

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	12 month extension of contract with Imago Community Limited for the provision of the Young Carers Service within Havering.
<b>Cabinet Member:</b>	Councillor Oscar Ford (RA) – Cabinet Member for Children’s Services.
<b>SLT Lead:</b>	Robert South – Director of Children’s Services.
<b>Report Author and contact details:</b>	Suzanne West, Commissioning Manager, T: 01708 434670 E: <a href="mailto:suzanne.west@havering.gov.uk">suzanne.west@havering.gov.uk</a>
<b>Policy context:</b>	With the implementation of the Care Act 2014 (HM Government, 2014) and the Children and Families Act 2014 (HM Government, 2014) there is a need for local authorities to identify and assess the support needs of young carers, regardless of the type of support they provide.
<b>Financial summary:</b>	An extension to the contract of 12 months will have a financial implication of £51,000.00  The contract will be funded from the existing budget.

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<b>Relevant OSC:</b>	People's OSSC
<b>Is this decision exempt from being called-in?</b>	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	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

Agree to:

Extend the contract with Imago Community Limited for the provision of the Young Carers Service within Havering for a period of 12 months from 1<sup>st</sup> June 2022 to 31 May 2023 at an estimated cost of £51,000 as set out in this report.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Contract Procurement Rule 19.1 Subject to the authority given under the Council's Scheme of Delegation and CPRs 3 and 4, an officer who has responsibility for the day to day management and performance of an awarded contract may (subject to having the authority to do so) approve a variation or modification by way of additional works, services or supplies by the original contractor that have become necessary and were not included in the original procurement provided that one of the following applies:

ii. A change in contractor cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, or, would cause significant inconvenience or substantial duplication of costs for the Council provided that an increase in price does not exceed 50% of the value of the original contract

### **STATEMENT OF THE REASONS FOR THE DECISION**

The Council has a statutory duty under the Care Act 2014 and the Children and Families Act 2014 to identify and assess the needs of young carers in its area. The current contract commenced on 1 June 2016 and was due to expire on 31 May 2022 with a total value of £306,000. It is proposed to extend the contract by a further year at a cost of £51,000.

Under the current contract, the support service is delivered to anyone aged 5-17 living in Havering who is taking on caring responsibilities for a family with a long-term illness, disability, mental health or substance misuse issue.

The provider works with schools, communities, and statutory and voluntary agencies to identify hidden young carers. Following assessment, the provider will offer a range of short-term interventions including signposting, one-to-one support, in school support and workshops.

The current contract was due to expire on 31st May 2022. In June 2022 consent was received from Imago Community Limited to confirm the one year extension under the current contract terms and conditions.

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The Council requires continuity of assessment services pending commencement of a new long term contract in order that it may continue to discharge its statutory duties.

Continuation of the service with the current provider would benefit the Council as the existing provider has already got well established professional relationships with key agencies to identify, assess and support Young Carers.

The extension would enable, The Young Carers, many of which are vulnerable, to continue to receive the service that they need, in many cases it has taken time to developed relationships and trust with the current provider, which could be lost if a new provider where to be put in to place.

It would cause significant inconvenience and substantial duplication of costs for the Council if we were to re-procure now as there would not be time to explore solutions that may provide better value for money. Due to changes within the Children's Social Care team there is a possibility that this service or part of this service could now be delivered by internal teams which was not previously an option. If the Council were to re-procure now this option could not be fully explored.

The contract will be funded from the existing budget.

The reasons for requesting an extension to the existing service for a further year are summarised below;

- a) It will ensure there's a formal agreement in place between the Council and Provider to continue services whilst avoiding instability and uncertainty for the Provider and service users whilst options are considered
- b) Due to changes within the Children's Social Care team there is a possibility that this service or part of this service could now be delivered by internal teams which was not previously an option. An extension will enable the Council sufficient time to explore solutions that may provide better value for money whilst providing better outcomes for young people.
- c) It will enable the Council sufficient time to review the current service and develop a new specification drawing on the findings and recommendations from the review.
- d) It will provide the Council sufficient time to complete an open competitive tender, if this is the preferred option. The documentation for the tender and contract will be produced jointly by a tender board to ensure it meets the needs and expectations of all stakeholders.
- e) An extension will ensure that there is sufficient time to mobilise the contract which will ensure consistency and maintain a quality service for service users.

The incumbent contractor has provided a successful and effective service. Extension of the contract will provide continuity of service and thus avoid instability and uncertainty for the Provider and service users. There will be no change of cost and it is considered the optimum and most cost effective interim solution.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

- 1) Retender the contract now without an extension being agreed. This does not allow time to explore solutions that may provide better value for money. Also, given the timescales this would prove a challenge.

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- 2) Do nothing and the service would end. This is not an option as there is a statutory duty on local authorities to identify and assess the support needs of young carers, regardless of the type of support they provide.

**PRE-DECISION CONSULTATION**

The contract has been discussed at the Children's Strategic Commissioning Group.

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

Name: Suzanne West

Designation: Commissioning Manager, Joint Commissioning Unit

Signature:



Date: 5<sup>th</sup> July 2022

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council's statutory duty to provide this service is already set out in the body of this report.

Officers are satisfied that the incumbent provider referred to in this report has performed the service to a satisfactory level under the current contract and they now seek to extend the term of each contract for a further 12 months by relying on Regulation 72(1)(b) of the Public Contracts Regulations 2015.

To modify the contract in this way, the Council must submit a notice by electronic means for publication to the UK e-notification service.

The body of this report sets out why a change in contract cannot be made due to interchangeability of the existing services procured under the initial procurement.

This provision can only be relied upon where the increase in price does not exceed 50% of the value of the original contract. The total value of the 3 year original contract was £306,000. This contract has previously been extended from 2019 to 2022. The increase in price for every extension, including the proposed extension in this report, amounts to exactly 50% of the original contract value. Therefore, it will not be possible to extend the term any further than what is proposed in this report.

Furthermore, Procurement Officers have confirmed that this service is classed as a Light Touch Service, as set out in Schedule 3 of the Public Contracts Regulations 2015. The original value together with each extension comes to a total of £459,000 and is below the threshold for Light Touch Services.

In accordance with Contract Procedure Rule 19.8, the reasons and authority to extend the contract must be recorded in writing and loaded onto the Council's preferred e-tendering suite.

### **FINANCIAL IMPLICATIONS AND RISKS**

The current contract costs are funded via an existing budget on the Children's cost centre A39210, in the amount of £51,000 per financial year. Payments are currently made to the provider of this service, Imago, at a cost of £12,749.75 per quarter, totalling £50,999 per annum. This cost will remain the same during the extension period.

The existing budget will be used for the proposed contract extension for the period June 2022 to May 2023.

Any further commissioning for the Young Carers Service, on expiry of this interim contract, will need to take account of the remaining financial resources available in 2023/24. Any additional finance resource required will need to be met within Children's Services budgets.

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

The recommendations made in this report to extend the contract do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**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:

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

If the recommendation to extend the contract for the provision of a Young Carers Service is agreed it should have a positive impact on equality groups. It will enable a service to continue ensuring a consistent and quality service for service users.

The service will continue to meet the needs of all eligible service users, including those from minority community groups and those 'protected' under Equality Act 2010 legislation.

**ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Council is working with the provider to minimise impact on the environment by:

- Ensuring that all waste is correctly recycled
- Educating children and young people on environmental issues
- Utilising public transport when Infection Protection Control measures permits
- Employing locally wherever possible to reduce the environmental impact of travelling to work

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- Employing digital solutions to reduce the need for manual recording and disposable materials.

**BACKGROUND PAPERS**

None



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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

**Details of decision maker**

Signed



Name: Robert South

Cabinet Portfolio held:

CMT Member title: Director of Children's Services

Head of Service title

Other manager title:

Date: 01/08/2022

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_