

Decision to vary contracts with Humankind, Touchstone & Women's Aid to enable Specialist Coordinator Roles in the Early Help Hubs

Date: 25th January 2022

Report of: Commissioning & Market Management Team

Report to: Deputy Director

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This is a significant operational decision report regarding use of some of the Earned Autonomy (Families First) funding.
- The report seeks permission to vary contracts held with:
 - Humankind Charity (DN210921) for the Community Drug and Alcohol Prevention, Treatment and Recovery Service (known as Forward Leeds).
 - Touchstone - Leeds (DN325642) for the Community Based Mental Health Service (known as Live Well Leeds).
 - Leeds Women's Aid (DN194503) for the Domestic Violence and Abuse Services (known as Leeds Domestic Violence Service).

to include additional Children & Families EA (Earned Autonomy) investment for the purposes of specialist coordinator roles in the Early Help Hubs. The contracts have all been commissioned by Adults & Health.

- Contractual arrangements have been in place with the above organisations for this provision since July 2019. This was obtained via decision D48705 and a subsequent extension to this was sought in March 2021 via decision D52901.
- The current arrangements are due to expire in March 2022. This report is seeking permission to vary the contracts commencing on 1st April 2022 for a period of 12 months at a value of £120k per organisation. The total decision is therefore for £360k.
- This proposal supports the best council outcomes of:
 - Be safe and feel safe
 - Enjoy happy, healthy, active lives

- Do well at all levels of learning and have the skills they need for life
- Earn enough to support themselves and their families

Recommendations

- a) The Deputy Director is recommended to approve:
1. Variation to the contract awarded to Humankind Charity (DN210921) for the Community Drug and Alcohol Prevention, Treatment and Recovery Service (known as Forward Leeds) in accordance with Contract Procedure Rule 21.7 and with Public Contracts Regulations 2015 under the Regulation 72 (b) Modification of contracts during their terms to include additional Children & Families Earned autonomy investment of up to £120k p.a. to commence on 1st April 2022 for 12 months years for the purposes of 3 x specialist coordinators for substance misuse.
 2. Variation to the contract awarded to Touchstone – Leeds (DN325642) for the Community Based Mental Health Service (known as Live Well Leeds) in accordance with Contract Procedure Rule 21.7 and with Public Contracts Regulations 2015 under the Regulation 72 (b) Modification of contracts during their terms to include additional Children & Families Earned Autonomy investment of up to £120k p.a. to commence on 1st April 2022 for 12 months years for the purposes of 3 x specialist coordinators for mental health.
 3. Variation to the contract awarded to Leeds Women’s Aid (DN194503 - CONTRACT-9Y9N-Z2LOII) for the Domestic Violence and Abuse Services (known as Leeds Domestic Violence Service) in accordance with Contract Procedure Rule 21.7 and with Public Contracts Regulations 2015 under the Regulation 72 (b) Modification of contracts during their terms to include additional Children & Families Earned Autonomy investment of up to £120k p.a. to commence on 1st April 2022 for 12 months years for the purposes of 3 x specialist coordinators for domestic violence
- b) The total value of this decision is £360k and is therefore a significant operational decision

Why is the proposal being put forward?

- 1 Contractual arrangements have been in place for this provision since July 2019. This was obtained via decision D48705 and a subsequent extension to this was sought in March 2021 via decision D52901. The current arrangements are due to expire in March 2022.
- 2 A review has taken place with key stakeholders to ascertain whether this provision is still required and whether it is still having an impact.
- 3 The review clarified that the provision is a vital element of the early help offer in Leeds and concluded that it is key that this provision is provided by the city's main contracts for substance misuse, domestic violence and mental health. The main reasons for this are to:
 - a) Be able to draw on the expertise, knowledge and latest intelligence and practice of the lead organisations as the experts in their field.
 - b) Sharing of best practice in the city in line with operating practices in each of the contract areas.
 - c) Ensure fluid and responsive referrals to the main contract for appropriate cases.
 - d) Enable joint workforce development between early help provision and the lead organisations.
- 4 A few areas to develop the provision were identified as part of this review and these will be set out in a memorandum of understanding between LCC and the providers as an addendum to the overall contract.

What impact will this proposal have?

Wards affected:

Have ward members been consulted?

Yes

No

- 5 The purpose of the specialist coordinator roles is to:
 - To upskill the workforce around their approach to working with families experiencing mental health, domestic violence and/or substance/alcohol misuse.
 - To act as a single point of contact within the hub and wider Early Help system regarding advice and support to practitioners around their specialist area including hosting surgeries for practitioners.
 - Utilising, sharing and growing skills, knowledge and expertise across the partnership.
 - Act as a conduit between the EH Hubs and the consortium/range of providers within their specialist area.
 - To act as a champion for the Think Family approaches and to ensure this is cascaded and championed within their host organisations and wider partnerships.
 - Provide expertise on case work

All of the above in turn will lead to better and more effective support to children, young people and families to ensure they can achieve good outcomes in line with the Children & Young People's Plan and the 3A's strategy.

What consultation and engagement has taken place?

- 6 Consultation has taken place with:

- a) Head of Early Help, Service Delivery Manager – Families First, Early Help Hub Managers
- b) Representatives from Forward Leeds, Live Well Leeds and Leeds Domestic Violence Service
- c) Adults & Health commissioners
- d) Procurement and Commercial Services

What are the resource implications?

- 7 The total value of these investments is £360k (£120k per contract) and is fully funded from the Earned Autonomy (Families First) budget.

What are the legal implications?

- 8 This is a significant operational decision and as such the decision will be recorded and published. The decision is not subject to call-in.
- 9 This decision is in line with contract procedure rule (CPR) 21.7 and with The Public Contracts Regulations 2015 under the Regulation 72 (1)(b) Modification of contracts during their terms
- 10 The modification of contracts is governed under the Public Contracts Regulations 2015 at regulation 72 which permits certain types of modifications. The regulation considers the extent to which a contract may be modified before it should be considered so substantially changed as to necessitate a new procurement. Permissible grounds for modification include a need for additional services due to unforeseen circumstances (subject to 50% maximum increase in initial contract value). It also requires the consideration of the effect of cumulative variations. Therefore this needs to be considered in taking this decision.
- 11 The provisions of Regulation 72 (1b) (i) & (ii) provide an exception “where all of the following conditions are fulfilled:
(b) for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor:
(i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement; and
(ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.
- 12 In making this variation, the above conditions of Regulation 72 (1) (b) are deemed to be satisfied for the following reasons:
- the funding was not available at the time of the procurement and has been allocated on the basis that the activity be delivered through our mainstream commissioned service
- 13 There is no overriding legal obstacle preventing the variation of this contract under Regulation 72 of the Public Contracts Regulations 2015. The percentage uplift is within the range permitted under Regulation. In making the final decision, the Director of Public Health should be satisfied that the course of action chosen, as to varying the contract, is the best course of action for the Council and should be satisfied that in doing so it represents best value for the Council.

What are the key risks and how are they being managed?

- 14 If this decision is not approved the specialist coordinator roles will not continue. Ultimately this will impact on the outcomes we can achieve for children, young people and families.
- 15 In varying these contracts there is a potential risk of challenge from other providers who may feel that this represents a material change to the contract and which may have affected their decision on whether to bid for the contract when it was tendered competitively. It should be noted that the main contracts are all significant contracts and the variations represent a minor part of the overall contract value. The Deputy Director should be satisfied that the recommended course of action provides best value

Does this proposal support the council's three Key Pillars?

- Inclusive Growth Health and Wellbeing Climate Emergency

- 16 This proposal supports the best council outcomes of:
- Be safe and feel safe
 - Enjoy happy, healthy, active lives
 - Do well at all levels of learning and have the skills they need for life
 - Earn enough to support themselves and their families

Options, timescales and measuring success

What other options were considered?

- 17 Consideration was made whether this provision should be competitively tendered to the open market. This option was not pursued as it is considered essential that this provision is provided by the city's main contracts for substance misuse, domestic violence and mental health as detailed in section 3 above.

How will success be measured?

- 18 The Families First team are working hard to enable mechanisms for the success and impact of this provision to be evidenced. Providers have been open to trying different techniques to do this and work will continue to develop this.

What is the timetable for implementation?

- 19 The contracts will commence on 1st April for a period of 12 months.

Appendices

- 20 Appendix 1 – Equality, Diversity, Cohesion and Integration (EDCI) screening form

Background papers

- 21 N/A