

Authority to award the care and support contract (52649) for the Kirklands Learning Disability and Autism service

Date: 17th October 2024

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

Brief summary

This report requests the authority to award the specialist care and support contract for the Kirklands Autism Service, a Registered Residential with TDDI service that is being designed and built by Leeds City Council under a capital expenditure programme on the site of the former Kirkland House care home in North West Leeds.

The Kirklands Service will support Leeds citizens who have the highest level of need due to the severity of their learning disability, autism and behaviours which significantly challenge whole systems of care and support.

Due to the complex nature of the service and high risks, a formal tendering process was undertaken to invite providers to bid to deliver the service via the over-arching working age adults residential and nursing terms & conditions and specification, as well as a bespoke specification appendix detailing the enhanced and specialist support required for Kirklands.

The preferred bidder selected from the formal tendering process is The Bridge Community Care Limited.

The 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 anticipated start date is 01/12/2024. This date is dependent of the building being ready.** The value of the initial contract period is set at a total maximum cost of £11,649,323.86 based on the provider's tender submission of the sum of £1,941.553.86 per annum and instructions approved in the invitation to tender. The annual contract value is the agreed bed price per week for the service. The contract value will be drawn down when each individual is placed via a CHISA as per the over-arching working age adults residential and nursing terms & conditions and specification. Should any extension period be utilised then this will be subject to a separate decision at the appropriate time. Each resident placed at the service will have a Care Act assessment of needs and individual support plan approved consisting of the agreed bed price and any additional hours if required, determined by assessed need.

The service will directly contribute to 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 award The Bridge Community Care Limited as the preferred bidder to provide the care and support at Kirklands residential care home in Leeds (52649). The 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 anticipated start date is 01/12/2024. This date is dependent of the building being ready.** The value of the initial contract period is set at a total maximum cost of £11,649,323.16 (£1,941,553.86 million per annum). Should any extension period be utilised then this will be subject to a separate decision at the appropriate time. The anticipated value including extension will be £19,415,538.60 million. The actual costs of the overall service provision will be determined following the assessment of each individual's assessed care needs as stated in paragraph 34.
- b) 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 the preferred bidder are awarded this contract for a start date of December 2024, which will give them a suitable lead-in time to fully mobilise the care and support service to become operational, including transition time for prospective residents, for when the Kirklands building is complete in October 2025.

What is this report about?

- 1 This report is to provide the Director, Adults & Health with details of the contract to be awarded for the delivery of the support within a bespoke residential care home for 6 adults with severe learning disabilities and complex autism and behaviours which significantly challenge whole systems of care and support, on the site of the former Kirkland House care home in North West Leeds.
- 2 The proposed residents of this scheme are citizens with the highest level of need due to the severity of their learning disability and autism and who display behaviours which significantly challenge whole systems of care and support.
- 3 Approval to procure the preferred bidder for the Kirklands care and support service was granted in April 2022. At this time approval was also granted to waive the following Contracts Procedure Rule(s):
15.2 (c)– Tender evaluation, to award a contract using an 80/20 quality/price split.
- 4 A full procurement exercise was undertaken and the tender documents were published on YORtender on the 23rd of May 2023, with a submission deadline for stage 1 of the procurement of 22nd of June 2023. Stage 1- Standard Selection Questionnaire (SSQ) requirements were for submission of the Pass/fail questions and 6 Selection Questions (SQ) for evaluation. The bidders were also requested to submit information in relation to a service that could be visited as part of the tender evaluation process to demonstrate existing knowledge, skills, and experience in relation to providing a service of a similar level of specialism as Kirklands.
- 5 The SQ evaluation was conducted by a panel of officers from Adults and Health Commissioning, West Yorkshire ICB and Leeds and York Partnership Foundation Trust on the 10th and 11th of July 2023. The SSQ scoring process was undertaken on a consensus basis and overseen by PACS. At this stage three bids were received, all three having satisfied the initial pass/fail questions within the SSQ, and upon agreeing final scores, one bidding organisation did not meet the SSQ scoring threshold to proceed to the site visit or stage 2.

- 6 The evaluation panel conducted visits to services named by the two remaining bidding organisations as the second part of stage 1 of the tender evaluation. The panel was able to verify that both bidding organisations have the skills, experience and knowledge needed to deliver complex needs services and were providing a service of a similar level of specialism as Kirklands. The visits took place on 18th and 19th of July 2023.
- 7 The tender submission for the stage 2 closed for submission on 6th October 2023. The bidders were required to submit 7 method statements, with a minimum scoring threshold, on how they would deliver the Kirklands service as well as a question on Social Value that formed the 800 points available for quality in a tender evaluation.
- 8 The bidders were also required to submit a Service Costs Analysis Form (SCAF) that formed the 200 points available for the price component of the scoring split.
- 9 The tender evaluation on quality was conducted by the evaluation panel on the 29th and 30th of November 2023, and 14th of December 2023. The scoring process was undertaken on a consensus basis and overseen by PACS.
- 10 The tender evaluation on price was conducted by officers from PACS) in conjunction with officers from Adults and Health Commissioning specialising in Value For Money who worked independently to the quality evaluation team and information was not shared between the two parts of the procurement.
- 11 One of the two remaining shortlisted organisations did not meet the minimum scoring threshold on one of the method statement questions from the published evaluation criteria.
- 12 A detailed breakdown of the evaluation and scoring of the bids received is provided in Appendix 1.
- 13 Appendix 1 in this report is exempt under Access to Information Procedure Rule 10.4(3) as it contains information relating to the business affairs of organisations involved throughout the process. It is felt that if this is disclosed this would, or would be likely to, prejudice the commercial interest of the Council.
- 14 The authority to procure this service was granted through a key decision taken on April 2022 and was subject to call in. The reference number for this decision is D55208.

Please also see link: [Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk/council-and-democracy)

The award for the preferred bidder of the care delivery for the service is a direct consequence of that decision and is in keeping with the key principles and features described in the published decision report. As such it is a Publishable Administrative Decision and not subject to call in.

What impact will this proposal have?

- 15 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.
- 16 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.

- 17 Leeds requires 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.
- 18 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. 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.
- 19 An Equality Diversity Cohesion Integration screening was completed when the Delegated Decision Report for the authority to procure the care and support at Kirklands (Appendix 2). There are no issues to be addressed.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

20 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 Bridge Community Care Limited will be encouraged to actively engage with the climate change agenda. As per the WAA Residential and Nursing specification, the Bridge Community Care Limited will be expected to meet all Legislation, Guidance and Good Industry Practice in environmental management and meet the objectives of the Council's sustainability policies. During the period of the contract The Bridge Community Care Limited will be asked to demonstrate how they will reduce their carbon footprint;

- Reduction in waste including reducing food waste, increased recycling.
- Efficient power consumption, Energy efficient workplaces, Installing low carbon heating and cooling.
- Items and materials procured to come from sustainable sources, for example using recycled materials.
- Making best use of technology and sustainable equipment - new equipment and machinery organisations to choose the most energy efficient options. Existing machinery could also be refurbished to improve its efficiency.
- Efficient transport i.e. reducing multiple journeys around the city /deliveries in their day to day operations.

21 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.

22 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.

- 23 The proposed service directly contributes to one of the Best Council Plan 2020-25 outcomes of enabling disabled residents to remain active and independent.
- 24 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 residents to make healthy lifestyle choices and to live safely.
- 25 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, who reside 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.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted? Yes No

- 26 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.
- 27 The proposal regarding the design and build for Kirklands and the request for capital funds was presented to Executive Board on 13th March 2024. The report was unanimously received by all members and funding was approved.
- 28 All the local ward members have been informed of the decision at Executive Board on 13th March 2024 and all comments received were positive.
- 29 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 who reside in out of area placements to return has been consistently raised by relatives and carers of children and adults with learning disability and autism. The Kirklands service has come about as a result of an individual who has been detained in a psychiatric hospital for a number of years and unable to be discharged due to the need for a specialist community-based service which is not in existence in the UK to our knowledge. Care Management have maintained regular contact with this individual's family and have kept them up to date with our plans and seeking their views.
- 30 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.
- 31 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 individual. 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.

- 32 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.
- 33 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?

- 34 The costs for this service will be funded jointly between Leeds City Council Adults and Health and West Yorkshire ICB depending on the nature of each individual's funding status (Local Authority funded or Continuing Health Care funded). 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 West Yorkshire ICB. Where packages are for children (the service can accommodate individuals aged 16 and upwards), Children and Families will be funding these packages respectively.
- 35 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 which equates to a £1.09m contribution.
- 36 The £1.9 million per annum value of this decision will provide for the core staffing, management, and delivery of the care aspect of Kirklands, i.e. the weekly bed price. The current value of this decision considers the increase to national minimum wage which came into effect in April 2024. The hourly rate for additional support is still to be agreed with the preferred provider as part of the mobilisation process and any additional hours if required, will be determined by assessed need. The final costs per resident will be predicated on Care Act assessments and individualised person-centred care and support planning required for these complex individuals. The £1.9 million will cover the core costs of any vacancies within the service should they arise in the future. 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 West Yorkshire ICB. The contract value will be drawn down when each individual is placed via a CHISA as per the over-arching working age adults residential and nursing terms & conditions and specification.
- 37 The preferred bidder is an existing provider of Learning Disability and Autism services commissioned in Leeds and already subject to our existing over-arching terms & conditions and specification and has fulfilled Value for Money parameters through existing delivery, as well as those directly required through this tender process.
- 38 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.

- 39 An outline Revenue Business Case shared and agreed with Leeds ICB and the Kirklands Board directs that the service has been developed on the basis of an invest to save approach, and after the annual capital debt repayment there will also be further savings across the health and care system, depending on the individuals who reside within the service. This is anticipated to be £250k in 25/26 as presented to Executive Board on 13th March 2024.
- 40 Leeds City Council Care Managers from the joint care management learning disability team 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 TCP as neither Leeds City Council nor the WY ICB 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.
- 41 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.
- 42 The scheme will also provide positive pathway potential for complex young people currently at risk of, or in high-cost, Children's commissioned provision.
- 43 The 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, WY ICB and NHS trusts.
- 44 The mobilisation period where the preferred provider is expected to have input into the furniture and furnishings at Kirklands, and attendance at regular mobilisation meetings will not incur any additional costs to the value of this contract. Any transitional costs relating to individuals confirmed to move into Kirklands prior to moving into the service will be met via support plans submitted for usual funding panels associated with Learning Disability Integrated Commissioning Oversight Group pooled budget under the Section 75 arrangements between Adults and Health and West Yorkshire ICB.

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

- 45 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.

- 46 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 Public Contract Regulations 2015 procurement regulations, as well as the council's Constitution and Decision making.
- 47 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. The team involved in the development of the Kirklands service to date will remain involved post contract award to mobilise Kirklands in conjunction with Care Management colleagues. Regular mobilisation meetings will be scheduled to take place to monitor progress from contract award to the transition planning, and eventual commencement of the service.
- 48 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 19 years (that has not yet been available in Leeds or the country) that the longevity of this placement is assured given longstanding clinical presentation.
- 49 Short or long-term vacancies in the service are risks which have been considered. Voids cover is 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.
- 50 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 ICB 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.
- 51 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.
- 52 There is a risk that packages of care could break down due to the level of complexity of need of the individuals placed at Kirklands. The Bridge Community Care Limited have a proven track record in Leeds of delivering specialist care services to the most complex citizens, maintaining individuals in their local community whilst balancing managing significant risks with promoting choice and control.

What are the legal implications?

- 53 The rules determines that the decision to award the contract to the named provider in this report is classified as a Publishable Administrative Decision as a direct consequence of the earlier of Key Decision (Ref: D D55208), it will not be subject to a call-in period.

54 Information relating to the tender evaluation scoring has been identified as exempt in accordance with Access to Information Procedure Rule 10.4(3) because it is commercially sensitive information and relates to the business affairs of organisations involved throughout the process. If the information was to be disclosed it would prejudice the commercial interests of the Council. The exemption information is contained at Appendix 1. The information is exempt if and for so long as in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

55 The contract opportunity was advertised on the Council's tendering portal YORtender as well as Contracts Finder in compliance with the Public Contracts Regulations 2015 and an award notice will be published.

56 These comments should be noted by the Director for Adults and Health and in making the final decision to award should be satisfied that doing so represents best value for the Council.

Options, timescales and measuring success

What other options were considered?

57 There is no internal service provider that is capable of delivering the service required, therefore an external procurement must be undertaken.

58 The exceptional needs of the individuals within the 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.

How will success be measured?

59 The procurement exercise will be project managed by a project team and Board comprising officers from Working Age Adults Commissioning, Service Transformation Team, ICB and PACS, reporting up to the Head of Commissioning on key risks and milestones.

60 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 TCP cohort.

61 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".

62 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 meet the assessed needs of the residents, and ensuring the service is working towards individually agreed goals and outcomes.

What is the timetable and who will be responsible for implementation?

63 It is intended that the contract award to The Bridge Community Care Limited will take place in December 2024, pending approval of authority to award the contract. 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 winter 2024/25.

64 Please see below indicative timetable for this project:

September 2024	Approval of authority to award contract for build and progression to RIBA stage 5
October 2024	Construction work commences
October 2024	Approval of authority to award contract for Care and Support
December 2024	Contract for Care and Support for Kirklands commences
October 2025	New service fully operational

Appendices

65 Appendix 1 - Tender Evaluation Scoring (confidential)

66 Appendix 2- Equality Diversity Cohesion Integration Screening

Background papers

67 None