

Report of Head of Children’s Social Work

Report to Director of Children & Families

Date: May 2017

Subject: Request to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All for delivery of Family Intervention Support Service.



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 decision is seeking permission to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All (HFA) for delivery of Family Intervention Support Service.
2. In March 2017 Children’s Services Leadership team (CSLT) were asked for permission to undertake a family support review. A review was proposed as a key component of Leeds achieving the vision to being a child friendly city is having a robust offer of family support. Leeds currently has a vast offer of family support that has developed and strengthened over a number of years. The offer is delivered by a number of partners including the Local Authority, clusters, schools and a wide range of third sector organisations.
3. The review will look at a number of factors that impact on the delivery of services to children, young people and their families. For example:
 - statutory duties for children, young people & their families
 - feedback from Ofsted
 - assessment of need
 - roles of different services and how they fit together
 - staffing structure of services and how that impacts on delivery of services
 - identification of further opportunities for co-production and joint working

4. It is important that sufficient time is taken to undertake a robust review. A tentative timeline indicates that new arrangements will be in place for Summer 2018. It is important to ensure, that whilst the review is taking place, arrangements continue for delivery of family intervention support services to ensure continuity of support for families.
5. Children's Services currently hold a contract with HFA for delivery of Family Intervention Support Service. This contract expires on 17th August 2017. Permission is therefore being sought to establish a new contract with HFA to commence on 18th August 2017. This contract will be for a maximum of £589k.
6. Issuing a new contract to HFA allows the opportunity to refine the service specification during this transitional period. Consideration will be taken around the ongoing developments of restorative early support teams (REST) to ensure the service delivered by HFA is compatible with these developments. We will also use this as an opportunity to review the data captured by HFA, as part of their FIS service delivery, to enable as much intelligence as possible to feed into the ongoing family support review.

Recommendations

- 1 The Director of Children & Families is recommended to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All for delivery of Family Intervention Support Service. The contract will commence on 18th August 2017 and will expire on 31st July 2018. The contract value will be a maximum of £589k.

Purpose of this report

- 1.1 The purpose of this report is to seek permission to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All (HFA) for delivery of Family Intervention Support Service.
- 1.2 The contract will start on 18th August 2017 and will be for a maximum of £589k.

2 Background information

- 2.1 In 2014, following a review of family intervention support services (FISS), Health for All (HFA) were awarded a contracted for delivery of FISS in the South of the City.
- 2.2 HFA provide intensive, but time limited, support for families with children / young people where there is poor or absent parenting due to violence in the family, mental ill health or chaotic drug use in addition to other risk factors and where substantial change is need to enable children and young people to have positive outcomes.

3 Main issues

- 3.1 In March 2017 Children's Services Leadership team (CSLT) were asked for permission to undertake a family support review. A review was proposed as a key component of Leeds achieving the vision to being a child friendly city is having a robust offer of family support.
- 3.2 Leeds currently has a vast offer of family support that has developed and strengthened over a number of years. The offer is delivered by a number of partners including the Local Authority, clusters, schools and a wide range of third sector organisations.
- 3.3 The family support review will look at a number of factors that impact on the delivery of services to children, young people and their families. For example:
 - statutory duties for children, young people & their families
 - feedback from Ofsted
 - assessment of need
 - roles of different services and how they fit together
 - staffing structure of services and how that impacts on delivery of services
 - identification of further opportunities for co-production and joint working
- 3.4 It is important that sufficient time is taken to undertake a robust review. A tentative timeline for the review indicates that new arrangements will be in place for Summer 2018. It is important to ensure, that whilst the review is taking place, arrangements continue for delivery of family intervention support services to ensure continuity of support for families.
- 3.5 Children's Services currently hold a contract with HFA for delivery of Family Intervention Support Service. This contract expires on 17th August 2017.

Permission is therefore being sought to establish a new contract with HFA to commence on 18th August 2017. This contract will be for a maximum of £589k.

- 3.6 Issuing a new contract to HFA allows the opportunity to refine the service specification during this transitional period. Consideration will be taken around the ongoing developments of restorative early support teams (REST) to ensure the service delivered by HFA is compatible with these developments. It will also be used as an opportunity to review the data captured by HFA, as part of their FISS delivery, to enable as much intelligence as possible to feed into the ongoing family support review.
- 3.7 HFA have considerable expertise and a good performance history in delivering FISS. Children's Services do not have any concerns in HFA's ability, or capacity, to deliver this interim contract. HFA are a well-established local provider with excellent networks in the South of the city and a portfolio of services that provide considerable added value to the contract.
- 3.8 HFA will be a key stakeholder involved with the family support review.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The proposal has been through consultation process involving: Children's Services Senior Leadership team, Executive Member for Children and Families, Head of Service Children's Social Work Services, Targeted Services Area Lead and Health for All.
- 4.1.2 Procurement have been consulted to ensure compliance with contract procedure rules and EU regulations.
- 4.1.3 A thorough stakeholder consultation will take place as part of the Family Support review. This will include consultation with
- Children and young people.
 - Families.
 - Internal FIS practitioners and Managers.
 - Commissioned service providers; practitioners and Managers.
 - Referring agencies.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equalities impact screening has been completed and is attached to this report.

4.3 Council policies and Best Council Plan

- 4.3.1 This service supports the ambitions of the Best Council Plan and the ambitions of a Child Friendly City.
- 4.3.2 The service directly supports the following priorities of the Children and Young People's plan:
- Help children to live in safe and supportive families.

- Ensure that the most vulnerable are protected.
- Improve social, emotional and mental health and well-being.

4.4 Resources and value for money

4.4.1 The maximum contract value will be £589k.

4.4.2 The current contract with HFA was awarded via a waiver of contract procedure rules in 2014. At this time savings of 33% were achieved against the existing spend. Further in-contract budget savings have also been achieved on this contract.

4.4.3 The quality and value for money of the service will continue to be monitored by the Commissioning and Market Management Service, Children's Services. Intelligence gained through the contract monitoring of this contract will be used to inform the family support review.

4.4.4 As part of the family support review; benchmarking will be undertaken to inform the value for money of any future commissioned arrangements.

4.5 Legal Implications, Access to Information and Call In

4.5.5 This report seeks permission to waive contract procedure rules 9.1 and 9.2 to award a contract to HFA without competition.

4.5.6 The value of the contract is £589k and is therefore a key decision and as such was placed on the list of forthcoming key decisions and is subject to the relevant call in period.

4.5.7 The value of the contract will not exceed 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.

4.5.8 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. The reason for requesting this interim contract is to allow sufficient time to undertake a robust review of family support services. The review will ensure that any future commissioning of family support services delivers value for money. Any external commissioning resulting from the review will be subject to a fair, transparent and competitive process.

4.5.9 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 There is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity. The Director of Children's Services is asked to accept this request for the reasons stated in 4.5.6.

5 Conclusions

- 5.1 The Director of Children's Services is asked to note the contents of this report and approve the waiver of contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All for delivery of Family Intervention Support Service

6 Recommendations

- 6.1 The Director of Children & Families is recommended to waive contract procedures rules 9.1 and 9.2 to award a contract, without competition, to Health for All for delivery of Family Intervention Support Service. The contract will commence on 18th August 2017 and will expire on 31st July 2018. The contract value will be a maximum of £589k.

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.