

## SCRUTINY BOARD (CHILDREN'S SERVICES)

THURSDAY, 8TH JANUARY, 2009

**PRESENT:** Councillor W Hyde in the Chair

Councillors G Driver, J Elliott, B Lancaster, J McKenna,  
V Morgan and G Wilkinson

### CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Mr I Falkingham	- Parent Governor Representative (Special)
Prof P H J H Gosden	- Church Representative (Church of England)

### CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote	- Teacher Representative
Mrs S Hutchinson	- Early Years Development & Childcare Partnership Representative
Ms C Johnson	- Teacher Representative
Ms J Morris-Boam	- Leeds Voice Children and Young People Services Forum Representative
Ms T Kayani	- Leeds Youth Work Partnership

### 73 Chair's Opening Remarks

The Chair welcomed all in attendance to the Call-In meeting.

### 74 Exempt Information - Possible Exclusion of the Press and Public

**RESOLVED** – That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

Appendix 2 to the report referred to in minute 78 under the terms of Access to Information Procedure Rule 10.4 (1, 2 and 3), and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### 75 Declaration of Interests

Councillor Lancaster declared a personal interest in agenda item 7, Review of Decision – Award of Contract for the Delivery of Connexions Services in

Leeds: Information Advice and Guidance, due to being a Member of the Pre School Learning Alliance (Minute No. 78 refers).

A further declaration of interest was made at a later point in the meeting (Minute No. 78 refers).

## **76 Apologies for Absence**

Apologies for absence were submitted by Councillors Cleasby, R D Feldman, Renshaw, E Taylor and Mrs S Knights. The Board was informed that Councillor Wilkinson was to substitute for Councillor R D Feldman.

## **77 Call-in of a Decision - Briefing Paper**

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – Release the decision for implementation. Having reviewed the decision, the Scrutiny Board (Children's Services) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (Children's Services) could recommend to the Acting Chief Officer for Early Years and Integrated Youth Support Services, that the decision be reconsidered. If the Scrutiny Board (Children's Services) chose this option, a report would be submitted to the Acting Chief Officer for Early Years and Integrated Youth Support Services within three working days of this meeting. The Officers would reconsider their decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

**RESOLVED** – That the report outlining the Call-in procedures be noted.

## **78 Review of Decision - Award of contract for the delivery of Connexions Services in Leeds: Information Advice and Guidance**

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision D34722 of the Acting Chief Officer for Early Years and Integrated Youth Support Services as follows:-

To award a contract for the delivery of Connexions Services in Leeds: Information Advice and Guidance

'The Acting Chief Officer for Early Years and Integrated Youth Support Services agreed the recommendation to award the contract to Prospects Ltd for the delivery of Connexions Services in Leeds: Information Advice and Guidance'.

The decision had been called-in for review by Councillors B Atha, J Dowson, P Gruen, J Lewis and L Mulherin on the following grounds:-

'We the undersigned would like an explanation of how the criteria for scoring potential bidders was developed. Furthermore, we would like an explanation of how the successful organisation scored against these criteria and how officers taking this decision were reassured that the bid was robust.

Furthermore, we would like more information on the make-up of the evaluation panel and how the winning bid was deemed to offer the best value for money'.

The Board considered the following written evidence:-

- Report of the Strategic Procurement Manager considered by the Joint Preventative Commissioning Panel (JPCL) meeting held on 5<sup>th</sup> December 2008;
- Notes of the Tender Evaluation meeting held on 22<sup>nd</sup>/23<sup>rd</sup> September 2008 – Exempt information; and
- Full Tender Scoring Matrix (November 2008) – Exempt information.

Councillor J Lewis attended the meeting to present evidence to the Board and respond to Members' questions and comments.

The following officers were also in attendance :-

- Sally Threlfall, Acting Chief Officer for Early Years and Integrated Youth Support Services;
- John Paxton, Head of Integrated Youth Support Services;
- Gerry Hudson, Integrated Youth Support Services Manager; and
- Iain Dunn, Principal Procurement Manager.

The Board then questioned Councillor J Lewis and officers at length on the evidence submitted.

Some of the main concerns highlighted by Councillor J Lewis were:-

- Concern that the decision had not been made in accordance with Article 13 of the Council's constitution (Decision Making).
- Concern that pre qualification questionnaire scores were not included as part of the final scoring process.
- Concern that final scores were allocated before presentations by the bidders.
- Concern that local employers and young people had not been involved.
- Concern that the successful bidder was not based in the local area.

- Concern about service disruption and the cost of establishing a new service.

In explaining the reasons for the decision, officers made the following comments:-

- The decision to undertake a full tender exercise was taken with the support of the Director of Children's Services and Procurement.
- There was a risk of legal challenge if the market had not been tested.
- The tender evaluation process resulted in a clear outcome.
- There was excitement about the exceptional quality of the preferred bidder.
- Further detailed information about the tender evaluation process and composition of the panel was provided.
- It was stated that the margin between the preferred bidder and the 2<sup>nd</sup> and 3<sup>rd</sup> place bidders was considerable.
- Some of the main highlights of the preferred bidder included, good evidence of maximising frontline services, efficient and imaginative approaches to ICT and good record for reducing NEET.
- The Principal Procurement Manager confirmed that the tender evaluation process had been undertaken in accordance with the Council's Contract Procedure Rules.

(On the basis of legal advice provided by Mary O'Shea, Section Head, Legal Services, it was agreed by the Board to exclude the press and public during the consideration of part of this item, due to the sensitivity of the issues to be discussed).

The Chair then invited questions and comments and the main areas of discussion were:-

- The skills agenda and the high quality universal service provided by the preferred bidder especially in relation to the deployment of personal advisors and targeted provision.
- The bidder had a regional office in Sheffield and was in the process of transferring this office to Leeds. A Project Team had been established to oversee the mobilisation process.
- Young people had established their own evaluation process, which was facilitated by the Children and Young People's Participation Unit. Comments were used to inform the final decision.
- Confirmation that the bidder had sought membership of the West Yorkshire Pension Fund.
- Involvement of the voluntary sector in the evaluation process. The Integrated Youth Support Manager reported that an invitation was made to nominate a representative through the Connexions Forum.

In summary, The Acting Chief Officer for Early Years and Integrated Youth Support Services made the following comments:-

- The tender evaluation panel was established in accordance with Council procedures.
- The panel's decision was unanimous.
- The Joint Preventative Commissioning Panel supported and endorsed the decision.
- The Children's Services Leadership Team was briefed about the process and supported the decision made.

In summary, Councillor J Lewis made the following comments:-

- Concern about the composition of the panel and the representatives involved.
- Partners were not all fully engaged, and some were excluded, especially employers.
- No evidence of Chief Officer involvement.
- Concern that a new provider would disrupt service provision.

The Chair thanked Councillor J Lewis and officers for their attendance.

**RESOLVED** – That the report and information provided be noted.

(Councillor Lancaster declared a personal interest in this item due to being Vice Chair of Carr Manor High School).

(Mr I Falkingham left the meeting at 2.43 pm during the consideration of this item).

## **79 Outcome of Call-in**

Following consideration of the evidence presented and the options available to them, as outlined in Minute No. 77, the Board unanimously resolved that Option 1 – Release the decision for implementation was the most appropriate action.

**RESOLVED** – That the Officer Delegated Decision D34722 be immediately released for implementation.

(The meeting concluded at 2.45 pm).