within the existing EHC budget.
- 5.3 The cost modelling was based on this contract being London Living Wage compliant at LLW hourly rate at £13.15 per hour, from 1 April 2024.
- 5.4 The annual cost of this contract is likely to increase each year when the London Living Wage (LLW) commission announce the annual uplift and Brent is committed to ensuring all contractors pay LLW as a minimum. The likely increase to contract values each year to ensure Brent's commitments are adhered to is taken into consideration as part of the Council's Medium Term Financial Planning.

6.0 Legal Considerations

- 6.1 The services that Officers are proposing to procure fall under Schedule 3 of the Public Contracts Regulations 2015 ("PCR 2015"). The estimated value of the proposed Contract during its lifetime is £2,163,462 ex VAT and is therefore above the threshold for Schedule 3 Services under the PCR 2015 and the procurement is therefore governed by the Light Touch Regime under the PCR 2015.
- 6.2 In accordance with the Council's Contract Standing Orders, the Contract is defined as a High Value Contract pursuant to Contract Standing Order 82 and as such the Contract shall be entered into and procured pursuant to Contract Standing Order 84. As such the Contract shall be procured in accordance with the tendering procedures set out in Contract Standing Order 95(c).
- 6.3 As the procurement is in respect of High Value Contract, in accordance with paragraph 13 of Part 3 of the Council's Constitution, the Cabinet Member for Community Health and Wellbeing, subject to consultation with the Leader, has delegated power to approve the pre-tender considerations set out in paragraph 3.11 above (Standing Order 89) and the inviting of tenders (Standing Order 88) for High Value Contracts.
- 6.4 Once the tendering process is undertaken, officers will report to the Cabinet Member in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 6.5 The Council will observe a 10 calendar day standstill period before the Contract can be awarded. This will include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the

end of the standstill period the Council will issue a letter of acceptance to the successful tenderer and the Contract may commence.

- 6.6 As the decision that is being sought here is a Key Decision, the decision is subject to a 5 clear day call-in period which will run concurrently with the standstill period. The decision to award may not be implemented until after expiry of the call-in period provided that no call in has been made.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 Under the Public Sector Equality Duty, having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality impacts.
- 7.6 We have access to range of source material to demonstrate that we can target the particular health issues of both the resident and carer population for this setting. For example we have refreshed our (detailed) resident ‘Pen Pictures’ which provides valuable information. As the setting primarily targets those with physical and or learning disabilities quite naturally we can demonstrate that taken this into account in relation to a refreshed EIA and respective resident ‘protected characteristics’. we have and will continue to take this if resident needs change.

8.0 Climate Change and Environmental Considerations

- 8.1 The Peel Road supported living setting, managed by Brent Council and overseen through Brent Housing Management and the NAIL programme, exemplifies modern environmental standards aimed at enhancing sustainability and efficiency. Constructed within the last decade, this facility incorporates energy-efficient designs including

advanced insulation and efficient systems, and uses sustainable materials that enhance indoor air quality. It also features water-saving fixtures and rainwater harvesting, utilizes renewable energy sources to reduce carbon emissions, and includes green spaces to promote biodiversity. Additionally, pollution control measures were implemented during construction and ongoing operations. These initiatives reflect Brent Council's commitment to sustainable and responsible building practices in creating supportive living environments. It is for this reason that we can demonstrate that the setting meets and continues to meet Brent Council's environmental and climate control objectives.

9.0 Human Resources/Property Implications

- 9.1 The Peel Road service will be provided by an external provider and there are no direct staffing implications for the Council arising from the tender process. The council own and manage the buildings and schemes through the Brent Housing Management Service.
- 9.2 As part of the procurement process, employee liability information will be sought from current contractors and provided to the tenderers. The TUPE process and any issues that may arise from it will be managed during the mobilisation phase.

10.0 Communication Considerations

- 10.1 To enhance the existing communication plan, given our familiarity with the resident population, a tailored communication plan will be put in place with service users and their families at Peel Road (see Section 4).

Report sign off:

Rachel Crossley
Corporate Director Community Health and Wellbeing.