

# Permission to vary & extend contract reference DN371131 Children and Families Bereavement Service with Child Bereavement UK

Date: 26<sup>th</sup> January 2023

Report of: Commissioning Manager - Children & Families

Report to: Chief Officer, Resources and Strategy

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

- Children & Families hold a contract with Child Bereavement UK (DN317731) for provision of a Children and Families Bereavement Service.
- The contract is currently due to expire on 28<sup>th</sup> February 2023 but has the option to extend for 12 months.
- The Chief Officer, Resources and Strategy is asked to approve the variation of contract to vary the extension period from 12 to 24 months and to take up the full new extension period.
- The new extension period is for 24 months from 1<sup>st</sup> March 2023 to 28<sup>th</sup> February 2025 at a value of £266,894 (£133,447 p.a.)
- This report details the reasons for this request and how this approach delivers best value

## Recommendations

- a) The Chief Officer, Resources and Strategy is recommended to approve the variation of the contract reference DN317731 Children and Families Bereavement Service with Child Bereavement UK to vary the extension period from 12 to 24 months and agreed to take up the full new extension period. The new extension period is for 24 months from 1st March 2023 to 28th February 2025 at a value of £266,894 (£133,447 p.a.)

## **What is this report about?**

- 1 Children & Families hold a contract with Child Bereavement UK (CBUK) – contract ref: DN317731 for provision of a Children and Families Bereavement Service.
- 2 The contract is currently due to expire on 28th February 2023 but has the option to extend for 12 months.
- 3 This report seeks permission to vary the extension period from 12 to 24 months and to take up the full new extension period.
- 4 The new extension period is for 24 months from 1st March 2023 to 28th February 2025 at a value of £266,894 (£133,447 p.a.)
- 5 The contract with CBUK was established in 2019. The service has proved a valuable addition to the bereavement support network in Leeds and a valuable addition to the wider Early Help and Therapeutic support systems in the city for children & young people.
- 6 The provision of this service proved essential to many children, young people & families during the pandemic at a time when the city, and the country, saw an unprecedented amount of bereavements due to covid-19.
- 7 Through robust contract monitoring the service continues to evidence positive outcomes for the children and young people they work with and to deliver a very high quality service that is well regarded by children/young people, families & professional stakeholders.
- 8 The rationale to seek permission for a longer extension period is to provide the contract with some stability to allow for other pieces of work relating to this area of provision to be completed. Currently ongoing is a health led review regarding social emotional and mental health (SEMH) provision for CYP and an LCC led Early Help Review. The child bereavement service falls into both of these arenas as they deliver a therapeutic support service to bereaved children & young people.
- 9 Allowing for this extended contract will enable us to undertake a full & detailed commissioning review when the landscape in which we are commissioning is much clearer and we are more able to see & understand the gaps in provision. It is considered that this will deliver best value to the council by taking this approach as commissioning decisions relating to this area of work will be much better informed and will avoid any duplication of work and enable us to specify clearer pathways and partnerships.
- 10 An additional benefit of enabling a longer extension allows the provider stability and certainty of contract which aims to ensure the staff delivering this much needed contract remain in post and do not look for alternative work where they have a greater level of certainty. The service currently has a waiting list so cannot afford to lose any capacity due to staff vacancies.

## **What impact will this proposal have?**

- 11 This service has a positive impact on the health & wellbeing of bereaved children & young people:
  - a) The impact on children and young people can be profound and can run through a life course.

- b) Bereavement is one of the most stressful experiences a child can go through and grief is multi-faceted with physical, cognitive, spiritual and behavioural dimensions.
- c) Bereavement is not an issue to be dealt with once as it will continue to impact on the child / young person over time, especially as the child moves through different developmental stages.
- d) Studies have documented that parentally bereaved children are at a higher risk of a wide range of poor outcomes, for example, depression, substance abuse, low academic attainment and difficulty maintaining interpersonal relationships. Some children report being bullied as a direct result of being bereaved and feelings of insecurity are common. Research indicates children and young people experiencing the death of a close family member suffer from more physical health symptoms, accidents and serious illnesses than their peers and more likely to take risks with their health and to die early. Long term, adults bereaved in childhood, are less likely to be educated to degree level, are more likely to be unemployed or long-term sick, have an increased risk of mental disorder, suicide attempt and hospitalisation for a psychiatric disorder.

### How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

12 As detailed in section 11: provision of this service has a significant positive impact on the health & wellbeing of bereaved children & young people.

### What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?

Yes

No

- 13 Consultation has taken place with the provider to confirm their willingness and ability to continue to deliver this provision on the existing terms.
- 14 Wider consultation on the impact of this service takes place on an ongoing basis with stakeholders as part of contract management.
- 15 PACS have been consulted to confirm this approach is permissible in line with Public Contracts Regulations and Contract Procedure Rules.

### What are the resource implications?

- 16 The value of this extension is £266,894 (£133,447 p.a.) Finance have been consulted to confirm that budget is available for this decision/contract.
- 17 It is considered that this will deliver best value to the council by taking this approach as commissioning decisions relating to this area of work will be much better informed and will avoid any duplication of work and enable us to specify clearer pathways and partnerships.
- 18 CBUK underwrite the cost of delivering this Leeds service at a value of approximately £63k p.a. This therefore adds additional value to the Leeds.
- 19 It is considered that this contract constitutes essential spend as:
  - a) Health & safety: this contract directly supports the mental health & safety of bereaved children & young people.

- b) Prevent further costs: having this contract in place and addressing/supporting bereaved children & young early in the life of the problem prevents further costs in the future as detailed in section 11a of this report.

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

20 There are not considered to be any risks associated with this decision.

### **What are the legal implications?**

21 The value of this decision is £266,894 (£133,447 p.a.) and is a significant operational decision and is therefore not subject to call in. The provision to extend for the first 12 months period is built into the original agreement, which will allow the Council to extend the contract in a compliant manner and on the same terms and conditions.

22 The modification of the extension period is permissible under the Public Contracts Regulations 72 -modification during the terms of the contract. When contracts are varied on reliance on Regulation 72(1)(b), it is a requirement to submit a modification notice to Find a Tender (FTS) to alert the market that a modification to the contract has taken place (or is to take place). Once the notice is published on FTS it will start time running for bringing a claim for a breach of the PCR, which must be brought within 30 days of the date that an aggrieved party knew, or ought to have known, that a breach had occurred. The service will ensure a modification notice to that effect will be published.

23 The risk of challenge is considered as low and will be somewhat diminished by the publication of the VTN.

24 There are considered to be no legal obstacles preventing this decision being taken.

25 These comments should be noted by the Chief Officer, Resources and Strategy and in making the final decision should be satisfied that doing so represents best value for the Council.

### **Options, timescales and measuring success**

#### **What other options were considered?**

26 The option to re-tender the service without extensions was considered and rejected due to the reasons mentioned above.

27 The option to allow the contract to expire was rejected as there is increasing demand for this area of work: as evidenced by the waiting list and contract management discussions.

#### **How will success be measured?**

28 The success of this contract will continue to be monitored and evidenced through robust contract management by the Children & Families commissioning team.

#### **What is the timetable and who will be responsible for implementation?**

29 Once approved the contract will be varied & extended as soon as possible to allow the provider to notify staff of the increased contract duration.

30 A commissioning review timetable will be prepared, in conjunction with PACS, to prepare for new arrangements for when this contract expires in February 2025.

### **Appendices**

Appendix 1 - Equality, Diversity, Cohesion and Inclusion (EDCI) screening form.

**Background papers**

- N/A