



## Mayor and Cabinet

**Report title: Learning Disability Framework - Request for permission to procure a contract for Supported Living through call off from the Framework (Mayow Road Supported Living units)**

**Date:** 10 March 2021

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** Perry Vale

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### Outline and recommendations

The purpose of this report is to seek agreement from Mayor and Cabinet to initiate a procurement process. The procurement will involve the commissioning of a supported living contract as a call off under the Framework Agreement for the Provision of Services to Adults with Learning Disabilities.

The service will be delivered to people with learning disabilities and / or autism with challenging behaviour living in 6 new Supported Living flats which is part of the new Mayow Road social housing development

The development of this new supported living scheme is strategically supported by the Council and the CCG. NHS England have made grant funding available for the development of the Supported Living element of the Mayow Road scheme as a part of the 'Transforming Care' programme. A grant of c. £900k has been made available following the award of planning approval for the scheme in November 2019

## Timeline of engagement and decision-making

On 13th February 2019 Lewisham's Mayor and Cabinet approved that the Council should pursue the development of new high-quality Supported Living and temporary accommodation homes at the Mayow Road Warehouse site.

On 7<sup>th</sup> August 2019 Lewisham's Mayor and Cabinet authorised the scheme be submitted for Planning Approval

On 1<sup>st</sup> November 2019 Planning Permission was granted

Three consultation events were held between December 2018 and March 2019 with the general public on the housing development at Mayow Road, including the development of the supported living unit.

The capital grant agreement between NHSE and Lewisham Council finalised and signed February 2020 to confirm NHS funding for the housing development of the supported living flats in Mayow Road

A housing / service design development workshop was held in December 2018 involving Framework providers, adult social care and LD Specialist Therapy and Psychology lead professionals. Adult social care and health clinicians have been involved in ongoing design meetings.

## 1. Summary

- 1.1. The purpose of this report is to seek agreement from Mayor and Cabinet to initiate a procurement process. The procurement will involve the commissioning of a supported living contract as a call off under the Framework Agreement for the Provision of Services to Adults with Learning Disabilities.
- 1.2. The service will be delivered to the 6 new Supported Living homes for residents with learning disabilities which is part of the new Mayow Road social housing development
- 1.3. The development of this new supported living scheme is strategically supported by the Council and the CCG. NHS England have made grant funding available for the development of the Supported Living element of the Mayow Road scheme as a part of the 'Transforming Care' programme. A grant of c. £900k has been made available following the award of planning approval for the scheme in November 2019
- 1.4. The Joint Commissioning Teams for Adults and Children Services (CCG and LBL) have agreed the approach to delivering the supported living scheme which will provide an alternative to residential care locally for people with a learning disability and/or autism with challenging behaviour in Lewisham, and is an important new service which will expand the local offer to meet the needs of young people coming through Transition from Children and Young People's services and reduce the need for out of borough placements.
- 1.5. This Part 1 report is accompanied by a Part 2 report which contains commercially sensitive financial information.

## 2. Recommendations

- 2.1. Mayor and Cabinet are recommended to approve the initiation of the procurement of the supported living contract via a mini-competition under Lot 1: Supported Living of the Framework Agreement for Adults with Learning Disabilities 2019-2023. This will be a 4 year contract.

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### 3. Policy Context

- 3.1. In line with other councils, Lewisham Council became the lead agency for commissioning services for adults with a learning disability on 1st April 2009. The Joint Commissioning Section 75 signed in 2014 means that it leads on commissioning in respect of adult services for Mental Health, Learning Disabilities, Older Adults, Physical Disabilities and Carers.
- 3.2. The Care Act 2014 is the most substantial piece of legislation relating to adult social care to be implemented since 1948. It consolidated previous legislation, common law decisions and other good practice guidance. The Care Act places a wide emphasis on prevention, the provision of advice and information, changes to eligibility, funding reform and market shaping and commissioning.
- 3.3. The Council requires that contracts continue to be delivered in accordance with the principles laid out in Transforming Care, the Government's Concordat Programme of Action (2012) and the national plan "Building the right support" (2015) to develop community services for people with a learning disability and/or autism. These principles are:
  - 1) People should be supported to have a good and meaningful everyday life
  - 2) Care and support should be person-centred, planned, proactive and coordinated
  - 3) People should have choice and control over how their health and care needs are met
  - 4) People should be supported to live in the community
  - 5) People should have a choice about where and with whom they live
  - 6) People should get good care and support from mainstream NHS services
  - 7) People should be able to access specialist health and social care support in the community
  - 8) People should be able to get support to stay out of trouble
  - 9) When health needs cannot be met in the community people should be able to access high quality assessment and treatment in a hospital setting
- 3.4. The Framework Agreement established in 2019 links with the Council's Corporate Strategy (2018 – 2022). The Framework operates in line with the Council's commitments:
  - to ensure all health and social care services are robust, responsive and working collectively to support communities and individuals:
  - to defend and deliver health and social care services that protect the most vulnerable in our borough:
  - to ensure everyone receives the health, mental health, social care and support services they need
- 3.5. The contract being commissioned is being procured under the Framework Agreement and in line with these Council commitments.
- 3.6. There has been increased recognition of the need to develop local accommodation-based services for people with learning disabilities and autism, in particular for those young people in Transition from Children to Adults Services. This is reflected in the Council's Corporate Strategy 2018-22 with building new homes for people with a learning disability listed as a commitment. Commissioners confirm that there is sufficient need for the flats to be fully occupied

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- 3.7. The supported living development will be in line with Shaping the Future, the Council's Sustainable Community Strategy (2008-2020)<sup>1</sup>, which includes the following priority outcomes that relate to the provision of new housing:
- Ambitious and Achieving – where people are inspired and supported to fulfil their potential.
  - Empowered and Responsible – where people can be actively involved in their local area and contribute to supportive communities.
  - Clean, Green and Liveable – where people live in high quality housing and can care for and enjoy their environment
  - Dynamic and Prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond

## 4. Background

- 4.1. On the 13th February 2019 Lewisham's Mayor and Cabinet approved that the Council should pursue the development of new high-quality Supported Living and temporary accommodation homes at the Mayow Road Warehouse site. This scheme is part of a wider emerging programme of development and refurbishment for people with learning disabilities in Lewisham whose behaviour challenges. The project is based on the success of the challenging needs service at Holmbury Dene, which was refurbished into self-contained flats in 2018 to provide personalised support to meet individual's needs. The service has received positive feedback from service users and families and have been able to support people with challenging behaviour successfully. Social work have been an integral part of the team working on this project and have influenced the design development. Social work will continue to be involved in the development of the service specification and identification of service users for the scheme.
- 4.2. This scheme is part funded by NHS England through the 'Transforming Care Programme' capital fund. The NHS England 'Transforming Care Programme' seeks to improve health and care services for people with a Learning Disability and/or autism who display challenging behaviour, including those with a mental health condition. The aim of the programme is to enable more people to live in the local community, with the right support, and close to home.
- 4.3. LB Lewisham has secured c £900,000 in NHS Capital Grant to pay for the development of 6 1-bedroom flats that are being specially designed and developed to meet the housing needs of people with a learning disability and/or autism who have behaviour that challenges. The flats will also provide communal space for use by staff and for meetings with professionals/families etc. LB of Lewisham is funding the balance for any additional requirements people housed in these flats will need.
- 4.4. The service is welcomed locally by LD Specialist Therapy Services. Lead professionals have been involved in developing the design approach to date and will continue to be involved in the development of the service specification for the service, and the start-up of the new service.
- 4.5. The Council's Strategic Housing Team and Lewisham Homes, who will be managing the scheme, have developed a partnership approach to deliver the scheme and have allocated project management resources to drive the project forward. They have worked closely with Lewisham Social Care and Health to develop the scheme, which will form part of the Council's 1000 new home programme and help to achieve a key

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<sup>1</sup> <https://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Pages/default.aspx>

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housing commitment to build more new homes for people with learning disabilities in the borough. The new flats are being built to enable specialist care and support services to be provided onsite 24/7, without an institutional feel.

- 4.6. To develop the Supported Living designs the Strategic Housing team have taken specialist advice from best practice guidance to inform key principles and promote a well thought out approach to the development. This includes Supported Housing Guidance and lessons learnt from other successful projects in the UK, as well as holding consultation events with service providers and design workshops with the Adults with Learning Disabilities (AWLD) social work team and multidisciplinary staff from the AWLD Community Health Team.
- 4.7. The Council has received positive feedback from providers who are on Lewisham Learning Disability Framework for the category of Supported Living who were invited to a design development workshop, which enabled the scheme design to benefit from a wealth of local knowledge and experience. Many of these providers will be interested in bidding to provide the care and support services into the service through this procurement. The provider for the supported living service will be procured by September 2021 to enable a minimum 6 month period before the service starts to establish the service, recruit staff and work with the Council to identify service users.
- 4.8. The Council has received positive feedback from a local parent/carer organisation, Campaign for Lewisham Autism Spectrum Housing (CLASH) who attended a consultation meeting and who circulated the proposals to their members. The Head Teacher of local SEN School, Greenvale, also attended the consultation event and gave her support for the scheme.
- 4.9. The successful provider will be required to work with local advocacy groups and Learning Disability and Autism Spectrum Disorder professional teams to identify individuals who may be eligible to move into the service at the time it becomes available and to work with them and the potential future service users to personalise the scheme and service to meet their needs and preferences. The specification will be informed by the work that Lewisham Speaking Up have already done about Housing at their People's Parliament meetings.
- 4.10. The supported living service will be procured through the Learning Disability Framework Agreement for adult learning disability services under the category of Supported Living (Lot 1). The Framework was implemented on 1 September 2019 with a term of 4 years.
- 4.11. Twenty-one (21) organisations have been appointed to the Framework Agreement in the category of supported living. Providers appointed to the Framework for this category will be invited to bid for this service.
- 4.12. The Framework Agreement allows the Council to both call off contracts using the prices and quality information submitted on appointment to the Framework Agreement or through a mini competition amongst Framework Providers. The Framework Agreement does not preclude an open tender process if the Council does not believe that existing Framework providers could deliver the type and complexity of service required.
- 4.13. The Framework Agreement is an overarching contract under which services are procured using service specifications that are particular to the service and service category concerned. Procuring this service through the Framework Agreement will enable commissioners to continue to ensure the contract delivers best value. The new contractual agreement will give the flexibility to commissioners to review the service and costs to reflect changing needs and support requirements and strategic priorities.
- 4.14. The new supported living scheme will provide much-needed supported housing to enable young people with Learning Disabilities and/or autism with challenging

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behaviour to live independently in Lewisham, reducing the need for expensive out-of-borough placements for this group of service users, which could save the Council in the region of £145k per annum.

- 4.15. Lewisham has a high prevalence of young people diagnosed with autism in comparison to other local authorities. Every year approximately 6 young adults with LD and/or autism 'in transition' are at risk of hospital admission as adults. Some of these young people are admitted to hospital and some are placed in out of borough schools or colleges. They are often placed in crisis as their behaviour becomes increasingly impossible for families to manage at home.
- 4.16. There are insufficient numbers of specialist accommodation in Lewisham for young people whose behaviour challenges, which means that they are not currently able to return to the borough post-19 and remain long-term in unsuitable placements or accommodation far from their families and support networks. There is also a lack suitable accommodation for young people at risk of admission to move into, triggering a move to hospital or an out of area placement.
- 4.17. The Mayow Road supported living development will deliver these benefits for individuals:
  - 6 new self-contained units of settled accommodation will enable 6 young adults with learning disabilities and/or autism who display behaviour which challenges to return from out of borough placements/ be discharged from hospital/ leave family home
  - Clients/ patients to receive care closer to home
  - Individuals will be able to better maintain contact with family friends and support networks
  - The Council will be able to provide closer quality assurance and monitoring of service provision in the borough, compared to out of borough services, thus ensuring both safety of care and quality of life
  - Improved continuity of care and treatment
  - Improved self-determination and citizenship
  - Improved opportunity to follow education and employment plans (EHCPs) uninterrupted and locally
- 4.18 The supported living service specification issued through this procurement process is based on current best practice and learning and comprises a general specification detailing the values and standards required of providers delivering supported living services in the borough and additional service requirements specific to the needs of people with a learning disability and / or autism who challenge services through their behaviour who are the target group for this service. In addition, individualised specifications will be drawn up detailing commissioners' expectations and requirements for the service and key outcomes expected for each service user. The contract specification and pricing schedule reflect the need for providers to deliver personalised services for individuals in accordance with assessed needs and specified financial modelling.

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## 5. Options Appraisal & Tender Process

### 5.1. Options Appraisal

5.2 An option appraisal (Gateway 3 Business Case report) has been carried out considering the options of procuring the Framework Agreement through either:

- a. commercial contractors;
- b. in house;
- c. as a shared service or
- d. through a wholly owned contractor.

5.3 The appraisal was both a financial and qualitative evaluation of the different options. The qualitative element considered for each option:

- Who bears the delivery risk, the level of risk and how managed?
- What barriers exist to entering and operating in the marketplace?
- How control is achieved and how flexible the option model is?
- What other commercial potential exists through using this structure / approach?

5.4 Each of the qualitative areas considered carried 10% of the overall evaluated score – 40% in total. The financial evaluation which considered the cost of each option carried 60% of the overall score.

5.5 The outcome of the appraisal was that in all areas, both qualitative and financial, the option of procuring the service via the Framework Agreement to an external commercial contractor was most favourable. The scores were as follows:

<b>Delivery option</b>	<b>Delivery Risk 10%</b>	<b>Barriers to entry into marketplace 10%</b>	<b>Nature of control and Flexibility 10%</b>	<b>Commercial potential 10%</b>	<b>Cost 60%</b>	<b>TOTAL (out of 100%)</b>
<i>Commercial contractor</i>	8	9	9	8	60.00	<b>94.00</b>
<i>In house</i>	4	3	8	4	44.44	<b>63.44</b>
<i>Shared service</i>	4	4	5	6	40	<b>59</b>
<i>Wholly owned contractor</i>	3	2	7	7	50	<b>71.32</b>

5.6 For the mini-competition officers are issuing a tender pack to include:

- ITT
- Form of Tender

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- Pricing Schedule
  - Specification
  - Method Statements
  - Social Value template
  - Anonymised pen portraits giving characteristics of people who are the intended recipients of this service
- 5.7 The mini-competition will be open for 35 days to enable bidders to respond in sufficient detail to the proposals. The top 3 shortlisted providers will be invited to interview which will account for a percentage of the overall quality weighting. Although individual service users and their families will not be identified by the time interviews take place the Council will be seeking representation of user views through the involvement of Lewisham Speaking Up.
- 5.8 The evaluation of the mini-competitions will be split 60:40 between quality and price in line with the evaluation criteria for securing a place on the Framework. This approach is proposed because all of the potential bidders have already competed on price when they were appointed to the Framework. Supported living rates are set within the Framework Agreement and in this procurement exercise bidders will be required to price the service based on the Council's rates. Bidders are advised they cannot submit prices above the Council's maximum rates.
- 5.9 The quality evaluation is tailored to this mini-competition and comprises 6 general method statements, which all bidders will need to complete, detailing how they will deliver the service to the required standard and meet the specific needs of the intended client group. At interview stage the top 3 shortlisted bidders will need to deliver a presentation on topics specific to the needs of the service.
- 5.10 One of the method statements concerns Social Value and requires tenderers to detail targets around social value across the four council objectives:
- Employment, skills and economy
  - Creating a greener Lewisham
  - Training Lewisham's future
  - Making Lewisham Healthier
- 5.11 Tenderers will be asked to detail their KPI social value targets in areas including the employment of LBL residents, reducing carbon footprint and use of local businesses. Tenderers will also be made aware that if they are successful they will also be required to meet targets around the following social value KPIs:
- Demonstrate commitment to work practices that improve staff physical and mental wellbeing and reduce absenteeism due to ill health
  - Any accreditation that promotes health and wellbeing of service users staff and/or wider community (Dementia Friendly, Disability Confident)
- 5.12 Tenderers will also have to submit two additional method statements specific to this service. These cover their understanding of how the commissioner's statement will influence staffing and management of the service and how they will support the achievement of the key outcomes identified for the individuals in the service.

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- 5.13 The Learning Disability Framework Agreement has been established on the basis of an hourly cost inclusive of the London Living Wage and it will be a requirement of the successful bidder, as detailed in the Council's Invitation and Instructions to Tenderers, that any employee working on the contract awarded via this procurement exercise will be remunerated at a rate which is, at a minimum, equal to the London Living Wage at the time the new contract starts (currently £10.85 per hour).
- 5.14 This mini-competition is being procured in accordance with the Council's Contract Procedure Rules and the terms and conditions of the specific Framework Agreement. A report on the outcomes of the procurement process and recommendation for award of contract will be presented to Mayor & Cabinet. It is anticipated this will be in September 2021 based on the procurement timetable as detailed below.
- 5.15 The anticipated project completion date for the building of the Mayow Road development is 09 September 2022. The contract commencement date for the service is due to start significantly before that date. However, the detailed design and fitting out of the scheme, which includes the supported living flats is scheduled to take place between the end of December 21 and July 22 and it will be preferable for the service delivery partner to be available to advise the build. Additionally, as this is a new service, there is an associated significant lead in period to recruit and train staff, to work with young people and their families to 'get to know' the person and their needs, to work with the learning disability social work and clinical teams to complete assessments develop the complex care and support plans, particularly the positive behavioural support plans, that will be required for this service to be successful.
- 5.16 Proposed Procurement Timetable:

Activity	Proposed Date
Publish Tender Documentation to all providers appointed to the Learning Disability Framework Agreement in the categories of Supported Living (Lot 1) & Residential Care (Lot 2)	3 <sup>rd</sup> May 2021
Clarification Request Deadline	31 <sup>st</sup> May 2021
Tender return deadline	7 <sup>th</sup> June 2021
Tender Evaluation	7 <sup>th</sup> June – 5 <sup>th</sup> July 2021
Contract award	15 <sup>th</sup> September 2021 (TBC)
Standstill	15 <sup>th</sup> September - 27 <sup>th</sup> September 2021 (TBC)
Contract commencement	1 <sup>st</sup> November 2021

## 6. Financial implications

- 6.1 This report recommends the procurement of a supported living contract for adults with learning disabilities and / or autism who require specialist in borough support. The contract will be for a period of four years. The contract will be funded through the Package & Placement Budget.
- 6.2 An increase in the supply of supported housing in the borough will provide an opportunity to avoid hospital admissions and facilitate hospital discharge. It will also provide an opportunity to avoid costly out of borough residential placements.

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- 6.3 The cost modelling for this service anticipates an approximate £145K revenue saving to the Council on existing and new packages of care and an overall revenue saving to Adult Social Care and to the NHS together of approximately £620K.
- 6.4 The Council's hourly rates are inclusive of the London Living Wage as at 1<sup>st</sup> April 2020 (£10.75 per hour). However, it has been announced (November 20) that the London Living Wage for 21/22 will increase to £10.85 per hour. At the point the contract is issued the Council will have made a decision on any fee uplifts for 2021/22 and 22/23 taking into account the uplift in LLW. If Framework rates are amended the successful provider will have to conform to the new rates agreed.
- 6.5 The provider awarded the contract through this procurement process will be required to provide evidence that all staff are remunerated at rates equal to or above the London Living Wage as standard terms and conditions of employment. The Contract will require providers to maintain the London Living Wage for the lifetime of the Contract.
- 6.6 Any changes in contract price, following award of contract, will be as a result of Council agreed uplifts or due to changing service user need which could lead to either an increase or decrease in price. Any changes agreed by the Council during the period of the contract will be applied in line with the Council's standard terms and conditions of the Framework Agreement.
- 6.7 Use of the Framework Agreement will continue to help the Council achieve savings and control costs. While savings from the Framework moving forwards may be lower than in earlier exercises, the risk of cost pressure if contract prices are not contained is high.
- 6.8 The Framework Agreement has been commissioned on the basis of a 60% Quality & 40% Price weighting. This weighting reflects the need to appoint providers to the Learning Disability Framework Agreement who are committed to delivering economically efficient services, which are also of a high quality in the respect of the support provided and outcomes achieved. Local authorities have a duty under the Local Government Act 2003 to obtain best value in the procurement of works, services and supplies and to secure continuous improvement in the way they carry out their functions, having regard to a combination of economy, efficiency and effectiveness

## 7. Legal implications

- 7.1 The contract referred to in the body of the report is a social/health contract above the Light Touch limit to which the "Find a Tender" (formerly OJEU) limits would apply. The value of the services means that it is a Category A contract for the purposes of the Council's Contract Procedure Rules, as the estimated total value over 4 years exceeds £500,000.
- 7.2 A Category A contract must be subject to a formal tender exercise and bidders must be invited to tender by either a public advertisement, alternatively by a compliant public consortium Framework, or by a dynamic purchasing system. The Council may also use a Framework Agreement provided it complies with the requirements in section 33 of the Public Contract Regulations. The proposal is to use the existing compliant framework to obtain suitable bids. The award of the contract must be published in accordance with legal requirements.
- 7.3 The decision is a key decision and should go in the forward plan.
- 7.4 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the

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equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6th April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected Characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 7.6 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.7 The Equality and Human Rights Commission issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and who they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides do not have legal standing unlike the statutory Code of Practice on the public sector equality duty, the guides can be found at:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>

## 8. Equalities implications

- 8.1. The Council has a public sector equality duty covering nine protected characteristics. These contracts concern the protected characteristic of Disability as the recommendations made in this report relate to one specific group of people with disabilities, people with a learning disability. Implementing these recommendations will not compromise the quality of support delivered to those affected as they will continue to be monitored through commissioning’s contract monitoring arrangements. The Council will ensure that as individual contracts are re-let it will comply with the Equality Act 2010 and will not allow any unlawful discrimination
- 8.2. The Council requires that contracts continue to be delivered in accordance with the principles laid out in the national plan “Building the right support” (2015) to develop community services and inpatient facilities for people with a learning disability and/or autism.
- 8.3. People with learning disabilities from black and minority ethnic communities often suffer from a double discrimination. In order to combat this, service specifications include specific sections on meeting the cultural and religious needs of users in the service. These standards and requirements are monitored as part of the overall contract monitoring arrangements.
- 8.4. Government reports such as ‘Death by Indifference’ have highlighted the risk to people with learning disabilities of being discriminated against in how their health and

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wellbeing is supported. The service specifications require providers to recognise their specific responsibilities for supporting people with their health through Health Action Plans, and working in partnership with generic primary and secondary health providers to meet these needs.

- 8.5. This report supports the delivery of the Council's house building programme and Housing Strategy 2015-2020 by ensuring that those in housing need in Lewisham have a safe, secure and high quality residence from which to live, prosper and grow. Due regard will be given to making sure that these two developments meet the necessary requirements for access, quality and amenity space required as part of the GLAs housing design guide standards. For example, where possible, new housing will attempt to deliver the requisite number of wheelchair accessible units, including meeting SE London Housing Partnership 'Wheelchair Homes Design Guidelines'.

## **9. Climate change and environmental implications**

- 9.1. There are no specific environmental implications arising from this procurement process. However, procurement of the Framework Agreement contracts require tenderers to demonstrate sound environmental, and sustainability practice, supported by robust policies and procedures. The Council's environmental objectives will be further addressed in tenderers' Social Value submission and the targets set will be monitored within the Council's contract monitoring process for Learning Disability Framework contracts.
- 9.2. Environmental factors have been taking into consideration in the housing design

## **10. Crime and disorder implications**

- 10.1. There are no specific crime and disorder implications arising from this piece of procurement. However, contract compliance measures include safeguarding, assertiveness and anti-bullying initiatives. These will also be built into the service specification. Crime and security considerations have been built into the housing design specification including securing the ground floor lobby of the supported living block.

## **11. Health and wellbeing implications**

- 11.1. The health and well-being implications relate to a necessary change in housing for service users. Early award of contract will enable service staff to support the transition of service users to the new scheme. This will help provide reassurance maintain stability for the service user and continuity of staff support around the maintenance of activities and support for health and well-being.
- 11.2. The service has been designed to meet the health needs of this population, particularly those relating to adverse responses to over stimulating environments, and the risks to mental health and wellbeing.
- 11.3. It will be a requirement of the appointed provider to work together with service users and their families to manage any anxiety or worries that have about moving into a new home

## **12. Social Value implications**

- 12.1 The Public Services (Social Value) Act 2012 came into force on 31st January 2013. It is now a legal obligation in certain circumstances for local authorities and other public bodies to consider the social good that could come from the procurement of services before they embark upon it.

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- 12.2 Social Value is defined as the additional economic, social and environmental benefits that can be created when Lewisham Council purchases services outside of the organisation. Lewisham aims to agree social value through commissioning and procurement activities through four objectives:
- Employment, skills and economy
  - Creating a greener Lewisham
  - Training Lewisham's future
  - Making Lewisham Healthier
- 12.3 The procurement for the Framework Agreement required providers to detail how they would ensure social value across their contracts and provide the Council with targets covering the 4 objectives listed in 12.2.
- 12.4 The providers awarded the contracts for this service under the Framework Agreement will therefore need to ensure that the Borough receives a strong added value offer from performance of this contract.
- 12.5 Section 6.6. above details the specific social values set for the contracts being tendered through this procurement exercise. Progress against these will be monitored in line with the Council's Social Value Policy (2019), and will be built into the formal contract management and monitoring processes.
- 12.6 The Council has a stated commitment in its Corporate Strategy (2018-2022) to fair pay as a Living Wage employer and to increasing the number of Living Wage employers in Lewisham. The Framework Agreement has a contractual requirement that providers pay staff the London Living Wage as a minimum

### 13. Background papers

- 13.1. 'Authorisation to Submit for Planning Approval: Temporary Accommodation and Supported Living Accommodation at Mayow Road Warehouse and 118 Canonbie Road – Delegated Authority Report' 7<sup>th</sup> August 2019
- 13.2. 'Demolition of Mayow Road Warehouse & 118 Canonbie Rd to build new Council Homes' 13<sup>th</sup> February 2019
- 13.3. 'Framework Agreement for the Provision Of Services To Adults With Learning Disabilities – Stage Two: Appointment to Framework' 26<sup>th</sup> June 2019

### 14. Glossary

14.1.

Term	Definition
Framework Agreement	A Framework Agreement provides an overarching agreement with potential suppliers to establish general terms and conditions governing contracts that may be awarded during the life of the Framework. It operates essentially as a list of preferred providers, who have evidenced competence and financial sustainability against a generic service specification at a competitive price.
London Living Wage	means the hourly rate of pay as calculated and published annually by the Greater London Authority taking into account the higher cost of living in London and the rate of inflation

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Social Value	is defined as the additional economic, social and environmental benefits that can be created when Lewisham Council purchases services outside of the organisation.
Commissioning/Commissioner	<p>A person or organisation that plans, buys and monitors the services that are needed by the people who live in the local area.</p> <p>The local council is the commissioner for Adult Social Care. NHS care is commissioned separately by local clinical commissioning groups (CCG). In many areas health and social care Commissioners work together to make sure that the right services are in place for the local population.</p>
NHS Fully Funded Continuing Healthcare	Ongoing care outside hospital for someone who is ill or disabled, health care arranged and funded by the NHS. This type of care can be provided anywhere, and can include the full cost of a place in a nursing home. It is provided when your need for day to day support is mostly due to your need for health care, rather than social care. The Government has issued guidance to the NHS on how people should be assessed for continuing health care, and who is entitled to receive it.
Contract Award	When an organisation or a provider is selected to deliver a service and asked to enter into a Contract.

## 15. Report author and contact

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## 16. Comments for and on behalf of the Executive Director for Corporate Resources

- 16.1. Yusuf Shaibu, Interim Group Finance Manager – email: [yusuf.shaibu@lewisham.gov.uk](mailto:yusuf.shaibu@lewisham.gov.uk).

## 17. Comments for and on behalf of the Director of Law, Governance and HR

- 17.1. Stephanie Fleck, Principal Lawyer Contracts Team (Ref JZW) [stephanie.fleck@lewisham.gov.uk](mailto:stephanie.fleck@lewisham.gov.uk) tel 02083149968.

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