

Report of Commissioning Programme Manager

Report to the Director of Children's Services

Date: 03/07/2016



Subject: Request to waive Contracts' Procedure Rules 9.1 & 9.2 in order to enter into contracts with Barnardos, DISC, Health for All, GIPSIL and Shantona for the provision of Families First lead practitioners. The contracts will be for a period of 6 months with a further 12 month extension available and the value of all the contracts will total £377,000 per annum.

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. A commissioning exercise was undertaken in 2013 to identify the organisations that would provide Families First lead practitioners. Seven organisations were originally identified through that exercise however five now remain as the providers of Families First lead practitioners.
2. The current contract with these five organisations expires on 30/09/2016 and this report seeks approval to waiver Contracts Procedure Rules in order to continue to contract with these organisations for provision of lead practitioners.
3. The programme is successfully delivering outcomes for vulnerable families across Leeds. The programme meets targets consistently drawing down the payment by results element of the programme. The providers of lead practitioners are performing well and consistently meeting the contractual targets set.
4. This report requests approval to enter into contracts with these organisations from 1st October 2016 for a period of 6 months with a further 12 month extension available. This is to allow assessment of both the strategic and financial position moving into 2016/17 and enter into a 12 month extension if appropriate. The total value of the contracts with these 5 organisations will be £377k per annum.

Recommendations

5. It is recommended that the Director of Children's Services approves the waiver of Contracts' Procedure Rules 9.1 & 9.2 in order to enter into contracts with Barnardos, DISC, Health for All, GIPSIL and Shantona for a period of 6 months with a 12 month extension at a total value of £377k per annum.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval from the Director of Children's Services to waive Contracts' Procedure Rules 9.1 & 9.2 in order to enter into contracts with Barnardos, DISC, Health for All, GIPSIL and Shantona who all provide lead practitioners under the Families First programme in Leeds (known nationally as Troubled Families).
- 1.2 This will ensure continuity of support to vulnerable families and will ensure Leeds can continue to meet the targets we have been set nationally under the programme.

2 Background information

- 2.1 The Troubled Families initiative was instigated by the coalition government in order to turnaround the lives of 120,000 families nationally. Leeds was successful, along with 10 other local authorities, in becoming an early adopter of the program. The programme was named Families First in Leeds.
- 2.2 The service works with families who meet two or more of the following criteria;
- Adults out of work or at risk of financial exclusion, or young people at risk of worklessness
 - Children who need help - who are identified as a child in need, or children/ families who are on or are being considered for an Early Help plan
 - Children or young people with poor school attendance
 - Parents or young people involved in offending or anti-social behaviour
 - Families affected by domestic violence and abuse
 - Parents or children with a range of health problems. In Leeds, our priorities are substance misuse and/ or mental health difficulties
- 2.3 In all seven providers of lead practitioners under the Families First programme were commissioned in 2013, of these five continue to provide practitioners.
- 2.4 The breakdown of the funding of the five providers is shown below:

Provider	Per annum value	No of workers
Barnardos	£87k	3 workers
DISC	£87K	3 workers
Health for all	£87k	3 workers
GIPSIL	£58K	2 workers
Shantona	£58k	2 workers
Total	£377k	13 workers

3 Main issues

- 3.1 The current contract for the services as outlined above expires on 30/09/2016 and no further extensions are available. Further contractual arrangements are required in order to ensure continuity of service.
- 3.2 Strategic Context
 - 3.2.1 These services provide support to some of the most vulnerable families in the city under the Families First programme and are therefore key to delivering the ambitions of the city, council and directorate. Specifically the services contribute to delivering the 5 key outcomes and three obsessions within the Children and Young Person's Plan 2015 – 2019.
 - 3.2.2 The services take a restorative and whole family approach to support. The services will support key strategic objectives including improving school attendance but also outcomes for the whole family including supporting parents into work.
 - 3.2.3 Providers of Families First lead practitioners have been asked to strengthen their partnership working arrangements with clusters to ensure the Families First provision supports the cluster arrangements. Discussions with providers are ongoing to agree the detail of these arrangements but all providers have given a commitment to support this way of working and some have already started to work in this way.
- 3.3 Performance
 - 3.3.1 This contract continues to deliver value for money and positive outcomes for children and families. In the first programme providers achieved 80% of their payment by results claim against the families they supported. The outcomes for the expanded programme are far more complex but providers are demonstrating improved outcomes across a range of indicators. One of the providers recently met with the Cabinet task force in recognition of the excellent work the programme is doing in Leeds.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 This report seeks to put further contractual arrangements in place until 31/03/2017 to ensure continuity of existing services for vulnerable children and families.
- 4.1.2 Consultation has taken part with providers under this contract in order to consult them on the future of the provision and their commitment to working flexibly and in even closer partnership with the cluster services.
- 4.1.3 The lead for Families First has been fully consulted on the contents of this report as has the relevant Contract Officer for this contract.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Impact Assessment Screening document has been undertaken and there is no impact in respect of equality and diversity as the new contract will continue on the basis of the existing provision.

4.3 Council policies and Best Council Plan

- 4.3.1 The outcomes these services are commissioned against are those within the Leeds Children and Young People's Plan 2015 – 2019. This contract will contribute to a number of the outcomes and priorities within the plan including the outcome to ensure all young people are safe from harm and the priority to help children live in safe and supportive families.

4.4 Resources and value for money

- 4.4.1 The value of these service is £377,000 per annum. The total value of the contract period requested, including extensions, is £565,500.
- 4.4.2 The breakdown of funding between the providers is shown in the table at 2.4.
- 4.4.3 These services were previously commissioned via a competitive tendering exercise and therefore were demonstrated to provide best quality and value for money at that time.
- 4.4.4 The quality and value for money of these services continue to be monitored by the Families First team in partnership with the Commissioning and Market Management Service, Children's Services.
- 4.4.5 This contract plays a strong part of our income generation through the national Troubled Families programme and would impact on our ability to maximise this is the contract ceased.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report seeks approval to waive Contracts' Procedure Rules 9.1 & 9.2 in order to enter into contracts with Barnardos, DISC, Health for All, GIPSIL and Shantona for a period of 6 months with a 12 month extension at a total value of £377k per annum.
- 4.5.2 This is a key decision and as such was placed on the list of forthcoming key decisions and is subject to the relevant call in period.
- 4.5.3 The total potential value of these contracts, including extensions, is £565,500. This is below the OJEU threshold of £589,148 however giving the work to this provider without competition could leave the Council open to a potential claim from other providers, to whom this contract could be of interest, that it has not been wholly transparent.
- 4.5.4 In terms of transparency it should be noted that Contracts Procedure Rules suggests that contracts of this value should be subject to a degree of advertising. It is up to the Council to decide what degree of advertising is appropriate. In giving the work to this provider

without competition there is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity.

- 4.5.5 These risks may be mitigated to a degree by the fact that these services were subject to competition when they were first awarded and this report asks only for approval for a short term continuation to existing arrangements.
- 4.5.6 Whilst there is no legal obstacle preventing the waiver of CPR 9.1 and 9.2, the above comments should be noted when making the final decision. The Director of Children's Services should be satisfied that the course of action chosen represents Best Value for the Council.

4.6 Risk Management

- 4.6.1 The project team has identified any risks and actions to mitigate these as part of the commissioning programme plan for the service.
- 4.6.2 In the event that the actions required in order to continue to provide these contracts are not approved, continuity of service for vulnerable families currently receiving these services would not be possible. This could therefore have an impact on the council's priorities as outlined in the Child and Young People's Plan 2015-2019.
- 4.6.3 This would also negatively impact upon the Families First programme in Leeds and also potentially the ability to draw down the payment by results element of funding Leeds receives for the Families First programme.

5 Conclusions

- 5.1 The Director of Children's Services is asked to note the contents of this report and approve the waiver of Contracts' Procedure Rules 9.1 and 9.2 in order to continue to contract with the organisations named in this report for the provision of lead practitioners under the Families First programme.

6 Recommendations

- 6.1 It is recommended that the Director of Children's Services approves the waiver of Contracts' Procedure Rules 9.1 & 9.2 in order to enter into contracts with Barnardos, DISC, Health for All, GIPSIL and Shantona for a period of 6 months with a 12 month extension at a total value of £377k per annum.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.