**Report title** | Procurement for the Provision of Accommodation Based Supported Living Services for Adults with MH, LD and Autism  
---|---
**Date of Meeting** | 7th May 2019  
---|---
**Lead Officer and contact details** | Helen Murphy –Senior Commissioner for Learning Disabilities and Mental Health  
Tel: 020 337 34381  
helen.murphy@newham.gov.uk  
---|---
**Director, Job title** | Colin Ansell, Director of Commissioning Support Unit  
---|---
**Lead Member** | Councillor Susan Masters – Cabinet Member for Health and Adult Social Care  
---|---
**Key Decision?** | Yes  
Reasons: Incurring financial obligations or risk above £500,000  
---|---
**Exempt information & Grounds** | Yes  
Grounds: Appendix 3 is exempt by virtue of  
Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information) and  
Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings of the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended.  
---|---
**Wards Affected** | All Wards  
---|---
**Appendices (if any)** | All appendices except Appendix 3 are attached at the end of this report.  
Appendix 1. Revised Procurement Timetable.  
Appendix 2. Equalities Impact Assessment  
Appendix 3. Exempt Legal Implications – sent separately
1 Executive Summary

1.1 This report seeks approval from Cabinet for a further extension of the current contract arrangements, until 31st May 2020, for the housing related support and supported living services for adults with MH, LD and Autism in order to allow sufficient time to procure these services using a new Dynamic Purchasing System (DPS).

2 Recommendations

2.1 For the reasons set out in the report and its appendices, for Cabinet to:

- Approve the waiver of the Council’s Contract Standing Orders ("CSO") to allow for a total extension of the current contracts for the period 1st June 2019 to the 31st May 2020, at an estimated cost of approximately £9,300,000, following a nonresponse to the publication of a Voluntary ex ante transparency (VEAT) Notice to advertise the award of the contract extension;

- Approve the proposed strategy to procure a Dynamic Purchasing System ("DPS") under regulation 34 of the Public Contracts Regulations 2015 ("PCR 2015"), for the accommodation based supported living services for adults with Mental Health (MH) conditions, Learning Disabilities (LD) and Autism, with an estimated value of £ 9.3 million per annum;

- Approve, (following a successful procurement process) the procurement via the DPS, with a length of five (5) years (initial period) plus up to a further five years (3 + 2) extension period following a Best Value Review (within the meaning of Part 1 of the Local Government Act 1999) of the DPS service contract. Officers will be required to return to Cabinet with a review of the service, to seek approval for any extensions beyond the initial 5 year period or consideration of other options.

2.2 This Executive decision follows the Mayoral Proceedings paper of 8th March 2018, which extended the current arrangements until 31st May 2019, for the Council to procure a Framework Agreement for the above referred to service provisions.

3 Background

3.1 Housing Related Support contracts of 4 years and the Supported Living pre-placement agreement (spot contract) ended on the 31st August 2018. Approval was obtained under Mayoral Proceedings on the 8th March 2018 to extend arrangements by 9 months from 1st September 2018 until 31st May 2019, in order to undertake a Procurement exercise for a contracted Supported Living Framework lasting 4 years (3+1). The new Framework was due to commence on 1st June 2019. However, Adult Social Care Senior Managers recommended that, in order to mitigate the risk of existing providers and new providers being unsuccessful or unable to provider services on a Framework, it would be better to procure these services via a Dynamic Purchasing System (DPS).

3.2 Extension letters were sent to all contracted providers on the 27th of June 2018.
3.3 The current Housing Related Support and Supported Living services cost approximately £9.3 million per annum. This sum of money is split and paid to a various number of providers for individual customers as described in 3.4 below.

3.4 There is currently an oversupply of inappropriate supported living providers in the market. Providers deliver a varied quality of service and charge a range of inconsistent costs for the service. Within the boundaries of Newham there are approximately 63 supported living providers, 97 supported living schemes, currently supporting a total of approximately 320 customers on a spot purchase basis. There are also approximately 9 Housing Related Support providers supporting approximately 382 Customers. It should be noted this data includes numbers of all customers in supported living including those whose primary need is other than MH, LD and Autism. It should also be noted that the number of customers stated above could receive both HRS and Supported Living Services\(^1\).

3.5 In order to comply with procurement regulations and to introduce consistent cost rates and better quality standards in the market, commissioners have continued to progress the procurement via a Framework as previously approved. Activities included are;

- The development of a “core and flex” model,
- Co-production team, customers and carers engagement in the design, tender and evaluation of the services,
- Customer involvement in creating good quality standards within these services,
- Market engagement with providers including setting appropriate costs
- Engagement with Care Managers to develop assessments and reviews around the new proposed level of needs model

3.6 These activities have progressed from 2018 to date and have informed the development of tender documents including service standards, key performance measures and customer outcomes, service specifications, costs, method statements and evaluation criteria. These are highlighted in the original procurement timetable below;

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Approval by Mayoral Proceedings</td>
<td>08/03/2018</td>
</tr>
<tr>
<td>2 Establish procurement arrangements (i.e. set up project team, procurement timetable, etc.)</td>
<td>26/04/2018</td>
</tr>
<tr>
<td>3 Agree procurement plan and EU procedure</td>
<td>26/04/2018</td>
</tr>
<tr>
<td>4 PIN Published</td>
<td>15/05/2018</td>
</tr>
<tr>
<td>5 Develop ITT –ongoing</td>
<td>17/11/2018</td>
</tr>
<tr>
<td>- Collation of TUPE info</td>
<td></td>
</tr>
<tr>
<td>- SQ</td>
<td></td>
</tr>
<tr>
<td>- Method Statement</td>
<td></td>
</tr>
<tr>
<td>- Open Tender</td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) Source: ASC Finance as of September 2018
3.7 However, Adult Social Care Senior Managers proposed that, in order to mitigate the risk of existing providers being unsuccessful on the Framework, it would be better to procure these services via an open Dynamic Purchasing System (DPS). A DPS will allow additional flexibility to enable new and existing providers more opportunities to be included should they initially be unsuccessful. This route is also helpful to any small and local providers. This would mitigate the risk of unnecessary changes/moves of accommodation and associated upheaval for Newham’s vulnerable customers. The DPS will:

- Allow new providers on to the DPS,
- Allow unsuccessful providers to reapply; less likely to lose providers
- Allow Providers who wish to exit the market to do so and be removed from the DPS
- Provide an auditable process from start to finish via an Electronic portal
- Provide choice, control and more options for customers.

3.8 In addition, the Mayor announced in December 2018 that LB Newham will become a London Living Wage Foundation Accredited Employer and will expect all Council staff and its contractor’s staff to be paid at the London Living wage rate through a phased rollout. This could have a potential impact on allocated budgets.

3.9 The additional extension will allow the Council time to complete the procurement via a DPS and to also undertake some analysis of the Mayor’s decision and consider the impact on the service budget. The start date for the DPS will be no later than 1st June 2020, as detailed in Appendix 1 - The Procurement Timetable.

3.10 Approval to seek procurement via the DPS was granted from Adult Social Care Department Management team (DMT) on the 27th February 2019.

3.11 Approval was granted from Checkpoint 1 on the 12th March 2019, on the basis to proceed with caution and rated amber. This was in relation to the length of the DPS that is being proposed. However, further guidance from Procurement confirmed that the length of the DPS, i.e.; 5 years with the possibility to extend for a further 3+2 years, falls within The Public Contracts Regulation 2015 guidance on Dynamic Purchasing Systems. This will also allow for the service to be reviewed. Commissioners feel that it is better to have the DPS for a longer term and have the flexibility to reduce/change especially as the regulation states that the Authority can later amend
3.12 Commissioners will be capable of adding and removing providers to the new DPS from its commencement in line with agreed procedures. Contracts will be individually called off and awarded to successful approved suppliers depending on individual contract values and in accordance with the Newham Scheme of Delegation².

4 Key Considerations & Proposals

4.1 Supported living services support vulnerable residents to achieve the following outcomes:

- Empowers residents to live in the least restrictive environment, assisting them to move to independent accommodation where possible.
- Supports residents to engage in meaningful activities such as education, training and employment.
- Prevents hospital admission.
- Prevents homelessness.
- Improves health outcomes (healthy lifestyle).
- Improves access to the community (Leisure & Community Neighbourhood services).

4.2 Through work completed to understand the current market, the following has been evidenced:

4.2.1 The quality of the current supported living offer to residents with learning disability and mental health needs is varied in quality. This variation applies both to the support offered and in the standard of the accommodation.

4.2.2 The supply of accommodation currently outstrips demand, meaning high void rates which endanger the long-term sustainability of providers. This adds a risk of providers filling voids with placements from neighbouring boroughs which bring additional costs to the Council (for example, safeguarding duties and on health teams).

4.2.3 The high number of small providers makes it difficult to provide a sufficient level of contract management to ensure best practice is being delivered, or to develop providers who require support.

4.2.4 The balance of the level of support offered does not meet demand. There is a higher proportion of high support, 24/7 staffed services than required. This results in residents moving to higher support services than their needs require which costs the Council more and does not promote individual resilience or independence.

4.3 The report recommends the completion of a full tender of services via a DPS with an extension of current contracts for a further period:

4.3.1 To allow for appropriate adherence to Corporate Governance processes,

² Newham Scheme of Delegation 1st November 2018
4.3.2 To allow Providers including small, independent providers time to prepare for the tender process and understand how to get on to the DPS,

4.3.3 The proposed new DPS model may attract providers who do not currently provide services within Newham. The extended period will allow greater market development to attract the highest quality providers.

4.4 A DPS model was considered by Commissioners when the initial request came to Mayoral Proceedings in March 2018 but at the time it was felt that this was not a suitable option due to the limited resources and capacity in the Collaborative Commissioning Team. Therefore a closed framework was proposed. However the Team now has a full complement of staff so a DPS can be reconsidered.

4.5 Procuring the Supported Living Services through the DPS will allow the following improvements to this service provision:

- quality assurance monitoring to take place across the service both with regard to statistical returns, as well as regular meetings with providers;
- Good practice and training opportunities can be shared amongst providers through forums and bulletins;
- Good quality services lead to more consistent, needs-focused accommodation and support for our service users to assist them on their pathway to independent living;
- A pre-agreed pricing structure that commits the providers to maintain their prices across the term of the contract;
- Guaranteed pricing structure to assist LBN in its financial planning and forecasting for budget setting and monitoring purposes.

4.6 Tenders received will be evaluated against pre-determined price/quality ratios applying the corporate 70% Price and 30% Quality weightings.

4.7 Through an improved standard of service, and by ensuring greater provider accountability through the monitoring of contracts, the rate of positive customer outcomes will improve. As a result this could increase the number of residents moving to lower support settings and to independent living. Longer term this should reduce the number of placements required, as more residents are enabled to move-on to independent accommodation.

5 Policy Implications & Corporate Priorities

5.1 Work to commission, improve the performance and outcomes achieved by accommodation based supported living services for people with mental health conditions, learning disabilities and/or autism will link to the following key local and national policies:

5.1.1 Building Newham’s Future Together – London Borough of Newham Corporate Plan 2019-20

Priority 2: Building Communities - housing offer for residents that delivers more genuinely affordable homes in well-designed neighbourhoods.

Objective: Poor quality or unstable housing affects mental health, educational outcomes, social integration and much more. –
Commissioners and Contracts Team will be looking to drive up quality of existingSupported Living properties used by customers with eligible need through regular monitoring, site visits, developing improvement plans etc.

Priority 3: Community Wealth Building a strong economy that supports local businesses, nurtures talent and provides opportunities for all

Objective: Work with all our partners to use our procurement and supply chain to spend public money locally to support Newham businesses. Increasing the use of Dynamic Purchasing Systems which allow new suppliers to join at any time – the proposed method of procurement of the Supported Living Services is via a DPS system which will allow for new suppliers to join at any time and also give customers a wider choice of providers.

Priority 5: Quality of life - improving our health and social care system so it works for Newham residents

Objective: Improve health outcomes in Newham - The Supported Living Services are specifically designed to provide customers with an eligible social care need a service that promotes wellbeing, independence and choice.

Objective: Improve access to and quality of services and facilitate the mental wellbeing of residents – input into specification and method statements from colleagues in Operations, CCG

Objective: Improve quality and accessibility of local services

Objective: Ensure adult safeguarding practices are embedded across Council services - providers will be required to train in the Council’s safeguarding procedure and Pan London safeguarding procedures.

Objective: Increase resident satisfaction with adult care services for both users and family carers – this will be monitored through contract monitoring.

5.1.2 Newham’s Sustainable Community Strategy for 2010–2030

Resilience Aspirations:

- An active and connected community – services will aim to ensure social integration of residents, reducing the stigma attached to Mental Health.
- Genuine housing options for the community – The housing offer meets legitimate need and encourages aspiration, employment and contribution to the community.
- People achieve their potential – People have the skills and competencies that make them highly employable, including the softer skills.
- People are healthy – People aspire to good health throughout their lives and make positive choices to maintain and improve their health and wellbeing.
People are in control and independent – People whose circumstances make them vulnerable and do need support are supported to make their own decisions and remain independent.

5.1.3 Joint Mental Health Strategy for Newham 2015 – 2020

The three key principles; hope and empowerment, access to high quality services; and recovery and living well.

Hope and empowerment

- Supporting preventative approaches to mental health
- Reducing stigma
- Promoting mental health and wellbeing

Access to high quality services

- Delivering community based services close to the home
- Ensuring timely access to high quality specialist services

Recovery and living well

- Focusing treatment and care on recovery
- Promoting groups and activities which focus on social inclusion and build community resilience
- Ensuring accessible specialist housing and welfare benefit advice
- Supporting access to employment and meaningful activity

5.1.4 Care Act 2014

- Supported living helps to support residents to achieve independence and control over their lives and is in keeping with the duties and functions under the Care Act 2014. It is also only available to residents who do not have suitable alternative accommodation and therefore supports efforts to prevent homelessness, in keeping with the Homelessness Reduction Act 2017.

- The Care Act places new duties on local authorities to promote the efficient and effective operation of the market for adult care and support as a whole. This can be considered a duty to facilitate the market, in the sense of using a wide range of approaches to encourage and shape it, so that it meets the needs of all people in their area who need care and support, whether arranged or funded by the state, by the individual themselves, or in other ways.

5.1.5 NHS – The Five Year Forward View for Mental Health

This recognises that housing is critical to the prevention of mental health problems and the promotion of recovery and recommends that the Department of Health, the Department of Communities and Local Government, NHS England, HM Treasury and other agencies should work with local authorities to build the evidence base for specialist housing support for vulnerable people with mental health problems.

5.1.6 Transforming Care – National Plans Building the Right Support and Building the Right Home.

- Ensuring people with Learning Disabilities and/or Autism are getting the right care in the right place.
People should be supported to live as independently as possible in settled accommodation in the community, rather than living long-term in institutionalised settings.

To ensure that people with a learning disability and/or autism in hospital who could be supported in the community are discharged into a community setting as soon as possible.

People should be supported to have a good and meaningful everyday life - through access to activities and services such as early years services, education, employment, social and sports/leisure; and support to develop and maintain good relationships.

Care and support should be person-centred, planned, proactive and coordinated – with early intervention and preventative support based on sophisticated risk stratification of the local population, person-centred care and support plans, and local care and support navigators/keyworkers to coordinate services set out in the care and support plan.

People with a learning disability and/or autism should be supported to live in the community with support from and for their families/carers as well as paid support and care staff. People should have a choice about where and with whom they live – with a choice of housing including small-scale supported living, and the offer of settled accommodation.

6 Alternatives considered

6.1 An alternative is to procure services via a closed framework arrangement but as outline above, the DPS is considered a more flexible, less risky and appropriate option for these services.

7 Consultation

7.1 Name of Lead Member consulted: Cllr Susan Masters

   Position: Cabinet Member Health and Adult Social Care

   Date: 5th March 2019

7.2 The following engagement activities have been completed:

<table>
<thead>
<tr>
<th>Engagement Event</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider Market Engagement – 08/10/2018</td>
<td>Informing providers of the SL procurement, levels of cares, quality standards, performance framework. Further develop ITT based on provider day feedback</td>
</tr>
<tr>
<td>Task and Finish Group-Carers and Customers – 01/11/2018</td>
<td>what was being delivered, experiences and views of standards of services, areas of improvement</td>
</tr>
<tr>
<td>Operation Team Workshops and engagement – 15/11/2018,</td>
<td>developed the care levels in order to meet a range of needs, profile pen pictures according to those levels so Providers and Care Managers and brokerage are able to define appropriate care level</td>
</tr>
<tr>
<td>Update letter to all MH and LD Providers re delay in start of tender process – 16/01/2019</td>
<td>letter sent to all Providers regarding the delay in the procurement of the SL Service</td>
</tr>
<tr>
<td>Event</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>LD Provider Forum – 15/02/2019</td>
<td>Continuous update on progress and information sharing</td>
</tr>
<tr>
<td>MH Provider Forum – 14/02/2019</td>
<td>Continuous update on progress and information sharing</td>
</tr>
<tr>
<td>ASK group – MH Specific – 13/09/2018</td>
<td>informed customers of our intentions to re-procure SL services, engaging the customers and seeking feedback on the current services and shaping the new service</td>
</tr>
<tr>
<td>ASK group – MH Specific - 14/02/2019</td>
<td>provided update on above and informed the group that a DPS is being considered</td>
</tr>
<tr>
<td>Co production Forum – 10/09/2018</td>
<td>informed customers of our intentions to re-procure SL services, engaging the customers and seeking feedback on the current services and shaping the new service</td>
</tr>
<tr>
<td>Co production Forum – 11/03/2018</td>
<td>provided update on above and informed the group that a DPS is being considered</td>
</tr>
<tr>
<td>Current supported living customers – April/May 2019</td>
<td>Further targeted engagement with customers of current services is planned</td>
</tr>
</tbody>
</table>

8 Implications

8.1 Financial Implications/Comments

8.1.1 This report requests an extension of the Housing Related Support services and Supported Living services for a further 12 months. This will enable an extensive procurement exercise via a DPS.

8.1.2 Remodelling the supported living offer will increase provider’s focus on providing positive outcomes for residents. The proposed core and flexi model will bring with it benefits including meeting our obligations under the Care Act to ensure the financial sustainability of providers. It will also allow for greater governance of contracts as providers will be expected to provide a clear core service.

8.1.3 As part of our packages and placements strategy the implementation of a model of supported living will maximise preventative opportunities. It is also planned that new models of service will avoid costlier care alternatives such as extended hospital admissions or stays in residential care.

8.1.4 The available budget for supported living provided to residents with a learning disability or an enduring mental health diagnosis is approximately £9.3m per annum, currently delivered through a mixture of commissioned services from different providers. The new supported living offer will be met from within existing resources.

8.1.5 Future years’ budgets are subject to review given the substantial reductions in Local Authority Funding over the next three years. Any commitments against future years’ budgets may pre-empt
8.1.6 This contract will remain under review as part of the implementation of the London Living Wage across the Councils contracts.

8.2 Legal Implications/Comments

8.2.1 An extension of the current supply arrangement is sought to allow the service to continue whilst a procurement exercise is undertaken for a new contract. The original contract (including any permitted extensions) expired in August 2018. The contract has continued beyond the original term and this arrangement is due to come to an end on 31st May 2019.

8.2.2 The Council is capable of contracting with a third party for delivery of its services by exercising its general power of competence under Section 1 of the Localism Act 2011 (“general power of competence”), which gives the power to do anything an individual can do, subject to any statutory constraints on the Council’s powers. It is advised that none of the constraints on the s.1 power are engaged by this decision.

8.2.3 The Council must comply with EU and domestic procurement law and may extend the contract for this period on the grounds that it does not form a significant variation of the contract. The Council may extend the contract under regulation 72(8) of the Public Contracts Regulations which allows contracting authorities to modify contracts. It is not considered that the variation is sufficient to require a separate procurement process.

8.2.4 The Care Act 2014 (the 2014 Act) has been in effect since April 2015 and places a number of general duties on the Council when it is exercising functions under the 2014 Act. They include:

- To promote an individual’s well-being. Well-being is defined in the 2014 Act and includes control by the individual over day-to-day life. In exercising this general duty the Council must have regard to the importance of preventing or delaying the development of needs for care and support as well as and the importance of the individual participating as fully as possible.
- To establish and maintain a service for providing people in its area with information and advice relating to care and support. This service should include information about the choices and types of care and support available, choices of providers available and how to access the care and support.
- To promote diversity and quality in the provision of services within the locality. Under this section the Council must ensure that commissioning and procurement practices deliver the services that meet the requirements of the Act.

8.2.5 Adult’s Services seek approval to set up a DPS following a restricted tendering process, for the provision of supported living accommodation for people with mental health support needs, autism and learning disabilities. A Dynamic Purchasing System is a combination of the use of an eProcurement tendering tool and the use of approved/accredited
supplier lists. Providers register with the system, the Council would then review their suitability and quality systems and if deemed acceptable they are accredited. Unlike the traditional framework contracts providers can join and leave at any time during the DPS timeframe. Tenders are issued to only accredited providers of the DPS, ensuring a level of quality; however, they are not obliged to submit a quotation.

8.2.6 The estimated value of the proposed DPS is expected to be £9.3m per annum and is in excess of the threshold for Light Touch Regime under the PCR 2015 and CSO, as such Cabinet approval is required to approve the Recommendations set out above.

8.2.7 Officers must follow Regulation 54 of the PCR 2015 when inviting providers from the relevant Lot(s) under the DPS to submit a tender. Officers are advised to note that award criteria relating to any proposed individual contracts under the DPS must be in accordance with the original contract notice or in the invitation to confirm interest document. Those criteria may (where required) be precisely formulated in the invitation to tender.

8.2.8 Once the tendering process is undertaken Officers will report back to the Cabinet in accordance with the CSO, explaining the process undertaken in tendering the contracts and recommending award. There is a requirement to publish contract award notices (which must be sent to the Publications Office within 30 days of award) for specific individual contracts awarded under the DPS. However, contracting authorities can choose to group DPS contract award notices and make a quarterly return. Officers should also abide by the requirements for publication on Contracts Finder with regards to contracts awarded.

8.2.9 The Transfer of Undertakings (for the Protection) of Employees Regulations 2006 (“TUPE”) is likely to apply to the DPS mini competition process if there is a service provision change in providers. TUPE would apply between the new replacement providers and the incumbent providers should there be a change in service provider. In these situations the Council will act as a conduit of information between the parties so as to ensure minimal disruption to service users during the implementation plan phase.

8.3 Equalities Implications

8.3.1 Supported living services are available for people over the age of 18 years with an assessed need such as a learning disability/autism, or mental health condition who may also fit in within other protected characteristics as defined in the Equalities Act 2010 e.g. age, race, and gender, sexuality, religious and cultural differences.

- Eligibility and Accessibility will be a requirement explicitly referenced in the contract documents.
- The Council will require the service to be accessible to people regardless of their disability, condition or illness. Indeed the design of the service, addressing a range of disabilities, is intended to
achieve benefits directly aimed at people with disabilities and their carer’s.

- The Council will invite bids from established providers with suitably skilled and vetted staff able to work with customers across multiple specialist care groups.
- The service will be tailored to respond to individual support and care needs taking into consideration their regions and cultural needs.
- Providers will be evaluated against a method statement meeting peoples individualised needs. This includes the demonstration of their willingness and ability to work in a partnership group with the Council and other organisations to deliver services across care groups and hard to reach groups.

8.3.2 An equalities impact assessment screening was carried out and the report concluded that this procurement would not have an adverse/or negative impact on residents with an assessed need as they will continue to receive the level of service that they require based on their social care needs assessment under the Care Act 2014. Please see Appendix 2 Equalities Impact Assessment.

9 Background Information used in the preparation of this report


- Adult Social Care DMT report and approval to seek procurement via a DPS – 27th February 2019.

- Checkpoint Panel report and response to Procurement for the provision of Accommodation Based Supported Living Services for Adults with MH, LD and Autism – 12th March 2019.

Papers are available from Helen Murphy at; helen.murphy@newham.gov.uk, or 020 3373 4831, or Nina Khatun at; nina.khatun@newham.gov.uk, or 020 3373 3932
## Appendix 1 - Procurement Time Table

LBN Supported Living Procurement Timetable  
Dynamic Purchasing System (DPS)  
For 5 years + 3+2 years (optional)

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DMT-Approval for extension and DPS system</td>
</tr>
<tr>
<td>2</td>
<td>Checkpoint 1 report submission</td>
</tr>
<tr>
<td>3</td>
<td>Checkpoint 1 report meeting</td>
</tr>
<tr>
<td>4</td>
<td>Corporate Management Team (CMT) – report submission</td>
</tr>
<tr>
<td>5</td>
<td>CMT meeting – agreement to procure via a DPS</td>
</tr>
<tr>
<td>6</td>
<td>Pre-brief with Cllr Masters</td>
</tr>
<tr>
<td>7</td>
<td>Final date for submission of entry form for the published forward plan (if approved by CMT)</td>
</tr>
<tr>
<td>8</td>
<td>Deadline for submission of Final reports</td>
</tr>
<tr>
<td>9</td>
<td>Agenda published</td>
</tr>
<tr>
<td>10</td>
<td>Date of Cabinet &amp; Council meeting (Cabinet – agreement to procure via a DPS)</td>
</tr>
<tr>
<td>11</td>
<td>DMT –Agree the ITT Documentation e.g. specification</td>
</tr>
<tr>
<td>12</td>
<td>Upload all documents to CapitaleSourcing</td>
</tr>
<tr>
<td>13</td>
<td>Publish Contract Notice and Issue ITT documents</td>
</tr>
<tr>
<td>14</td>
<td>Bidder query deadline</td>
</tr>
<tr>
<td>15</td>
<td>Deadline for Return of Tenders</td>
</tr>
<tr>
<td>16</td>
<td>Tender evaluation (first tranche) commences</td>
</tr>
<tr>
<td>17</td>
<td>Tender evaluation (first tranche) concluded</td>
</tr>
</tbody>
</table>
### Appendix 2 - Equalities Impact Assessment

**EqIA: Procurement for the Provision of Accommodation Based Supported Living Services for Adults with MH, LD and Autism**

Assessing impact on equality is a process which develops along with your policy. You must complete the table below to ensure that the EqIA process can be tracked.

<table>
<thead>
<tr>
<th>Version number</th>
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</tr>
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<tbody>
<tr>
<td>Date last reviewed:</td>
<td>15/02/2019</td>
</tr>
<tr>
<td>Approved by:</td>
<td>Helen Murphy</td>
</tr>
<tr>
<td>Date approved:</td>
<td>20/02/2019</td>
</tr>
<tr>
<td>Next review date:</td>
<td>As part of any re-procurement process</td>
</tr>
<tr>
<td>Saved as:</td>
<td>Supported Living EqIA</td>
</tr>
</tbody>
</table>

1. **Management of the EqIA**
   
   Nina Khatun Commissioner for Mental Health

2. **Identification of policy aims, objectives and purpose**

   The proposal being assessed is the commissioning intention to re-procure the provision of Accommodation Based Supported Living Services for Adults with MH, LD and Autism. The current extension of Housing Related Support contracts and the Supported Living pre-placement agreement (spot contract) end on 31st May 2019. The intention is to seek a further extension of up to 12 months from 1st June 2019 – 31st May 2020 while re-procuring these services through an open tender via a Dynamic Purchasing System (DPS) for 8 years with the possibility of an extension of up to 2 years. The new DPS will start on the 1st June 2020 and the annual expenditure on these services is estimated at £9.3m per annum.

   National and Local policies steer the importance and need to provide suitable supported accommodation for people with an assessed need such as mental health, learning disability and/or autism. Supported living services support vulnerable residents to achieve the following outcomes:
Empower residents to live in the lease restrictive environment, assisting them to move to independent accommodation where possible.

Supports residents to engage in meaningful activities such as education, training and employment.

Prevents hospital admission.

Prevents homelessness.

Improves health outcomes (healthy lifestyle).

Improves access to the community (leisure and community neighbourhood services).

Within the boundaries of Newham there are approximately 63 supported living providers, 97 supported living schemes, currently supporting a total of approximately 320 customers on a spot purchase basis. There are also approximately 9 Housing Related Support providers supporting approximately 382 Customers. It should be noted this data includes numbers of all customers in supported living including those whose primary need is other than MH, LD and Autism. It should also be noted that the number of customers stated above could receive both HRS and Supported Living Services.

3. **Scope / focus of the EqIA**

The focus of the EqIA is to assess the impact that the re-procurement of the accommodation based supported living services may have on residents who currently use housing related support and supported living services and the local population. No groups will be negatively impacted by the re-procurement as services will continue to be available to residents who are eligible and have an assessed need.

<table>
<thead>
<tr>
<th>Protected characteristic</th>
<th>Assessment of relevance High, Medium, Low</th>
<th>Provide evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class or socio-economic disadvantage</td>
<td>Low</td>
<td>Class or Socio-economic disadvantage will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Age</td>
<td>Low</td>
<td>Supported living services are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Disability</td>
<td>Low</td>
<td>Supported living services are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Pregnancy and maternity</td>
<td>Low</td>
<td>Pregnancy and maternity will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Race</td>
<td>Low</td>
<td>Race will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Religion / belief</td>
<td>Low</td>
<td>Religion/belief will not affect access to supported living services as they are available for people over</td>
</tr>
</tbody>
</table>

3 Source: Azeus Data as of September 2018.
the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.

<table>
<thead>
<tr>
<th></th>
<th>Low</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex/gender</td>
<td>Low</td>
<td>Sex/gender will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>Low</td>
<td>Sexual orientation will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
<tr>
<td>Transgender</td>
<td>Low</td>
<td>Transgender will not affect access to supported living services as they are available for people over the age of 18 with an assessed need such as a learning disability/autism, or mental health needs.</td>
</tr>
</tbody>
</table>

4. **Relevant data, research and consultation**

Data on the demography of Newham has been taken from various sources including the Adult Joint Strategic Needs assessment 2017-19, Mental Health Needs Assessment 2016-18, POPPI and PANSI.

**Key Statistics on Newham Adult Population**
Source - Adult Joint Strategic Needs assessment 2017-19

<table>
<thead>
<tr>
<th>Size of adult population (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>In 2016, the adult population (aged 18+ years) was about 296,100 = 75% of total population</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>47% females</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ethnicity (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>British Asian (44.20%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Religion (2015)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christianity (41.68%)</td>
</tr>
</tbody>
</table>
The tables below show the predicted number of people who may have a learning disability or mental health condition from 2018 to 2020. This supports LBN to understand the possible demand for care and support services in order to support people with a learning disability or mental health condition.

### Baseline LD Population Profile

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>% change increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseline LD -18-64</td>
<td>5,949</td>
<td>6,027</td>
<td>6,098</td>
<td>2.50%</td>
</tr>
<tr>
<td>Baseline LD-65+</td>
<td>533</td>
<td>547</td>
<td>567</td>
<td>6.38%</td>
</tr>
<tr>
<td>Moderate or Severe LD 18-64</td>
<td>1,356</td>
<td>1,375</td>
<td>1,392</td>
<td>2.65%</td>
</tr>
<tr>
<td>Moderate or severe LD 65+</td>
<td>371</td>
<td>375</td>
<td>380</td>
<td>2.43%</td>
</tr>
</tbody>
</table>

*POPPI and PANSI as of 17/09/2018 the estimated LD population in Newham*

### Mental Health Population Profile

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>People aged 18-64 predicted to have a common mental disorder</td>
<td>38,144</td>
<td>38,665</td>
<td>39,114</td>
</tr>
<tr>
<td>People aged 18-64 predicted to have a borderline personality disorder</td>
<td>1,058</td>
<td>1,072</td>
<td>1,085</td>
</tr>
<tr>
<td>People aged 18-64 predicted to have an antisocial personality disorder</td>
<td>870</td>
<td>885</td>
<td>897</td>
</tr>
</tbody>
</table>
People aged 18-64 predicted to have a Psychotic disorder | 931 | 946 | 959
People aged 18-64 predicted to have Two or more Psychotic disorder | 17,280 | 17,516 | 17,724

*POPPI and PANSI as of 17/09/2018 the estimated MH population in Newham*

Engagement activities on the re-procurement have been undertaken with stakeholders including:
- The Co-Production Group/Ask Forum/Autism Steering Group/LDPAG
- Internal Teams – Contracts, Operations, Legal, Finance, Procurement, ASC DMT, Newham CCG
- Providers

The involvement and engagement of key stakeholders has been carried out through various methods such as forums, workshops, presentations.

Research and background papers include,
- Service Specification for Supported Living for Adults with a Mental Health Condition 2019 - Draft
- Service Specification for Supported Living for Adults with a Learning Disability and/or Autism 2019 - Draft
- Various DMT Papers regarding the Procurement for the Provision of Accommodation Based Supported Living Services for Adults with MH, LD and Autism

5. **Assessment of Impact and outcomes**

<table>
<thead>
<tr>
<th>Protected characteristics</th>
<th>Issues taken from evidence</th>
<th>Judgement (positive / negative)</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>All groups</td>
<td>No issues</td>
<td>Positive</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Equality Impact Assessment Action Plan for [insert name of policy]

<table>
<thead>
<tr>
<th>Issues identified and groups affected</th>
<th>Actions to be taken</th>
<th>Timescales of actions</th>
<th>Who is responsible for delivery</th>
<th>Intended outcomes</th>
<th>Performance measures</th>
<th>Reference to service or other plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>No issues identified and no groups affected</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This proposal should not have an adverse/or negative impact on residents with an assessed need as they will continue to receive the level of service that they require based on their social care needs assessment under the Care Act 2014. The Service specifications clearly describe the expectation from Providers for the delivery of Service and based on that those with eligible needs should receive a service that is more outcome focussed and person centred. Providers are expected to provide a service which is compliant to the Equalities Act 2010.

The procurement will allow for an improved standard of service, and by ensuring greater provider accountability through the monitoring of contracts, the rate of positive customer outcomes will improve. As a result this could increase the number of residents moving to lower support settings and to independent living. Longer term this should reduce the
number of placements required, as more residents are enabled to move-on to independent accommodation.

6. **Formal agreement**
   Agreed by: Helen Murphy

7. **Publication of results**
   a. Date EqIA published on Council website (full or summary version) - To be confirmed.

8. **Monitoring and review**
   This document will be reviewed as and when required and especially when there are any major changes that have to be taken into account.