

Report of Commissioning & Market Management Service

Report to Director of Children's Services

Date: 26/09/16



Subject: To invoke Contract Procedure Rule 21.3 to extend two concurrently running Independent Support Worker (ISW) contracts for a further 12 months from 1st January 2017 to 31st December 2017.

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The report seeks the approval of the Director of Childrens Services in invoking Contracts Procedure Rule 21.3 to extend two concurrently running Independent Support Worker (ISW) contracts for a further 12 months from 1st January 2017 to 31st December 2017.
2. There are currently 2 framework contracts in place with 10 external providers in total, to deliver Independent Support Workers for children and young people with SEND. The initial ISW contract (YORE-936EWQ) started on 1st January 2014 and was for 3 years with 2 options to extend for a further period of 12 months each. The second contract (9MWE-SMNB7Y) was set up to run concurrently with the initial contract and started on 1st January 2015 for 2 years with 2 options to extend for a further period of 12 months each.
3. Provision is made within the terms and conditions of both contracts to extend for a 12 month period from 1st January 2017 to 31st December 2017. There is a further extension available from January 2018 to December 2018. This report seeks to invoke the first available extension period.
4. This request seeks to invoke this arrangement for a 12 month period to allow an uninterrupted service.

5. This will remain a call-off framework and a notional budget of £650,000 is available for the 12 month period.

Recommendations

6. The Director of Children's Services is recommended to agree the extension of two Individual Support Workers contracts for a period of 12 months from 1st January 2017 to 31st December 2017 to ensure continuity while the service is being reviewed / re-commissioned.

1 Purpose of this report

- 1.1 The report seeks the approval of the Director of Childrens Services in invoking the Contracts Procedure rule 21.3 to extend two Independent Support Worker (ISW) contracts for a further 12 months from 1st January 2017 to 31st December 2017.
- 1.2 The notional total value of the two, 12 month extensions is £650,000. Expenditure in financial year 2016/17 is projected to reach approximately £650,000. There is no work guaranteed in this contract as it is operated on a 'call off' basis.

2 Background information

- 2.1 Both contracts are due to expire on 31st December 2016 and the Complex Needs Service would like to extend both contracts for a period of 12 months until 31st December 2017. There is one further 12 month extension available after this.
- 2.2 The initial framework contract was issued to 4 providers, one of whom subsequently made a business decision to stop undertaking work with children. There was not enough capacity within the 3 remaining providers to meet the demands of the Complex Needs service for this type of specialist support work and therefore a new procurement exercise was undertaken. 6 further providers were successful and entered into this second framework which was set up to run alongside the first.

3 Main issues

3.1 Reason for Contracts Procedure Rules Invocation

- 3.1.1 The current budget position has led to an annual detailed analysis, on a contract by contract basis, of whether the service purchased continues to be required and represents good value.
- 3.1.2 The extension of the two Independent Support Worker framework contracts will ensure that Leeds City Council (LCC) is meeting its statutory duties for the delivery of services to children and young people with SEND with an assessed need for specialist services.
- 3.1.3 The service lead and contracts team will review the monitoring arrangements to ensure the priorities, targets and outputs still meet the needs of the service required.
- 3.1.4 This service ensures Leeds City Council meets a statutory duty to provide a specialist short break to those children/young people with an assessed need. The primary aim of the service is to prevent family breakdown and offers children and young people with the highest level of need an opportunity to gain independence, access fun activities and make new friends.

3.1.5 There are a small number of packages which providers have difficulty picking up due to a variety of reasons including traveling distances, the times at which support is required or finding suitably qualified staff to meet needs. This is being reviewed by officers from Commissioning and Market Management service in order to address these issues. Extending the contract will provide continuity of service whilst this piece of work is undertaken.

3.1.6 This is a demand-led service and referrals will continue to be agreed on an individual basis by the Radar panel.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The current service providers have been informed of the intention to extend their existing contract.

4.1.2 Discussions have taken place with the Head of Service and Service Lead to confirm proposed contract arrangements for service delivery.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The extension of the current contract means that the current service delivery model will continue and the service will be to the same client group. The decision to continue delivery of current service arrangements will not have any adverse impact on any equality group. An equality impact assessment screening has been undertaken.

4.3 Council policies and Best Council Plan

4.3.1 This fits with the Children and Young People's Plan 2015-2019 priorities to;

- Ensure that the most vulnerable are protected
- Improve outcomes for CYP with special educational needs and disability
- Help children to be in safe, supportive families

4.4 Resources and value for money

4.4.1 The extension of this contract represents value for money and reduces disruption to the existing services by ensuring continuity from 1st January 2017 to 31st December 2017.

4.4.2 There is a budget in place to cover the value of this extension.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is subject to 'Call In' due to the overall notional value of the extension (£650,000) for 12 months. There is no work guaranteed in this contract as it is operated on a 'call off' basis.
- 4.5.2 The initial contracts, when let, had provision to extend the contracts for a period of x2 twelve months on the same terms and conditions.
- 4.5.3 This is a Key Decision and has been published on the list of forthcoming key decisions.

4.6 Risk Management

- 4.6.1 Through an annual detailed analysis, on a contract by contract basis, the project teams have identified risks and actions to mitigate these as part of the commissioning programme plan for each service.
- 4.6.2 There is no risk of challenge as the initial contract let allowed for an extension to the contract.
- 4.6.3 If the 2 framework contracts are not extended, there is a significant risk to families of disruption to the service their child or young person currently receives. There is also a significant risk to future children and young people assessed with a need for a specialist short break.

5. Conclusions

- 5.1 The Director of Children's Services is recommended to note the contents of this report and approve the invocation of contracts procedure rule 21.3 as detailed in this report.

6. Recommendations

- 6.1 The Director of Children's Services is recommended to agree the extension of two Individual Support Workers contracts for a period of 12 months from 1st January 2017 to 31st December 2017 to ensure continuity while the service is being reviewed / re-commissioned.

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.