

**Subject:** Request to seek authority to procure a specialist care and support provider for the Kirklands Autism Service

**Date:** 27 April 2022

**Report of:** Deputy Director Integrated Commissioning, Adults Leeds City Council & NHS Leeds Clinical Commissioning Group

**Report to:** Director of Adults and Health

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## What is this report about?

### Including how it contributes to the city's and council's ambitions

- This report requests the authority to procure a specialist care and support provider for the Kirklands Autism Service in Leeds. The proposed contract will be for an initial period of 6 years with an option to extend to a maximum of 48 months in any combination. The value of the initial contract period is set at an anticipated total maximum cost of £9 million (£1.5 million per annum). Should any extension period be utilised then this will be subject to a separate decision at the appropriate time.
- The report is to provide the Director of Adults and Health with details of the proposal to deliver the support within a bespoke residential care home for 6 adults with severe learning disabilities and complex autism, on the site of the former Kirkland House care home in North West Leeds.
- This project aims to create a high quality, six-bed medium-term stay, care home. The proposed residents of this scheme are citizens with the highest level of need due to the severity of their learning disability and autism.
- The proposed home directly contributes to one of the Best Council Plan 2020-25 outcomes of enabling disabled residents to remain active and independent, as well as the Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030.

## Recommendations

- a) The Director of Adults and Health is recommended to approve the request to commence the process to procure a specialist care and support provider for the Kirklands Autism Service in Leeds. The contract will be awarded for an initial period of 6 years (with an option to extend for a maximum period of 48 months in any combination). The value of the initial contract period is set at an anticipated total maximum cost of £9 million (£1.5 million per annum). Should any extension period be utilised then will be subject to a separate decision at the appropriate time. The anticipated total maximum cost of the service, should all of the available extension provisions be utilised, will be £15 million (£1.5 million per annum). The formal decision to let the contract to a preferred provider will be taken at a later date

following a decision by Executive Board to approve capital expenditure on the programme.. Please see para. 22 below.

To note that officers on behalf of Adults and Health Integrated Commissioning and Procurement and Commercial Services (PACS) will complete all of the necessary actions to ensure that this contract is in place by November 2022, including a suitable lead-in time.

### Why is the proposal being put forward?

- 1 A request for the authority to procure a specialist care and support provider for the Kirklands Autism Service in Leeds is being put forward in this report. The aim of the Kirklands project is to provide a 6 bed CQC Registered Residential care service in North West Leeds for persons who require nursing or personal care (ANPC) with the CQC registration 'treatment of disease, disorder or injury' (TDDI). The service will meet the needs of individuals with a learning disability and or severe autism and who display behaviours which significantly challenge whole systems of care and support.
- 2 Kirklands is a result of significant collaboration between Leeds City Council Adults and Health (LCC A&H), Leeds Clinical Commissioning Group, (Leeds CCG), NHS England and CQC to invest in bespoke accommodation design, and inspirational values driven care and support, to enable citizens with the highest levels of care and support needs to move back to Leeds from out of area specialist, often clinical units, including long term segregation.
- 3 The Kirklands service is also Leeds's response to bringing back young people in transition who have left the city in order to have their care and educational needs met, as well as our response to preventing individuals necessitating admission to hospital or having to leave the city to have their needs met – when their presentation is challenging whole systems of care and support. Care managers will work with colleagues in the Transitions Team to identify young people that would benefit from being placed at the Kirklands service and require the level of support/environment that Kirklands will offer.
- 4 The Provider awarded with this contract will deliver proactive, personalised models of care, embedding effective risk management and positive risk taking in the least restrictive way. The Provider will demonstrate the required leadership, forward-thinking, skills, training and support systems and collaborate with external partners to maintain and/or establish resilience within their care and support teams to confidently support individuals in a flexible way that responds to their challenges and their changing needs.
- 5 Executive Board approval was sought on the 9<sup>th</sup> of February 2022 to utilise an existing Council owned site, formally Kirklands Care Home in Queensway, Yeadon, to be repurposed and redeveloped for this purpose.

### What impact will this proposal have?

#### Wards Affected:

Have ward members been consulted?

Yes

No

1. The service is located within the Guiseley and Rawdon ward and will be repurposing a site which was previously a care home for older people. Recipients of the service will be referred city wide and nationally to prioritise placements of individuals who are cared for outside of Leeds.
2. There is currently no provision in Leeds to accommodate those individuals who are in the Transforming Care Programme (TCP) and have the most complex needs in relation to their severe learning disabilities, complex autism and who display behaviours which severely challenge services.
3. Leeds needs this specialist residential service to enable hospital patients to be discharged back into their local community setting and to meet the aspirations of the National Service Model for this group

set out in “Building the Right Support”. The scheme also supports the aims of the Best Council Plan in relation to Housing and Health & Wellbeing.

4. The proposed service will also help to prevent future hospital admissions and Leeds citizens from being placed in out of area residential institutions, away from their families and communities. In order for Leeds to be the best city for health and well-being, there is a need to address the gap in appropriate care provision for those citizens with the most complex needs, in out of area residential/hospital provision. Kirklands will address this provision gap, ensuring that a robust, bespoke service is available to the TCP cohort of Leeds citizens.

### **What consultation and engagement has taken place?**

5. Written briefings on the proposed service have been provided to the Executive Member for Adult and Children's Social Care and Health Partnerships and to the local ward members who are fully supportive of the scheme.
6. The proposal has been to Executive Board due to the site development in February 2022.
7. As well as being the result of extensive discussions between Adults and Health and NHS partners, the need for a service which will both prevent young people with autism being placed outside Leeds and allow people in out of area placements to return has been consistently raised by relatives and carers of children and adults with learning disability and autism.
8. The Care Managers working with the TCP cohort of people have been consulted extensively, ensuring effective co-production to ensure the proposed environment will meet individual needs.
9. For the most complex individual, their family and the current support staff have contributed to a person-centred plan. Once the remaining 5 individuals are identified, person centred plans will also be developed for each person. Best interest decisions will be made ensuring as much information as possible is gathered from the person themselves and that they are placed at the centre of the discussion. Individuals are only considered for the service if, through robust assessment and person-centred planning, it is confirmed that no other potential community based service could be developed at the time.
10. For some of the individuals, verbal communication is not the most effective method of gathering their views. The Care Managers have strived to gather a full multi-disciplinary assessment but most importantly a full sensory profile and speech and language assessment to provide information on how best to engage with the person and when.
11. The project also has a stakeholder engagement plan to ensure that there will be continued involvement of potential residents, relatives, carers, experts by experience and relevant professionals who will be involved in the development of the building plans and service specification for the provision of care.

### **What are the resource implications?**

12. The total anticipated maximum value of this decision is £9 million to cover a 6 year contract period. The contract will include an option to extend for a further 48 months in any combination, which if utilised in full would increase the overall contract sum to £15 million. Should this extension be utilised then it would be subject to a separate decision at the appropriate time. The costs for this service will be funded jointly between Leeds City Council Adults and Health and the CCG. The funding will be administered through the Learning Disability Integrated Commissioning Oversight Group pooled budget under the usual Section 75 arrangements between Adults and Health and the CCG.
13. The anticipated £1.5 million per annum value of this decision is likely to provide for the core staffing, management and delivery of the care aspect of Kirklands, however it is not yet possible to quantify the

exact costs of the care and support as this will be predicated on Care Act assessments and individualised person centred care and support planning required for these complex individuals. The individualised support plans will be authorised through the usual funding panels associated with Learning Disability Integrated Commissioning Oversight Group pooled budget under the Section 75 arrangements between Adults and Health and the CCG.

14. As the registration will allow for individuals over 16, the Children and Families' budget will fund any people under 18 years of age. The current Individual care packages for the individuals being planned for to move to Kirklands, who are all in out of area residential or in-patient care, range from £250,000 to £900,000 per person, per year. The service core will fund the management of the service, specialist PBS input, and a high level of 24/7 specialist baseline staffing for the 6 individuals. There will be the ability for additional hours to be purchased once care plans are finalised.
15. An outline Revenue Business Case shared and agreed with Leeds CCG and the Kirklands Board indicates that the learning disability pooled budget will save between £300k and £650k per annum across all six individuals who will live in the service. This is after the annual debt repayment towards the capital spend of the development has been factored in.
16. Due to the continued financial situation the Council is facing, the development of this scheme is being undertaken on an 'invest to save' basis. The total savings predicted throughout the 25 year term of the capital borrowing will be in the region of £17.9 million.
17. Leeds City Council Care Managers from Learning Disability Development Care Management teams are working with several individuals whose severe learning disability, autism and presenting behaviours mean they require high levels of restriction to meet their needs safely. A bespoke self-contained accommodation solution with a care and support provider with specialist skills and experience is the only identified way of meeting their needs. The service will be, in part, designed for one individual who is currently supported in long term segregation in an in-patient setting and is part of the Transforming Care Programme as neither Leeds City Council nor the Clinical Commissioning Group have to date identified a robust enough service to meet this individual's needs in Leeds or in the country. Without this service, this individual and the other individuals identified are at risk of remaining in/ being admitted to hospital. As a result, it is expected that there will be long-term demand for this service in Leeds and the wider Yorkshire area.
18. Through close working with NHS England colleagues as part of this development, the Council is set to receive a contribution towards the total capital costs of the service as a percentage, which will roughly equate to a 20% contribution.
19. The proposed scheme, whilst providing a long-term home for some, will also create positive pathways for individuals from hospital, into residential care then eventually into supported living. As such, it also aids Commissioners who are working towards the NHS Long Term plan, collaborating with the local Transforming Care Partnership, and supporting 'Homes not Hospitals' by looking to discharge an individual from hospital and prevent other hospital admissions. This service will continue to provide cost effective alternative pathways for complex individuals.
20. The service development, procurement and ongoing contract management of the service will be met through existing capacity from within the Working Age Adults Commissioning team, Joint Care Management Team, alongside wider colleagues within the Council, CCG and NHS trusts.
21. The contract period of 6 years plus 48 months extension is justified given the specialist and bespoke nature of the service. LCC wishes to procure a care provider prepared to commit to this service in the longer term given the complex needs of the service users which makes it difficult for them to cope with change. A more frequent change in support provider would have a profound effect on the recipients of this service as there is a need for continuity of care and staffing.

22. The completion of the award of this contract will be subject to final approval of the capital funding for the construction of the scheme which it is anticipated will be approved by Executive Board in the Autumn of 2022. Should approval not be made by Executive Board as anticipated, then the award of a contract to a care and support provider will be postponed or cancelled as appropriate at the time. It is important that should the scheme proceed as anticipated, that there is a provider in place to occupy the premises and mobilise for service delivery at the earliest opportunity.

### **What are the legal implications?**

23. This is a Key Decision and therefore subject to call-in. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
24. The total contract value over the 9 years including the possible extensions, will exceed the procurement threshold for Health and Social Care which stands at £663,540. There is a requirement to openly advertise this opportunity and therefore competition will be sought through the tender process and advertised via the Council's YORtender portal, Contracts Finder and the Find a Tender Service.
25. Advice has been sought from PACS throughout the duration of the service development and will continue to be sought through the procurement process to contract award.
26. Subsequent decisions arising from this report, for example the decision to award the contract or the utilisation of any of the available extension period, will therefore be significant operational decisions which will not be subject to call in.

### **What are the key risks and how are they being managed?**

27. The work is being led by a joint team comprising the Working Age Adults Commissioning Team, Adults & Health Service Transformation Team, Joint Care Management Development Team, alongside wider colleagues within the CCG, NHSE, City Development, with support from PACS, and legal services. A long-standing governance Board is in place which has reported directly to Directorate Leadership Team (DLT) as well as Executive Board.
28. Smaller project teams have been set up to oversee the numerous work streams associated with this service development, including the procurement of which this decision relates. This ensure that the process adheres to the procurement regulations, as well as the council's Contract Procedure Rules.
29. A full suite of project documentation has been developed for this development including a risk register which has been established as part of the procurement process and this will continue to be managed and updated. Significant risks will be reported to the project Board and Directorate Leadership Team as required.
30. There is a risk if the person requiring the most intense service does not continue to live in the accommodation. There is surety that, given the person requiring the intensive service has required such a service for past 18 years (that has not yet been available in Leeds or the country) that the longevity of this placement is assured given longstanding clinical presentation.
31. Short or long-term vacancies in the service are risks which have been considered. Voids cover will be built into the fees to ensure that the service is financially viable in the long term should individuals be recalled back to hospital/detained under the Mental Health Act for a short-term period of assessment and treatment with a view to the person returning to the service, as well as individuals requiring longer stays in hospital leaving a vacancy within the service.
32. Both of these financial risks have been addressed through the Revenue Business Case for the Kirklands development and through an associated risk sharing agreement shared between Adults and

Health and the CCG. These agreements cover voids, nominations (to effective identification of other users when a potential void may arise) and liaison across the wider West Yorkshire area to market the bed in the unlikely event of a Leeds user not being identified.

33. Kirklands will be transformative to the Leeds care offer to the most complex citizens, enabling these individuals to live in a community sitting near their families. As this is a unique service to the region, the market is untested however it is known from a feasibility study conducted that there is demonstrable interest.

### **Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth

Health and Wellbeing

Climate Emergency

34. In order to support the Council's stated ambition of working towards a carbon neutral city by 2030, the impact on the climate should be considered across all officer work. Through ongoing contract management, the successful provider(s) will be encouraged to actively engage with the climate change agenda. Examples could include adhering to and working within the values of Council policy and guidance in relation to climate change, a reduction in carbon emissions through, for instance, decreasing private vehicle usage, using and/or investing in 'eco-friendly' resources.
35. Developing this unique service in Leeds enables LCC more control of the design and build of the service, giving LCC more scope to ensure it is climate conscious. For example, fixtures and fittings, greater control over local workforce recruitment, links to public transport hubs.
36. A Leeds based service enables families and carers an ability to see loved ones closer to home. The majority of individuals identified for this service live out of area which creates a much larger CO2 footprint for family and carers to visit and spend time with loved ones. An example being that for one individual a 300 mile round trip to visit currently will be potentially reduced to 1 to 2 Leeds bus rides for their main carer.
37. A service of this nature is designed to reduce or prevent hospital admissions and enable hospital discharges. Hospital settings are not as environmentally friendly as community settings, due to their size and the energy required to run and manage them.
38. The proposed service directly contributes to one of the Best Council Plan 2020-25 outcomes of enabling disabled residents to remain active and independent.
39. The service directly contributes to the Council's Health and Wellbeing Plan and its priority to make Leeds the best City for Health and Wellbeing by 2030. This is achieved through supporting clients to make healthy lifestyle choices and to live safely.
40. The proposed service also links to the Inclusive Growth Strategy. In order for Leeds to be the best city for health and well-being, there is a need to address the gap in appropriate care provision for the citizens of Leeds requiring the most complex care, in out of area residential/hospital provision. Kirklands will address this provision gap, ensuring that a robust, bespoke service is available to the TCP cohort of Leeds citizens. In terms of building a federal economy, Kirklands will create a number of new posts in the local area, varying in skill level from support workers to managers.

## Options, timescales and measuring success

### a) What other options were considered?

41. There is no internal service provider that is capable of delivering the service required, therefore an external procurement must be undertaken.
42. The exceptional needs of the individuals within the Transforming Care Programme (TCP), developing specialist purpose-built accommodation and going out to tender to procure a specialist support provider is the best option to ensure that both the specification of the building and the support is bespoke to the needs of the TCP cohort. Kirklands sits within a well-established, vibrant learning disability market of provision in Leeds that provides for a whole range of needs but not for the exceptional needs that will be required at this service.

### b) How will success be measured?

43. The procurement exercise will be project managed by a project team and Board comprising officers from Working Age Adults Commissioning, Service Transformation Team, CCG and PACS, reporting up to the Head of Commissioning on key risks and milestones.
44. The scheme would give Leeds its first residential care home in the city equipped to accommodate individuals with severe learning disabilities and complex autism who display behaviours which challenge, with the most complex needs in the Transforming TCP cohort.
45. It would also enable hospital patients to be discharged back into their local community and to meet the aspirations of the National Service Model for this group set out in “Building the Right Support”.
46. There will be regular contract management meetings taking place with the successful provider once the service has opened to monitor the success of the service in terms of its ability to support those with the most complex needs to remain in a community setting and integrate within the local community.

## What is the timetable for implementation?

47. It is expected that the tender for the support aspect of the service will be published in June 2022 with a view to awarding the contract to the successful provider in Autumn 2022. Critically this means that the support provider will be appointed to work alongside the building of the accommodation so that the most robust and innovative solutions around exceptional needs can be met holistically and in a person-centred way between the accommodation and the support to be provided there. It is anticipated that the service will be ready to open in Autumn 2023.
48. Please see below indicative timetable for this project:

April 2022	Approval of Authority to Procure
May 2022	RIBA stage 3 design freeze for planning
June 2022	Publication of Tender Documents
October/November 2022	Contract Award for Support
October 2022	Contract award for building contractor
November 2022	Commence contract mobilisation and transition work
January 2023	Construction work commences

## **Appendices**

49. See appendix 1 for Equality, Diversity, Cohesion and Integration Screening

## **Background papers**

50. N/A