

## **Cabinet – 25 October 2017**

### **Award of New Contract for 0-19 Early Help Locality Services including Children's Centre Services in South & Central Walsall**

**Portfolio:** Councillor Nawaz– Children's Services

**Related portfolios:** Councillor Robertson –Health

**Service:** Children's Services

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Summary**

- 1.1 On 8 February 2017 Cabinet approved the new 'Redesign of Children's Centre Services and Sites as part of a 0 – 19 Early Help locality model and Children's Centre South Contract' as attached at Appendix A of this report and approved the undertaking of a competitive procurement process to determine the most suitable provider(s) for the delivery of 0-19 Early Help Locality services (including Children's Centre services) in Central and South Walsall for an initial period 1 March 2018 to 31 March 2020 with options for the Council to extend the contract by two 1 year periods (i.e. a maximum total contract term of 4 years).
- 1.2 Approval is sought under this report for the award of a contract for provision of 0-19 Early Help Locality Services including Children's Centre Services in South & Central Walsall following the conclusion of the procurement process.
- 1.3 This report should be read in conjunction with the award of the new contract for the provision of a '0-19 Early Help Locality Services including Children's Centre Services in South & Central Walsall' Private Session Agenda Cabinet Report, to be considered by Cabinet on this Agenda.
- 1.4 This is a key decision because it exceeds the threshold for significant expenditure and will affect children and families across more than two wards.

#### **2. Recommendations**

- 2.1 That following consideration of the confidential report in the private session of the agenda Cabinet approves the award of a new contract, valued in the region of £600,000 per annum, to Change, Grow, Live, for the provision 0-19 Early Help Locality Children's Model

including Children's Centre Services in South & Central Walsall for the period 1 March 2018 to 31 March 2020 with an option to extend annually for up to 2 years.

- 2.2 That Cabinet delegate authority to the Interim Executive Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, to enter into a new contract to deliver 0-19 Early Help Locality Services including Children Centre Services in South & Central Walsall by using the most appropriate procedures and to subsequently authorise the sealing or signing of any contracts, deeds or other related documents for such services.

### 3. Report detail

- 3.1 The commissioning process and service specification has been informed by national and local policy, local needs assessment, evidence, knowledge gained from other neighbouring procurement exercises and a comprehensive consultation process involving stakeholders, partner agencies and service users

- 3.2 The 0-19 Early Help core offer will include, as informed through the demand assessment and consultation with parents, parenting programmes, child development and 'school ready' interventions including stay and play, one to one and group workshops to support anger, managing behaviour and internet safety, support families to mitigate the impact of divorce, positive activities for young carers, provide support to parents with routine and boundaries for their children; advice and help in accessing specialist support on alcohol, mental health and domestic abuse as well as work in partnership with a range of services to develop the offer to meet the needs of the local community.

### 3.3 The Procurement Process

- 3.3.1 Tenders were sought for the provision of 0-19 Early Help Locality Services including Children Centre Services in South & Central Walsall using an open procurement process, which commenced on 28 June 2017, with a return date of 11 August 2017. A Contract Notice was issued via the Official Journal of the European Union 'OJEU' and was posted to the Council's E-Tendering portal, to alert the market to the tender, in accordance with the requirements of the Public Contract Regulations 2015 and the Council's Contract Rules.

- 3.3.2 Tenders were opened on 11 August 2017 by David Sheldon, Interim Senior Procurement Officer and Andrea Potts, Assistant Director of Early Help, Children's Commissioning & Workforce Development using a formal opening ceremony on the E-Tendering Portal.

- 3.3.3 The Council received three tender submissions as set out below:

Bidder No.	Bidder Name	Based In or Out of Borough	SME
1	Barnardos Services Limited	Out	No
2	Change, grow, live	Out	No
3	Palfrey Community Association	In	Yes

- 3.3.4 The tenders were evaluated against the criteria included in the Invitation to tender as outlined below:

Price	30%
Quality	70%

#### **Weighted Price Criteria:**

<b>Criteria</b>	<b>Percentage</b>
Price model	30%
<b>Total</b>	<b>30%</b>

#### **Weighted Service Criteria:**

<b>Criteria</b>	<b>Percentage</b>
1 Mobilisation	15%
2 Staffing Arrangements	10%
3 Proposed Methodology	15%
4 Partnerships	10%
5 Quality & Performance	5%
6 Budget Reduction Identification	5%
7 Safeguarding and Risk Management	5%
8 Social Value	5%
<b>Total</b>	<b>70%</b>

3.3.5 Tenders were evaluated by officers from the Children's Services, Public Health and West Midlands Police.

3.3.6 Following evaluation against the advertised criteria, on consideration of the outcome of the evaluation being that the proposed contract award is the most economically advantageous tender, based on the quality of their submission and the total price; it is recommended that the contract is awarded as set out in Recommendations 2.1 and 2.2 of this report.

3.3.7 Given the specific commercially sensitive data of the tender evaluation information, a report detailing the evaluation criteria and the outcome of the evaluation appears in the Private Session Agenda Cabinet report.

#### **4. Council Priorities**

4.1 The proposals link to Walsall Council's corporate priorities as identified in the Corporate Plan (2017) as follows:

4.1.1 'Pursue inclusive economic growth'; 0-19 Early Help Family Support Teams will work more effectively with partners to support and signpost young people and members to access training and job opportunities which will identify local solutions that meet the needs of families and the economic benefits are felt in the community.

4.1.2 'Make a positive difference to the lives of Walsall People'; the proposal seeks to develop 0 -19 Early Help Family Support teams that align better with partner resources to ensure that we coordinate and deliver services that increases independence and promote health lifestyles and well being and support families to maximise income and budget effectively

4.1.3 'Children are safe from harm, happy and learning well with self belief, aspiration and support to be their best'; the proposal develops preventative and targeted support for families to prevent risk and reduce the need for statutory interventions. Support provided includes evidence based interventions to empower families, young people and children to develop skills, knowledge and resilience to better respond to and manage challenges in day to day life.

4.1.4 'Safe, resilient and prospering communities'; the locality approach is aligned to the Walsall locality partnership model and is aiming to ensuring professionals work more effectively in partnership to identify local solutions that meet the needs of families and help build a strong sense of belonging and cohesion.

## **5. Risk Management**

5.1 The award of the current transitional contractual agreements relating to Palfrey Community Association for the delivery of 0-19 locality services (including Children's Centres services) in the South of Walsall was for an initial 6 month period from 1 April 2017 with the option to extend for an additional period of up to 6 months, this contract has currently been extended to 31 December 2017.

5.2 Cabinet agreed, on 8 October 2016, delegated authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, to approve the award of transitional contractual agreements relating to Palfrey Community Association. As it is recommended that there is a change in provider then the new contract start date will be 1 March 2018 to allow at least 12 weeks the new provider to resolve staff transfer and pension issues before the staff could transfer which would mean that the Council will need to offer the extension of the current contract with Palfrey CA until 29 February 2018, which will need to be agreed by both parties.

5.3 The mobilisation plan submitted by CGL mitigates the risks to service users and will ensure a smooth transition and secure continuity of service and performance for service users

## **6. Financial Implications**

6.1 The '0-19' Early Help Locality model currently has a total budget of circa £2.575m for 2017/18. There are saving proposals required through both efficiencies and a revised locality model required over 2018/19 and 2019/20 to deliver cost reductions of circa £365k. The total value of the contract identified in the report is £600k and is included within the revised budget envelope to support the required cost reductions.

6.2 There is a recognition that the Council is operating within a challenging financial climate, which will have a direct impact upon the budget available for these services. In line with procurement advice, bidders were asked "How you would respond to a reducing Budget and what areas of service delivery would you prioritise and why?" Their response was evaluated as part of the quality evaluation.

6.3 Any extension to the contract will be funded through Children's Services and will not result in Children's Services exceeding its ring fenced budget in the relevant period and would be managed in line with the Council's Contract Rules.

## **7. Legal Implications**

- 7.1 Legal Services and Procurement have assisted Children's Services with using the most appropriate procedures and preparing a written contract (in a form approved by the Head of Legal and Democratic Services).
- 7.2 The procurement exercise which the Council has carried out has been undertaken in accordance with the legal requirements of the Public Contracts Regulations 2017 and the Council's Contract rules.
- 7.3 The new services will be evidenced by a written contract in a form approved by the Head of Legal and Democratic Services and shall be made and executed in accordance with the Council's Contract Rules.

## **8. Procurement Implications / Social Value**

- 8.1 The procurement process has been conducted in accordance with the procurement rules which are set out in the Public Contract Regulations 2015, the Council's Contract Rules and Social Value Policy.
- 8.2 Social value is an integral part of this contract and all tenders have been evaluated based on their ability to bring social value including employment and volunteering opportunities as part of their delivery to Walsall.
- 8.3 The proposed successful bidder clearly demonstrated their social value through a commitment to create opportunities for local people and voluntary sector organisations.
- 8.4 Steps have been taken to minimise procurement-related risk. However, there will always remain an inherent risk of legal challenge associated with any procurement undertaken by the Council.
- 8.5 Input has been sought from Procurement and Legal Services, as required to ensure the conduct of compliant procurement process.

## **9. Property Implications**

- 9.1 CGL have stated that they wish to utilise the Council's MyPlace building to deliver the service from and negotiations will need to be undertaken to produce a lease which safeguards the Council's interests.
- 9.2 The term of the lease of the building will be agreed with CGL which will match the term of the commissioning contract. Officers are satisfied that the rent proposed by CGL represents the market rent for the building.
- 9.3 CGL will be responsible for the operational and maintenance costs of the building and the grant of the lease will therefore pass on the Council's operational property costs to CGL.
- 9.4 Existing Council services delivered from the Myplace will either be relocated to other 0-19 family Support Hubs in consultation with service users, or an agreement reached with CGL to share occupation of parts of the building to allow continued service delivery.

## **10.0 Health and Wellbeing Implications**

- 10.1 The Council is required to provide sufficient Children's Centres and to secure early education places for every eligible 2 year old. Following consultation as part of budget savings the Children's Centres are an integral part of Early Help Locality working to ensure the Council provides the right support at the right time to the right families to reduce risks and improve outcomes.
- 10.2 The Service commissioned will be contributing to providing the right help at the right time for children and families ensuring we secure better outcomes and reduce the need for costly statutory interventions.
- 10.3 The recommendations adhere to the following objectives of the Marmot Review:
- Give every child the best start in life – by providing targeted family support and parenting advice and interventions to help families to support their child to reach their potential and be safe, happy and achieving; and
  - Enable all children and young people to maximise their capabilities and have control over their lives – by providing good quality childcare and learning opportunities to disadvantaged 2 year olds.

## **11. Staffing implications**

- 11.1 There will be no staffing implications for Council as this proposal does not involve Council employed staff.
- 11.2 Staff employed by the current provider will be transferred to the new provider under the Transfer of Undertakings (Protection of Employment) Regulations. The transfer of staff has no risk to the Council because, subject to appointment of a new service provider, those in scope will transfer directly from Palfrey Community Association to the new provider. Staff are currently employed directly by Palfrey CA and have no link to the Council. Therefore any staffing implications would be between Palfrey CA and the new provider. The Children's Services Commissioning team will ensure oversight and compliance with processes as part of the mobilisation stage.
- 11.3 The same applies to the subject of pension liability. Because Palfrey CA is a separate Local Government Pension Scheme employer with no link or dependency to the Council, any pension scheme liabilities arising as a result of the transfer, or in respect of future service, is the responsibility of Palfrey CA and the new provider. The Council therefore have no involvement or risk in this matter.

## **12. Equality implications**

- 12.1 A full Equality Impact Assessment has been undertaken to which a large number of people in the geographic area were consulted and views were taken into consideration for the tender and a detailed report is available as part of the budget consultation and development of service specification.

## **13. Consultation**

- 13.1 Adequate and meaningful consultation has taken place in line with the Council's statutory duty to consult and ran in parallel with Budget Consultation activities, between 27 October 2016 and 23 December 2016. The consultation included:

- Data analysis of current service users
- Questionnaire completed by 119 people of which 88 were current Children Centre service users;
- 11 public consultation meetings including one in each Children Centre, Birchills Child Care and Alumwell Child Care;
- 2 professional stakeholder events

13.2 The Cabinet report on 8 February 2017 included consultation feedback and related EQIA.

13.3 Consultation was undertaken around the development of the Service specification with Service users as follows;

- Palfrey PEEP - 9 May 2017
- Palfrey Play & Stay - 10 May 2017
- Palfrey Baby Clinic - 11 May 2017
- Birchills Stay & Play – 11 May 2017,
- Birchills Well Baby Clinic – 16 May 2017.
- Plus Questionnaires & Pre paid return envelopes were left at Sure Start Palfrey and Sure Start Birchills.

13.4 Stakeholder consultation was undertaken around the development of the Service specification in May 2017 with the Early Help Steering Group. A Market Warming event was held on 28 April 2017 where potential providers attended and a question and answers session took place around the delivery of the contract.

## Background papers

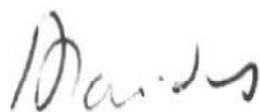
Cabinet Report 8 February 2017 'Redesign of Children's Centre Services and Sites as part of a 0 – 19 Early Help locality model and Children's Centre South Contract'  
Equality Impact Assessment report

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Signed  
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Date: 26 September 2107

Portfolio Holder  
Date: 17 October 2017