

**Report of: Head of Service Children and Families Commissioning and Market Management Team**

**Report to: Programme Director, Strengthening Families - Protecting Children**

**Date: 10<sup>th</sup> July 2020**

**Subject: Permission to establish a dynamic purchasing system for the Strengthening Families Protecting Children programme and the award of contracts following a further competition process incorporating a waiver of CPR 15.2.**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" 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**

**1. Main issues**

- Leeds City Council has been awarded funding through the central government’s Strengthening Families Protecting Children programme to share learning and support other local authorities to improve their services for Children and Families.
- To deliver this nationwide programme, the Programme Director will require the services of consultants with expertise in service transformation within Children’s Social Work and other relevant areas.
- Establishing a Dynamic Purchasing System is the most efficient way of appointing consultants to work with local authorities across England and meet their specific improvement goals.

**2. Best Council Plan Implications**

- Supporting families to give children the best start in life
- Improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes

**3. Resource Implications**

- The budget for the Leeds Strengthening Families Protecting Children programme is fully covered by central government funding and from partner authorities.
- Establishing a Dynamic Purchasing System does not require any resources from the Council's core budget other than officer time to evaluate applications.

## **Recommendations**

- a) The Programme Director, Strengthening Families Protecting Children is recommended to:

Approve the establishment of a Dynamic Purchasing System for the Strengthening Families Protecting Children programme that will be used to award contracts through a further competition process as and when required.

Approve spend of up to £400,000 to be awarded through the Dynamic Purchasing System from 1<sup>st</sup> September 2020 to 31<sup>st</sup> March 2024.

- b) The Programme Director, Strengthening Families Protecting Children is also recommended to:

Approve the acceptance onto the DPS of all suppliers who successfully pass the Standard Selection Questionnaire (SSQ) and meet the quality threshold in their method statement submission.

Approve the subsequent award of contracts to those suppliers who are successful in the further tender competitions under the DPS as detailed in this report. The evaluation of tender competitions will be on a 70% quality and 30% price basis requiring a waiver of CPR 15.2.

### **1. Purpose of this report**

- 1.1 To seek authority from the Programme Director, Strengthening Families Protecting Children (SFPC) establish a Dynamic Purchasing System to appoint contractors to work with partner local authorities through a further competition process.

### **2. Background information**

- 2.1 Central government is funding Leeds City Council to support local authorities with an 'inadequate' or 'requires improvement' Ofsted rating to put in place structures and processes that model the successful Leeds approach to delivering services for children and families.
- 2.2 In order to protect frontline services in Leeds, the SFPC programme will appoint external consultants to work with the local authorities to review their delivery and implement improvement plans.

### **3. Main issues**

- 3.1 The SFPC programme will appoint around 10 consultants per year to work with 4-6 local authorities.
- 3.2 A pool of verified and experienced consultants will be required for the programme to ensure there is a wide range of expertise available at short notice to match to a local authority's individual improvement targets.

- 3.3 A DPS is the most efficient process through which to award contracts to consultants for this work.

#### Establishing the DPS

- 3.4 A specification has been drafted for the DPS that outlines the minimum experience, qualifications and qualities potential providers must have to submit a tender. The Standard Selection Questionnaire (SSQ) and method statement questions will test their suitability for the work and cover the following themes:
- Experience working in a local authority environment
  - Evidence of supporting service transformation
  - Availability and willingness to travel
  - Social Value – protecting the environment
- 3.5 To join the DPS, potential providers will apply through Yortender and complete the SSQ, pricing schedule and method statement. All applications will be scored by a panel of officers from the SFPC and the Children and Families Commissioning and Market Management teams. Tenderers who pass the evaluation of the SSQ questions will be evaluated on their method statement questions. Those who meet the minimum threshold on all questions will be accepted onto the DPS.
- 3.6 Consultants can submit a tender to join the DPS at any time. Under current European Union procurement law, all bids must be scored within ten days of submission by the same panel.
- 3.7 Providers accepted onto the DPS will immediately be eligible to submit tenders for SFPC contracts advertised on Yortender.

#### Tendering for contracts through the DPS

- 3.8 A short specification will be drafted for each new contract opportunity outlining the expectations and experience required. Method statement questions will be relevant to the piece of work and focus on expertise and availability.
- 3.9 New contract opportunities will be advertised on Yortender and only consultants on the DPS will be eligible to bid. Tenderers must submit a method statement and pricing schedule that will include a day rate and expenses.
- 3.10 A price cap of £600 per day will be imposed for the first year of the contract. As this will promote value for money, tenders submitted through the DPS will be evaluated on a 70% quality and 30% price basis (based on their day rate), requiring a waiver of CPR 15.2.
- 3.11 All tenders will be scored by the DPS panel, and a consensus score will applied to each question.

- 3.12 The price evaluation will be combined with the quality score, and a contract will be awarded through an admin DDN to the highest scoring bidder, or to the most appropriate mix of consultants that meet the needs of the local authority.

#### Reason for Contracts Procedure Rules Waiver

- 3.13 The experience and expertise of a consultant to provide challenge and support to the local authorities will be the focus of the method statement questions and requires a higher weighting in the evaluation process. Waiving CPR 15.2 to allow for increase to 70% for the quality element of the scoring is offset by the cap on the day rate a consultant can charge.

#### Advertising

- 3.14 All contracts required by the LRPC will be advertised on Yortender to all consultants on the DPS.

### **4. Corporate considerations**

#### **4.1 Consultation and engagement**

- 4.1.1 The DPS relates to contracts awarded for work outside of the Leeds area and as such no consultation has taken place.

#### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 Contracts awarded through the DPS and the work of the SFSC team will have a positive impact on equality, diversity, cohesion and integration in the partner local authorities by improving services for the most vulnerable children and families.

#### **4.3 Council policies and the Best Council Plan**

- 4.3.1 Procurement activity in the authority must be undertaken with a view to ensuring openness, transparency and fairness. All appropriate governance arrangements will be followed throughout the procurement of the DPS contract.
- 4.3.2 Contracts will be awarded through a formal competitive exercise based on an evaluation that achieves a cost/quality balance offering best value to the programme.
- 4.3.3 By working with specialists and sharing knowledge, the programme will benefit the Council's continuous improvement agenda and the following Council Plan priorities:
- Supporting families to give children the best start in life
  - Improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes

#### Climate Emergency

4.3.2 The service specification for the DPS and subsequent tenders will require providers to demonstrate how they will minimise their carbon footprint such as using public transport and digital communications.

#### **4.4 Resources, procurement and value for money**

4.4.1 A DPS encourages competition and widens the pool of consultants from which the SFPC programme can appoint.

4.4.2 A cap on the daily rate will provide value for money.

4.4.3 The SFPC programme is fully funded by central government and partner authorities.

#### **4.5 Legal implications, access to information, and call-in**

4.5.1 This is a Significant Operational Decision and not subject to call-in. There are no grounds for keeping the contents of this report confidential within the council's access to information rules.

4.5.2 CPR 3.1.6 and CPR 3.1.8 requires authorisation to approve the commencement of a competitive tender process using the evaluation criteria outlined.

4.5.3 Officers from the Procurement and Commercial Services will be consulted throughout this procurement exercise and as such all legislative requirements surrounding EU Public Procurements will be adhered to. The Council will make it clear that suppliers will be required to accept the terms and conditions of the Council when bidding for contracts under the DPS. These terms and conditions will be included as part of the procurement documents made available when the DPS is first advertised and the Council will make it clear that it will be the then current version of such terms and conditions (as at the point of tender) that will apply to any contracts let pursuant to the DPS.

#### **4.6 Risk management**

4.6.1 The project team is working closely to manage the risks associated with the procurement, and a risk register will be kept.

### **5. Conclusions**

5.1 Leeds City Council has been awarded government funding to share learning and support service improvement and transformation processes in other local authorities in England.

5.2 To meet the needs of the partner authorities, the Programme Director will require the support of experienced consultants.

5.3 The most efficient way of procuring the services of consultants is through the establishment of a DPS. Consultants can join at any time following an evaluation, and the process of awarding contracts will be more efficient and streamlined.

### **6. Recommendations**

6.1 The Programme Director, Strengthening Families Protecting Children is recommended to:

- a) Approve the establishment of a Dynamic Purchasing System for the Strengthening Families Protecting Children programme that will be used to award contracts through a further competition process as and when required.

Approve spend of up to £400,000 to be awarded through the Dynamic Purchasing System from 1<sup>st</sup> September 2020 to 31<sup>st</sup> March 2024.

- b) The Programme Director, Strengthening Families Protecting Children is also recommended to:

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Approve the subsequent award of contracts to those suppliers who are successful in the further tender competitions under the DPS as detailed in this report. The evaluation of tender competitions will be on a 70% quality and 30% price basis requiring a waiver of CPR 15.2.

## **7 Background documents<sup>1</sup>**

6.1 None

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<sup>1</sup> 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.