

98/119



Notice of Non-Key Executive Decision

Subject Heading:	Contract Award for Welfare Check, Family Support, and Supervised Contact Services for Children & Young People
Cabinet Member:	Councillor Robert Benham, Cabinet Member for Children and Young People
SLT Lead:	Robert South, Director of Children Services
Report Author and contact details:	Megan Enevoldson, Commissioner & Project Manager T: 01708 433070 E: megan.enevoldson@havering.gov.uk
Policy context:	This contract supports duties placed on the Local Authority set out in Section 17, 47 and 31 of the Children's Act 1989.
Financial summary:	<p>The budget for this contract will come from Children's Services budgets. It is proposed to award a tariff based contract provider with no commitment to expenditure by the Council. Expenditure will only be incurred when referrals are made.</p> <p>Over the 5 years of the contract (inclusive of the two year extension period) the expected value of the contract is £395k if demand for the service remains the same.</p>

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Relevant OSC:	Children & Learning OSC
Is this decision exempt from being called-in?	Yes, it is a non-key decision by a member of staff

The subject matter of this report deals with the following Council Objectives

- Communities making Havering
- Places making Havering
- Opportunities making Havering
- Connections making Havering

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This decision paper seeks approval to award a three year contract to Potton Kare Services LTD for the provision of welfare check, family support and supervised contact services from 1st April 2020 to 31st March 2023.

AUTHORITY UNDER WHICH DECISION IS MADE

3.4 Powers of Second Tier Managers

Second Tier Managers are those managers directly reporting to a SLT Director. Second Tier Managers all have delegated authority to act as follows within the assigned service, subject to the general provisions and limitations set out in section 3.1

Contract powers

- (a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

STATEMENT OF THE REASONS FOR THE DECISION

1. Background

The Council has specific duties to safeguard and promote the welfare of all children in Havering. This includes duties to provide services to children in need and to undertake enquiries if it is believed that a child has suffered or is likely to suffer harm. The Council must also promote the upbringing of children with their families, unless compulsory intervention is necessary. In line with these duties, the Council has contracted with a single provider for the provision of welfare check, family support and supervised contact services for children who are in need, subject to a child protection plan or looked after. The current contract for these services ends on the 31st of March 2020. This decision paper seeks approval to award a three year contract for the provision of these services from the 1st April 2020 to 31st March 2023. The contract will include the option to extend the contract for an additional two years up to 31st March 2025.

The service will be designed to provide bespoke, targeted and flexible support packages and will deliver an appropriate response to meeting the needs of vulnerable children, young people and families.

In more detail, the service will have a strong focus on;

- Early intervention to support families to stay together and preventing children becoming looked after.
- Reducing the levels of placement disruption for children who are looked after.
- Contributing to successful court proceedings when it is not a safe option for a child to remain with family.
- Managing risk and recognising safeguarding concerns.
- Whole family wellbeing and empowering families.
- Flexibility outside of the normal 9am to 5pm, Monday to Friday working hours and

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being able to manage emergency referrals, an increase in service support hours or immediate changes of plans.

The objectives of the tender were to:

- 1) To ensure that services are commissioned to meet the priorities of the Council and offer the best value for money.
- 2) To ensure the tender follows corporate and EU procurement regulations and Local Authority financial regulations.
- 3) To implement robust pricing, quality assurance and performance management arrangements.

2. Procurement

Havering Council sought to attract suitably experienced organisations to bid for the welfare check, family support, and supervised contact services contract. Experience for organisations interested in bidding was set as a minimum of two years' experiences of delivering similar services for children and families.

The procurement was subject to and adhered to the Council's Contract Procedure Rules. The procurement followed a formal tender process in line with relevant procurement regulations and in accordance with the Public Contracts Regulations 2015, which require compliance with principles of non-discrimination, equal treatment and transparency. The current provider and providers that contacted the Council in response to a Prior Information Notice in July 2019 were informed of the opportunity. Suppliers were invited to access the tender using CapitalESourcing, the Council's E-Procurement system.

3. Evaluation

In total, four suppliers completed and submitted their tender documents by the closing date of 25th October 2019.

All evaluations focused on examining how proposals will deliver a quality service (technical) and the cost of the service (commercial). Cost was evaluated at 70% of the total score. Suppliers submitted a cost for the service and scores were weighted in favour of the lowest price. The quality factors were weighted according to their importance with 30% of the total score assigned to quality.

Bids were evaluated over a two week period from 28th October – 8th November with evaluators meeting during this period to consider the commercial and technical scores. On the 8th November 2019, the evaluation panel was able to agree on the most advantageous bids to recommend for award. In summary, the scores of the bids tendering are presented in the table below

	Quality Score	Weighted	Price Score	Weighted	Total	Rank
CF Support Services	66.00	19.8	94.74	66.32	86.12	2
Hertfordshire Practical Parenting Programme	73.00	21.9	34.42	24.10	46.00	4
Kelwel Care	80.00	24	87.39	61.17	85.17	3
Potton Kare Services	82.00	24.6	100.00	70.00	94.60	1

Once approved by the Director of Children's Services, all suppliers who submitted bids will be

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informed of the Council's decision to award the contract. Following this, arrangements will be put in place with Potton Kare Services to sign the contract and submit structured and comprehensive plans for the mobilisation of the service.

OTHER OPTIONS CONSIDERED AND REJECTED

1. **Do nothing and allow the existing contract to lapse:** This option was rejected as it would result in Children's Services spot purchasing without a binding contract to protect the Council's interests.
2. **To use corporate contracts with Adecco or Bloom to purchase services required:** This option was rejected due to the risk of increased costs as a result of the management fee charged by Adecco and Bloom, and the lack of suitability to respond to emergency weekend referrals.
3. **Bring services in house:** This option was rejected due to the low number of referrals for the service, lack of capacity within operational teams, and the need for the service outside of normal working hours.

PRE-DECISION CONSULTATION

The pre-decision consultation has involved engaging with a number of stakeholders for the tender. In summary, the following table presents the type, methods and stakeholders engaged in the pre-decision consultation;

Type	Methods	Consultees
Internal Stakeholders	Regular meetings, phone, email	<ul style="list-style-type: none">• Joint Commissioning Unit• Children's Social Care• Legal Services• Procurement• Finance• Human Resources• Corporate Equalities Advisor
Prior Information Notice	Notice published via the Council's procurement system in July 2019	<ul style="list-style-type: none">• Current Care provider• Other interested providers in the market

In this circumstance a pre-decision consultation with service users is not required as if the recommendation is approved the service will continue. Under the proposed tender the successful provider will be expected to regularly seek service user feedback in order to continuously improve the service provided.

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NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Megan Enevoldson

Designation: Commissioner & Project Manager

Signature:



Date: 25.11.2019

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a general duty under section 17 of the Children Act 1989 to safeguard and promote the welfare of children within its area who are in need and (so far as is consistent with that duty) to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs. Children's Services seek to award this contract in compliance with this statutory duty.

Officers published a contract notice via the Official Journal of the European Union (OJEU), to competitively tender for Welfare Check, Family Support, and Supervised Contact services.

The Local Government Act 1999, requires the Council to make arrangements to achieve best value in the exercise of its functions. Officers have satisfied themselves that the bids submitted by Potton Kare Services LTD represented the most economically advantageous tenders for the Council overall.

The procurement process followed by the Council has already been set out in the body of this report and appears to be a fully compliant procedure.

Contracts & Procurement Solicitor 25.11.2019

FINANCIAL IMPLICATIONS AND RISKS

The proposal is to award a 3 year contract with the option of a further 2 years extension to provide welfare check, family support and supervised contact services to children who are in need, subject to a child protection plan, or looked after. It will be a demand driven, tariff-based contract, and the tender was evaluated on 70% price 30% quality ratio.

The proposed contract is in accord with the Council's statutory duties for the welfare of children under the Children Act 1989. Under Section 17 the Council must provide services for children in need (including their families and others) and has a general duty in relation to children looked after by them under Section 22.

The budget for this procurement will come from the LAC and S17 Children's Services budget and budgetary provision has been discussed and agreed with the Assistant Director for Children's Social Care. The proposed contract will incur expenditure only when referrals are made against it.

The total spend for the respective client groups and services in 2018/19 was £95,262. The annual contract value under the new proposal is expected to be £79k per annum (£395k over the 5 years, including the extension period).

The current provider has delivered the service since financial year 2017/18. The Budget and Actual costs for Section 17 and LAC Placement services for the financial years 2017/18, to 2019/20 are set out in the table below:

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Cost Centre	Budget 2017/18 £	Actual 2017/18 £	Budget 2018/19 £	Actual 2018/19 £	Budget 2019/20 £
A38120 Section 17	118,270	47,090	118,270	84,857	118,270
A38320 LAC Placements		3,903	18,200	10,405	18,200
Total	118,270	50,993	136,470	95,262	136,470

The actual spend for the first quarter in this financial year 2019/20 (April to June) was £11,023. A full year forecast of this existing client cohort would be £44,261, which would allow sufficient budget allocation for new client referrals and increased demand for the service.

Cost Centre	Spend - April to June 2019	No of Cases Supported - April to June 2019	Average Cost per Case per week	Projected Spend - 2019/20
A38120 Section 17 Payments	£7,147	46	£11.95	£28,698
A38320 LAC Placements	£3,876	31	£9.62	£15,563
Grand Total	£11,023	77	£11.01	£44,261

The financial review confirms that there is sufficient budget to meet the proposed contract spend of £79k per annum from the combined budgets for Section 17 and LAC Placements which total £136,470 for 2019/20. This is based on review of demand and actual spend in 2017/18 and 2018/19 together with the projected spend for 2019/20.

Strategic Finance Business Partner – Children, Adults & Public Health 14.11.2019

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no implications or risks anticipated to Council staff as the employees involved in the delivery of the service are employed directly by the existing Provider. As it is recommended that the incumbent provider is awarded the contract based on them submitting the most advantageous bid there will be no requirement for staff to be transferred.

Strategic HR Business Partner 18.11.2019

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

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- foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants. It is not anticipated that there will be any negative impacts arising from this proposal to current and future users of this service.

Corporate Diversity Advisor 25.11.2019

BACKGROUND PAPERS

Equality, Health, Impact Assessment

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed



Name: ROBERT SOUTH, DCS

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 04/12/2019

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

<p>For use by Committee Administration</p> <p>This notice was lodged with me on <u>5/12/19</u></p> <p>Signed <u>A.H.M</u></p>
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