



# Havering

LONDON BOROUGH

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Young Carers Support Service Contract Award.
<b>Decision Maker:</b>	Tara Geere - Director of Children's Services.
<b>Cabinet Member:</b>	Councillor Oscar Ford – Cabinet Member for Children and Young People.
<b>SLT Lead:</b>	Tara Geere - 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>	<p>The Care Act 2014 and the Children and Families Act 2014 set out the statutory requirement for local authorities to take reasonable steps to identify young carers in their area and once identified the duty to undertake an assessment of support needs of young carers, regardless of the type of support they provide.</p> <p>At a local level, this contract supports Havering Council's ability to meet its statutory duties and support the People Theme in its Corporate Plan. The contract will contribute towards delivering the objectives that matter to residents, in particular; Supporting Havering Carers and increasing community resilience to help people to look after themselves.</p>
<b>Financial summary:</b>	The budget for this procurement will come from existing revenue social care budgets. The total value of the contract is £358,536.52 (excluding VAT) over the six years length of the contract, which is

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	<p>an increase of £52,537 on the current contract.</p> <p>The annual cost will be £59,800 which is an additional £8,800 per annum.</p> <p>The part year effect in 23/24 will be an increase of £2,933.</p>
<b>Relevant OSC:</b>	People's OSSC
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non key Decision

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

People - Things that matter for residents                      X

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons set out in this report, the Director of Children's Services is recommended to agree to the award of a contract with a value of £358,536.52 (excluding VAT) to Imago Community for the provision of a support service for young carers, for a term of three years (with a two plus one year extension option), from 1<sup>st</sup> December 2023 until 30<sup>th</sup> November 2029.

### AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution, Part 3.4 Powers of Second Tier Managers

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

This 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 service provider will work with schools, communities, and statutory and voluntary agencies to assist us in our statutory duty to identify often hidden young carers so the authority can undertake an assessment of support required.

Following the statutory assessment, the provider will offer a range of short-term interventions including signposting, one-to-one support, in school support and workshops. The current provider's contract comes to an end on 30<sup>th</sup> November 2023 and the commissioning of a new contract was the preferred approach to maintain this service provision. This contract supports Havering Council to meet its People Theme in its Corporate Plan. The contract will contribute towards delivering the objectives that matter to residents, in particular; Supporting Havering Carers and increasing community resilience to help people to look after themselves reducing the need for more costly care and support interventions, making the most of existing personal and community resources and fulfils the Council's duties under the Care Act 2014.

#### 2. Project Management of the Tender

The project was managed using the Council's Project Management toolkit adapted for the particular needs of this project. A formal project management structure was established, including identification of peoples' roles and responsibilities. Throughout the project the following control measures were put in place:

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- Reporting progress to the Project Board on a monthly basis
- Reporting progress on Verto on a monthly basis
- Managing the progress of the project through the monitoring and delivery of a Project Plan
- Assigning tasks and managing these with a regularly updated Action Log
- Identifying and managing risks with a regularly updated Risk Log
- Communication to wider stakeholders on a monthly basis where deemed necessary.

A Project Board was responsible for seeing that the project objectives were being achieved in a timely and effective manner. The Project Board met on a monthly basis from January 2023 – June 2023 to supervise the tendering of the service carrying out the key functions below:

- a) Supervise the redesigning of the current service so as to ensure that it will deliver the required outcomes.
- b) Supervise activities across the tender process whilst ensuring required documentation is returned within specified deadlines.
- c) Ensure that procurement is monitored and effectively follows the project plan, ensuring the tender activities are acted upon within strict deadlines.
- d) Supervise the preparation and completion of other relevant tender documents in alignment with requirements.
- e) Evaluate tender documentation to ensure compliance with the requirements of the Council's tender.

### **3. Procurement Approach**

This procurement was subject to and adhered to the Council's Contract Procedure Rules. The procurement followed a formal tender process in line with the procurement open process in accordance with the Public Contracts Regulations 2015, which requires compliance with the principles of non-discrimination, equal treatment and transparency. The procurement was an open procedure. In more detail, the procurement timetable is as follows:

- a) Project Board developed and prepared tender documents from January 2023
- b) Tender was published in May 2023
- c) Project Board evaluated the bids in June 2023
- d) New contract to be formally awarded in September 2023
- e) The service will be mobilised between October and November 2023
- f) The contract will begin on 1<sup>st</sup> December 2023 for a six year period

### **4. Evaluation**

The evaluation focused on examining how the suppliers would deliver a quality service (technical) and the cost of the service (commercial). Cost was evaluated at 50% of the total score. Suppliers submitted a cost for the service that was within the parameters set by the Council with scores weighted in favour of the lowest price.

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The quality factors were weighted according to their importance with 50% of the total score assigned to quality. The quality factors evaluated were:

- a) Service Delivery Model
- b) Service Structure & Workforce
- c) Achieving Positive Outcomes
- d) Partnership Working
- e) Managing and Responding to Safeguarding
- f) Mobilisation Planning
- g) Social Value

Suppliers completed and submitted their tender documents by the closing date on 16<sup>th</sup> June 2023. Project Board members evaluated the bids over a two week period and held a moderation meeting to conclude the evaluation of the technical bids. At this meeting, held on 4<sup>th</sup> July, the Board were able to agree on the most economically advantageous tender to recommend for award.

Commissioners are recommending the contract be awarded to Imago Community who were the previous providers of the contract, who scored a total of 88.83% overall.

Once approved, all suppliers who submitted bids will be informed of Havering Council's decision in writing and this will be followed by a mandatory standstill period before the Contract is awarded.

The awarding of the Contract to the incumbent provider means that TUPE does not apply. There are no implications or risks anticipated to council staff as the employees involved in the delivery of the current service are employed directly by the existing Provider.

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

**1. Extend existing contract:** The existing contract has already been extended, so this approach would contravene the Council's Contracts Procedure Rules and requirements of the Public Contracts Regulations 2015.

**2. Do nothing:** Allowing the existing contract to lapse would lead to a potential destabilisation of the current service. This is not a practical option and would lead to the Council not being fully compliant with its existing obligations to provide these services.

### **PRE-DECISION CONSULTATION**

The pre-decision process has involved engaging with a number of stakeholders to prepare the tender. In summary, the table below presents the type, methods and stakeholders engaged in the pre-decision process:

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Type	Methods	Engagement with
<b>Project Board</b>	Formal regular meetings, phone, email	a) Joint Commissioning Unit b) Children's Services c) Procurement d) Finance
<b>Review of Tender Documents</b>	Desktop research, phone, email, meetings	a) Current Provider b) Joint Commissioning Unit c) Project Board members
<b>Prior Information Notice</b>	Notice published via the Council's procurement system	a) Current provider b) Other interested Providers in the market

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

Name: Suzanne West

Designation: Commissioning & Project Manager



Signature:

Date: 26<sup>th</sup> July 2023

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

The Council has a statutory duty to identify young carers and carry out an assessment of a young carer's needs for support and provide support to eligible young carers as defined in the Care Act 2014 and the Children and Families Act 2014. The Council is making a decision to award a contract for the provision of a support service for young carers for that purpose.

The Council has the power to make a contract for the provision of a support service for young carers through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, or through its general power of competence in section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The value of the contract of £358,536.52 is below the applicable light touch threshold stipulated in the Public Contracts Regulations 2015 ("PCR") of £663,540. Therefore, it is not subject to the full PCR regime.

For these reasons, the Council can make the contract.

### FINANCIAL IMPLICATIONS AND RISKS

The recommendation is to award a 3 year contract with a potential 3 year extension.

The total cost of the contract over the 6 year term is £358,537 (excluding VAT), which is a £52,537 increase compared to the current contract.

The annual cost of £59,800 will be met from existing Childrens Social Care revenue budgets. (A39210 – Carers Grant Childrens)

This will be an increase of £8,800 per annum on the current contract.

The part year effect in 2023/24 will be an increase of £2,933.

### 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 current service are employed directly by the existing Supplier and no TUPE implications arise as a result.

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### **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.

The action undertaken will include monitoring how the service meets the needs of all eligible users, including those from ethnic minority communities and the disabled. The Council will also ensure that potential providers have undertaken equality training and adhere to the Council's Fair to All Policy or their own equivalent.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Council's Social Value Framework will be used to assess the environmental impact and plans of those suppliers bidding for this contract. As a result, suppliers will be required to describe how they intend to minimise impact on the environment by:

- Ensuring that all waste is correctly recycled
- Utilising public transport
- Employing locally wherever possible to reduce the environmental impact of travelling to work
- Employing digital solutions to reduce the need for manual recording and disposable materials.

### **BACKGROUND PAPERS**

None

### **APPENDICIES**

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: Tara Geere  
Director of Starting well - Director of Children's Services

Date: 23 August 2023

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

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

Signed \_\_\_\_\_