



SCRUTINY BOARD (CHILDREN'S SERVICES)

Call-In Meeting to be held in Civic Hall, Leeds on
Monday, 12th October, 2009 at 10.30 am*

* (No pre-meeting)

MEMBERSHIP

Councillors

- B Cleasby - Horsforth;
- D Coupar - Middleton Park;
- G Driver - Middleton Park;
- R D Feldman - Alwoodley;
- B Gettings - Morley North;
- W Hyde (Chair) - Temple Newsam;
- G Kirkland - Otley and Yeadon;
- B Lancaster - Moortown;
- K Renshaw - Ardsley and Robin Hood;
- B Selby - Killingbeck and Seacroft;
- E Taylor - Chapel Allerton;

Co-opted Members (Voting)

- Mr E A Britten - Church Representative (Catholic)
- Prof P H J H Gosden - Church Representative (Church of England)
- Mr B Wanyonyi - Parent Governor Representative (Secondary)
- Mr I Falkingham - Parent Governor Representative (Special)
- Mrs S Knights - Parent Governor Representative (Primary)

Co-opted Members (Non-Voting)

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

Agenda compiled by:
Guy Close
Governance Services
Civic Hall
LEEDS LS1 1UR
Tel: 24 74356

Principal Scrutiny Advisor:
Kate Arscott
Tel: 24 74189

A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting.)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information 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 press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>Agenda item 7 – The JPCP report and addendum, contract award report and appendices 1 to 7 supporting the delegated decision under Access to Information Procedure Rule 10.4 (3).</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstance shall be specified in the minutes.)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p>	
6			<p>CALL IN OF DECISION - BRIEFING PAPER</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	1 - 4
7		10.4(3)	<p>CALL IN - REVIEW OF DELEGATED DECISION D35924 - TO AWARD A CONTRACT FOR THE DELIVERY OF CONNEXIONS INTENSIVE SUPPORT SERVICES - WEDGE BASED SERVICES</p> <p>In accordance with Scrutiny Procedure Rules, to review a decision of the Chief Officer for Early Years and Integrated Youth Support Service taken on 16th September 2009 in relation to awarding a contract for the delivery of Connexions Intensive Support Services – Wedge Based Services.</p>	5 - 84
8			<p>OUTCOME OF CALL-IN</p> <p>In accordance with Scrutiny Board Procedure Rules, to consider the Board's formal conclusion(s) and recommendation(s) arising from the conclusion of the called-in decision.</p>	

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Originator: Kate Arscott

Tel: 247 4189

Report of the Head of Scrutiny and Member Development

Scrutiny Board (Children's Services)

Date: 12 October 2009

Subject: CALL IN OF DECISION – BRIEFING PAPER

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION AND BACKGROUND

- 1.1 In accordance with the Council's Constitution, an officer decision has been Called In.¹ The background papers to this particular decision are set out as a separate agenda item and appropriate witnesses have been invited to give supporting evidence.
- 1.2 This report advises the Scrutiny Board on the procedural aspects of Calling In the decision.
- 1.3 The Board is advised that the Call In is specific to the report considered under the officer delegation decision scheme and issues outside of this decision, including other related decisions, may not be considered as part of the Board's decision regarding the outcome of the Call In.

2.0 REVIEWING THE DECISION

- 2.1 The process of reviewing the decision is as follows:
 - Members who have requested the Call In invited to explain their concern/reason for Call In request.
 - Relevant Officer(s) asked to explain decision.
 - Further questioning from the Board as appropriate.

¹ Scrutiny Board Procedure Rules Paragraph 22

- 2.2 Members are reminded that it is only the decision Called In that the Board can make any recommendation on.

OPTIONS AVAILABLE TO THE BOARD

- 3.1 Having reviewed the decision, the Scrutiny Board will need to agree what action it wishes to take. In doing so, it may pursue one of three courses of action as set out below:

Option 1- Release the decision for implementation

- 3.2 Having reviewed this decision, the Scrutiny Board may decide to release it for implementation. If the Scrutiny Board chooses this option, the decision will be immediately released for implementation and the decision may not be Called In again.

Option 2 - Recommend that the decision be reconsidered.

- 3.3 The Scrutiny Board may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board chooses this option a report will be submitted to the decision maker.
- 3.4 In the case of a delegated decision, the report of the Scrutiny Board will be submitted to the appropriate Officer within three working days of this meeting. The Officer will reconsider his/her decision and will publish the outcome of his/her deliberations on the delegated decision system. The decision may not be Called In again whether or not it is varied.

Option 3 - Recommend that the decision be reconsidered and refer the matter to full Council if recommendation not accepted.

- 3.5 This course of action would only apply if the Scrutiny Board determined that a decision **fell outside the Council's Budget and Policy Framework** and this determination were confirmed by the Council's Section 151 Officer (in relation to the budget) or Monitoring Officer (in relation to other policies).
- 3.6 If, at the conclusion of this meeting, the Scrutiny Board forms an initial determination that the decision in question should be challenged on the basis of contravening the Budget and Policy Framework, then confirmation will subsequently be sought from the appropriate statutory officer.
- 3.7 Should the statutory officer support the Scrutiny Board's determination, then the report of the Scrutiny Board will be presented in the same manner as for Option 2. If the decision maker accepts the recommendation of the Scrutiny Board in these circumstances, then the revised decision will be published in the same manner as for Option 2 and the decision may not be Called In again. If, however, the decision maker does not accept the recommendation of the Scrutiny Board, then the matter will be referred to full Council for final decision. Decisions of full Council may not be Called In.
- 3.8 Should the appropriate statutory officer not confirm that the decision contravenes the Budget and Policy Framework, then the report of the Scrutiny Board would normally be progressed as for Option 2 (i.e. presented as a recommendation to the decision taker) but with no recourse to full Council in the event that the decision is not varied. As with Option 2, no further Call In of the decision would be possible.

3.9 However, the Scrutiny Board may resolve that, if the statutory officer does not confirm contravention of the Budget and Policy Framework, then it should be released for implementation in accordance with Option 1.

4.0 FAILURE TO AGREE ONE OF THE ABOVE OPTIONS

4.1 If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to Call In.

5.0 FORMULATING THE BOARD'S REPORT

5.1 If the Scrutiny Board decides to release the decision for implementation (i.e. Option 1), then the Scrutiny Support Unit will process the necessary notifications and no further action is required by the Board.

5.2 If the Scrutiny Board wishes to recommend that the decision be reconsidered (i.e. Options 2 or 3), then it will be necessary for the Scrutiny Board to agree a report setting out its recommendation together with any supporting commentary.

5.3 Because of the tight timescales within which a decision Call In must operate, it is important that the Scrutiny Board's report be agreed at the meeting.

5.4 If the Scrutiny Board decides to pursue either of Options 2 or 3, it is proposed that there be a short adjournment during which the Chair, in conjunction with the Scrutiny Support Unit, should prepare a brief statement proposing the Scrutiny Board's draft recommendations and supporting commentary. Upon reconvening, the Scrutiny Board will be invited to amend/ agree this statement as appropriate (a separate item has been included in the agenda for this purpose).

5.5 This statement will then form the basis of the Scrutiny Board's report (together with factual information as to details of the Called In decision, lists of evidence/witnesses considered, Members involved in the Call In process etc).

5.6 The Scrutiny Board is advised that there is no provision within the Call In procedure for the submission of a Minority Report.

6.0 RECOMMENDATION

6.1 The Scrutiny Board is asked to note the contents of this report and to adopt the procedure as detailed within it.

Background Papers

None

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Originator: Kate Arscott

Tel: 247 4189

Not for Publication: The JPCP report and addendum, contract award report and appendices 1 to 7 supporting the delegated decision attached to this report are not for publication. It is Exempt/Confidential under Rule 10.4 (3) Financial and Business Affairs

Report of the Head of Scrutiny and Member Development

Scrutiny Board (Children's Services)

Date: 12 October 2009

Subject: Call In - Review of Delegated Decision D35924 - To award a contract for the delivery of Connexions Intensive Support Services – Wedge Based Services

Electoral Wards Affected:

All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION AND BACKGROUND

1.1 This paper presents the background papers to a decision which has been Called In in accordance with the Council's Constitution.¹

1.2 Papers are attached as follows:

- Copy of completed Call In request form
- The Delegated Decision Notification².

1.3 Appropriate Members and/or officers have been invited to attend the meeting in order to explain the decision and respond to questions.

2.0 RECOMMENDATION

2.1 The Scrutiny Board (Children's Services) is asked to review this decision and to determine what further action it wishes to take.

Background Papers

None

¹ Scrutiny Board Procedure Rules Paragraph 22

² This includes additional pages which were omitted due to administrative error from the confidential appendices provided with the published delegated decision. However they were included in the decision-making process.

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CALL IN REQUEST

A Call In request may be made by:

- a) Any five non-executive Members of council, OR
- b) two non-executive Members of council if they are not from the same political group¹

Date of decision publication:

Delegated decision ref: D35924

Executive Board Minute no:OR

Area Committee Name and decision ref:

Decision description:
To award a contract for the delivery of Connexions Intensive Support Services - Wedge Based Services


Reasons for Call In:
All requests for Call In must detail why, in the opinion of the signatories, the decision was not taken in accordance with the principles set out in Article 13 of the Council constitution (decision making) (principles of decision making) or where relevant issues do not appear to be taken into consideration. *Please tick the relevant box(es) and give an explanation.*

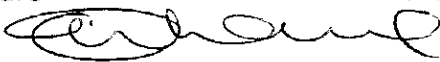
<input type="checkbox"/>	Proportionality (ie the action must be proportionate to the desired outcome)
<input type="checkbox"/>	Due consultation and the taking of professional advice from officers
<input type="checkbox"/>	Respect for human rights
<input type="checkbox"/>	A presumption in favour of openness
<input checked="" type="checkbox"/>	Clarity of aims and desired outcomes
<input checked="" type="checkbox"/>	An explanation of the options considered and details of the reasons for the decision
<input type="checkbox"/>	Positive promotion of equal opportunities
<input type="checkbox"/>	Natural justice

Explanation:
We the undersigned members would like greater clarification regarding options considered during the awarding of the Connexions Intensive Support Services – Wedge Based Services Contract. Further information is also needed with regard to the various options considered and the reasons the final recommendation was agreed.

¹ In the case of decisions made by Area Committees, a Member cannot count as one of the two / five signatures if they are a member of that Area Committee.

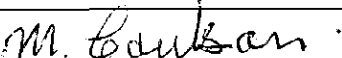
Leeds City Council Scrutiny Support Unit

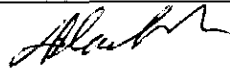
1) Signature  Political group: Labour Group
Print name ADAM OGILVIE

2) Signature  Political group: Labour Group
Print name.... ALISON LOWE

NB: Only two signatures are required if the councillors signing this form are not from the same political group (option b above).

For option a) continue to fill in the rest of the signatures.

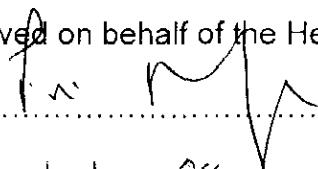
3) Signature 
Print name.... MICK COURSON.

4) Signature  GREEN GROUP
Print name..... DAVID BLACKBURN

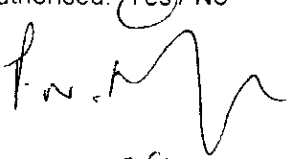
5) Signature
Print name....

This form should be submitted to the Head of Scrutiny and Member Development (Scrutiny Support Unit, 1st Floor West, Civic Hall) by **5.00pm on the fifth working day after the decision publication date**. The office is open from 9.00am to 5.00pm.

(For further information on the Call In procedure please refer to the Scrutiny Support Unit intranet site, or contact the Unit on 39 51151).

For office use only: (box A)
Received on behalf of the Head of Scrutiny and Member Development by:
.....(signature)
Date: 1.10.09 Time: 10:40am SSU ref: 2322/2009/38

For office use only: (box B)

Exemption status checked:	<input checked="" type="checkbox"/>	Call In authorised: <u>Yes</u> / No
Date checked:	<input checked="" type="checkbox"/>	Signed: 
Signatures checked:	<input checked="" type="checkbox"/>	Date: 1.10.09.
Receipts given:	<input checked="" type="checkbox"/>	
Validity re article 13	<input checked="" type="checkbox"/>	

Receipt details: EMail

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DELEGATED DECISION NOTIFICATION

REF NO ¹
D35924

DECISION MAKER	Chief Officer for Early Years and Integrated Youth Support Service	AUTHORITY BY REFERENCE TO SCHEME OF DELEGATION: ²	Part 3 Section 3E
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SUBJECT ³ To award a contract for the delivery of Connexions Intensive Support Services – Wedge Based Services

DECISION ⁴	COUNCIL FUNCTION <input type="checkbox"/>	EXECUTIVE DECISION (KEY) <input checked="" type="checkbox"/>	EXECUTIVE DECISION (MAJOR) <input type="checkbox"/>	EXECUTIVE DECISION (OTHER) <input type="checkbox"/>
	NOT SUBJECT TO CALL IN	⁵ EXEMPT FROM CALL IN: NO	⁵ EXEMPT FROM CALL IN: NO	NOT SUBJECT TO CALL IN
<p>The Chief Officer for Early Years and IYSS approved the recommendation to award the Connexions Intensive Support Services to Igen Ltd for the wedge based services. The contract will be for a period of 3 years commencing 1st January 2010 subject to continued funding for Connexions Intensive Support in the Comprehensive Spending Review April 2011 – 2014, as reflected in the contract, with an option to extend for a further 2, twelve months periods. The contract value for the three year period is £5,017,120.</p> <p>The JPCP report and addendum, contract award report and appendices 1 to 7 supporting this delegated decision are confidential, under access to information procedure rule 10.4(3), as they contain the detailed prices submitted by the contractor for the goods/services to be supplied as well as commercially sensitive information in respect of the bidders. It is considered, therefore, that the public interest in maintaining the content of the relevant reports and documentation as exempt outweighs the public interest in disclosing the information contained in the reports and supporting documentation, as disclosure would prejudice the commercial interests of the contractor and the prices submitted relate to the financial/business affairs of a particular company.</p>				

AFFECTED WARDS All

ADVICE SOUGHT	YES	NO
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Personnel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Equal Opportunities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Please Specify	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>JPCP & IYSS Leadership Team</u>

DECLARED OFFICER / MEMBER INTERESTS⁶ None

¹ This reference number will be assigned by Governance Services and notified to you
² The relevant paragraph within the decision makers delegated powers should be identified.
³ A brief heading should be inserted
⁴ Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding upon the chosen option, although care must be taken not to disclose any confidential or commercially sensitive information. Guidance on the substance of the note is available from Governance Services
⁵ For Key and Major decisions only. If exempt from Call In details to be provided in the report. The Call In period expires at 5.00 pm on the 5th working day after publication. Scrutiny Support will notify decision makers of matters called in by no later than 12.00 noon on the 6th day.
⁶ No officer having a pecuniary interest in any matter should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here.

DISPENSATION BY STANDARDS COMMITTEE

DATE: N/A

BACKGROUND PAPERS⁷

1. Youth Strategy Implementation Manager's Connexions Phase two Tender Evaluation Outcome Recommendations report to Chief Officer for Early Years and IYSS
2. Youth Strategy Implementation Manager's report to JPCP and addendum to this report
3. Contract Award Report
4. Appendices 1 to 7

EXEMPT/ CONFIDENTIAL APPENDIX

YES NO RULE NO 10.4⁸ (3)

DETAILS OF CONSULTATION UNDERTAKEN (OTHER REASONS/ ORGANISATIONS CONSULTED)


	Yes	No	Date
Executive Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10 September 2009</u>
Ward Councillors	<input type="checkbox"/>	<input type="checkbox"/>	_____
Chief Officers Affected	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10 September 2009</u>
Others (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

CONTACT PERSON

Maz Asghar

CONTACT NO: 214 5849

AUTHORISED SIGNATORY⁹


(Name: Sally Threlfall)

DATE: 16 September 2009

	KEY	MAJOR	OTHER
¹⁰ *First publication (5 day notice)	17/09/09		
Commencement for Call In	24/09/09		
Last date for Call In	01/10/09		
Implementation Date	02/10/09		

* If key decision not on Forward Plan, the reason and need that the decision be taken are that:-

⁷ A separate Index should be prepared if necessary. ALL DOCUMENTATION UPON WHICH THE DECISION WAS BASED MUST BE RETAINED AND BE READILY ACCESSIBLE SO IT CAN BE PRODUCED SHOULD THE DECISION BE CHALLENGED

⁸ Relevant Access to Information Procedure Rules to be quoted if there is an exempt appendix

⁹ The signatory must be duly authorised by the Director to make the decision in accordance with the Department's scheme. It is not acceptable for the signature to be 'pp' for an authorised signatory. For Key Decisions only, the date of the authorised signature signifies that, at the time, the Officer was content that the decision should be taken. However, should representations be received following public availability of reports the signatory will consider the effect which such representations should have upon the final decision.

¹⁰ Governance Services will enter these dates



Report of the Youth Strategy Implementation Manager

To: Chief Officer for Early Years and Integrated Youth Support Service

Date: 9 September 2009

SUBJECT: Connexions Phase two Tender Evaluation Outcome Recommendations

This Report is for;

Advice/consideration prior to taking a Key or Major decision or reporting to a Committee <input checked="" type="checkbox"/>	Significant Operational Decision <input type="checkbox"/>	Administrative Decision <input type="checkbox"/>
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Decision to be taken by:

Full Council <input type="checkbox"/>	Corporate Governance and Audit Committee <input type="checkbox"/>
Executive Board <input type="checkbox"/>	Standards Committee <input type="checkbox"/>
An Area Committee <input type="checkbox"/>	Member Management Committee <input type="checkbox"/>
A Regulatory Committee <input type="checkbox"/>	A Relevant Chief Officer using delegated authority <input checked="" type="checkbox"/>

Executive summary

This paper provides the Chief Officer for Early Years and Integrated Youth Support Service with information to support the award of the Connexions Intensive Support Services contract.

The paper outlines the procurement process undertaken and the recommendations of the Joint Preventative Commissioning Panel (JPCP) on the 30th of July 2009; of Integrated Youth Support Service (IYSS) Leadership Team on the 4th of August 2009; and the subsequent actions and further meetings arising from these recommendations.

This report summarises the outcomes and recommends that a delegated decision be taken to award the contract for all five wedge Connexions Intensive Support Service to Igen. The contracts will be for a period of 3 years commencing 1st January 2010 subject to continued funding within the Comprehensive Review April 2011- 2014, as reflected in the contract, with an option to extend for a further two, twelve month periods.

1.0 Purpose of this report

1.1 The purpose of this report is to:

- Inform the Chief Officer for Early Years and Integrated Youth Support Service of the outcome of the procurement process for the Connexions wedge based Intensive Support contracts.
- Seek a delegated decision to award that contract to Igen valued at £5,017,120 for a period of three years.

2.0 Background

2.1 Tender specifications for the Connexions Intensive Support Services were developed as a result of Children's Services decision to develop and reconfigure these services on a wedge based locality basis.

2.2 These specifications, developed with partners, were advertised via the SCMS Alito system by the Corporate Procurement Unit. Potential bidders were invited to tender using Alito. The tender process itself was a restricted tender process requiring all potential bidders to submit a PQQ (Pre-Qualifying Questionnaire). The PQQ's were evaluated and those reaching the required standard were invited to submit full bids for evaluation.

2.3 The full evaluation panel met over a four and a half day period which also involved interviewing all the bidders submitting at full evaluation stage. The recommendation of that panel was that the five wedge contracts be awarded to Igen. The contract value is £5, 017,120 for the three year period.

2.4 The recommendations of the panel proceed to JPCP, IYSS Leadership team in preparation for signing as a delegated decision by the Chief Officer for Early Years and Integrated Youth Support Service.

3.0 Main issues arising from JPCP and IYSS Leadership endorsement

3.1 The full evaluation panel recommendation was referred to the JPCP for ratification. At that meeting on July 30th, JPCP raised a number of queries including:

- Igen registration status
- Method of sub contracting that would be used by Igen

3.2 IYSS Leadership met on August 4th and supported the recommendations of JPCP, and agreed that Igen be invited to meet with IYSS representatives to deal with the issues raised by the JPCP on August 19th. Questions were provided to Igen in advance and the meeting was attended by the Head of IYSS, the Youth Strategy Implementation Manager and the Finance Officer for Early Years and Integrated Youth Support Service.

3.3 It was the view of the senior group that Igen had offered sufficient safeguards and put forward a robust partnership focused argument in respect of the concerns raised by the JPCP and IYSS. A report detailing Igen responses was presented to IYSS and JPCP members. JPCP were satisfied with the responses and endorsed the

recommendation to award the contract to Igen. IYSS Leadership team considered the outcome of the meeting and endorsed the outcome to award the contract to Igen.

4.0 Recommendation

4.1 The Chief Officer for Early Years and Integrated Youth Support Service is requested to:

- Endorse the way forward outlined above, relating to the decisions reached by the JPCP and IYSS in relation to the award of the contracts for wedge based Connexions Intensive Support Services.
- Award the contract to the value of £5, 017,120 for the three year period subject to continued funding within the Comprehensive Review April 2011- 2014, as reflected in the contract, with an option to extend for a further two, twelve month periods.

4.2 It is recommended that the JPCP panel report and addendum, the contract award report and appendices 1 to 7 are confidential, under access to information procedure rule 10.4(3), as they contain the detailed prices submitted by the contractor for the goods/services to be supplied as well as commercially sensitive information in respect of the bidders. It is considered, therefore, that the public interest in maintaining the content of reports and appendices as exempt outweighs the public interest in disclosing the information contained in the reports and supporting documentation, as disclosure would prejudice the commercial interests of the contractor and the prices submitted relates to the financial/business affairs of a particular company.

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