

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER**

<b>Subject</b>	<b>Children's Service Contract Variations</b>
<b>Officers taking decision</b>	Family Services Director Education and Skills Director
<b>Date of decision</b>	8 April 2014
<b>Summary</b>	This report is supplemental to: (i) the Cabinet Resources Committee report of 16 December 2013 which provided authority to extend/vary contracts held between the Council and providers of youth homelessness, short breaks and community coaching services, and (ii) the Cabinet report of the 25 February 2014 which approved the Children's Service savings to commissioned services. The extensions and variations are effective from 1 April 2014.
<b>Officer Contributors</b>	Suzy Whatmough, Contract Monitoring Officer, Children's Service
<b>Status (public or exempt)</b>	Public
<b>Wards affected</b>	All
<b>Enclosures</b>	None
<b>Function of (Council/Executive)</b>	Council
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## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 4 April 2012, Cabinet Resources Committee, Award of Housing-related Contracts for Young People, Agenda Item 8, approved the award of contracts for the provision of accommodation based support for young people.
- 1.2 18 April 2013, Cabinet Resources Committee, Award of Early Intervention and Prevention Contracts, Agenda Item 12, approved the award of contracts for the delivery of early intervention services.
- 1.3 24 June 2013, Cabinet Resources Committee, Safer Communities Partnership Initiatives Outline Business Case, Agenda Item 5, approved a budget of £118,300 from the One Barnet Transformation Reserve to implement the Community Coaches initiative.
- 1.4 16 December 2013, Cabinet Resources Committee, Contract Procurement Plan, Agenda Item 7: (i) approved the extension of youth homeless contracts from 1 June 2014 to 31 March 2015 to the total value of £540,000, (ii) approved the extension of short breaks contracts from 1 June 2014 to 31 March 2015 to the total value of £1,100,000, and (iii) approved the variation of the Community Coaching contract.
- 1.5 25 February 2014, Cabinet, Business Planning 2014/15-2015/16, Agenda Item 7, approved the expenditure and savings schedules set out in Appendix D, which included Children's Service savings through reduction in external spend on preventative contracts.

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 The provision of youth homelessness services, early intervention and prevention services and community coaching supports the strategic objective in the Council's Corporate Plan 2013-2016 to create better life chances for children and young people across the borough. These services also contribute to the following priorities outlined in the Children and Young People's Plan 2013-2016:

### Youth Homelessness Services:

- Protect children at risk of harm and support them to achieve their potential.
- Ensure services are integrated to support young people as they transition to adulthood.

### Early Intervention and Prevention Services for Disabled Children and Families:

- Enable those with Special Education Needs, Learning Difficulties and Disabilities and complex needs to achieve their potential.
- Strengthen early identification and intervene early to improve life chances for those living in the most difficult situations.

### Community Coaching:

- Take a whole family approach to improving outcomes for children and young people.
- Strengthen early identification and intervene early to improve life chances for those living in the most difficult situations.

- Reduce the involvement of children and young people in crime and anti-social behaviour.

2.2 The Community Coaches Community Safety project will support the Corporate Plan priority to promote family and community well-being and encourage engaged, cohesive and safe communities. The Community Coaches project is one of four initiatives to enhance delivery of the Safer Communities Strategy. It will help the Council to build on partnership activity to deliver against the priorities set out in the Safer Communities Strategy 2011–2014 by delivering the following:

- Individuals demonstrate reduced likelihood of becoming involved in crime and anti-social behaviour (through monitoring of risk factors/ indicators).
- Individuals demonstrate greater engagement in positive activities (e.g. educational/ employment).
- There is a lower risk that individuals develop complex needs that require high cost interventions or additional specialist support services.
- Local volunteers feel that they have had a positive impact in addressing local community safety issues.
- There is evidence of improved public confidence with visibility of crime/ASB being tackled.

### **3. RISK MANAGEMENT ISSUES**

3.1 The Council has agreed contract variations with providers. Agreements have taken into account the potential impact to service users, the delivery costs and the financial pressures faced by the Council. Failure to apply the variations to these contracts will create a risk to relationship management between the Council and our contracted providers. There will also be a financial risk to the Council if these variations are not implemented since they enable the Council to achieve the targeted savings for Children's Service commissioned services.

3.2 The contract variations to the early intervention and prevention short breaks services to disabled children and their families involve an overall reduction in service delivery, which will impact those currently accessing the services. Equalities Impact Assessments were carried out to assess the impact of decisions. The final agreements on service reductions were made through careful consideration of the limited financial resources available, the utilisation of services and the impact of services supporting young people most in need.

### **4. EQUALITIES AND DIVERSITY ISSUES**

4.1 Under current Equalities legislation the Council and all other organisations exercising public functions on its behalf are required when doing so to have due regard to the need to (i) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Equality Act 2010; (ii) advance equality of opportunity between those with a protected characteristic and those without. The relevant protected characteristics are age, disability gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regards to eliminating discrimination.

- 4.2 This duty, also, applies to a person, who is not a public authority but who exercise public functions and therefore must, in the exercise of those functions, have due regards to the general equality duty. This includes any organisation contracted by a local authority to provide services on its behalf.
- 4.3 All contracts listed with this report include explicit requirements fully covering the Council's duties under equalities legislation.
- 4.4 Equalities Impacts Assessments were completed by Children's Services to monitor and mitigate the risk of budget savings on Barnet's diverse communities. These assessments informed the final decision on savings to commissioned services made by Cabinet on 24 February 2014.
- 4.5 An Equalities Impact Assessment has been completed in relation to Safer Communities Community Coaching and concluded that the initiative will have positive equalities impacts by:
- supporting vulnerable people
  - reducing anti-social behaviour and the negative impact that this has on communities
  - improving community confidence in the partnership's ability to address the concerns of communities and individuals.

## 5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

### 5.1 Finance

5.1.1 The funding for youth homelessness services and early intervention and prevention short breaks services for disabled children are met from existing budgetary provision within the Children's Services. The funding for community coaching is met from the existing budgetary provision within the Children's Service and from the funds of £107,000 allocated to Safer Communities to set up and implement the additional Safer Communities community coaching scheme.

5.1.2 A breakdown of contract values for each contract is provided below.

Contract	Provider	Original contract term	Original contract value	Extension period	Variation (effective from 1 April 2014)	New Contract Value
<b>Youth Homelessness Services</b>						
<b>Service Area: Family Services</b>						
Foyer	Safe Start Foundation	01/06/2012 – 31/05/2014 (24 months)	£631,200	01/06/2014 – 31/03/2015	£12,624 per annum reduction	£881,576
Adamson Court	Metropolitan	01/06/2012 – 31/05/2014 (24 months)	£279,920	01/06/2014 – 31/03/2015	£2,099 per annum reduction	£394,454
<b>Early Intervention and Prevention Short Breaks Services for Disabled Children and Families</b>						
<b>Service Area: Education and Skills</b>						
Advice and Advocacy	Barnet Mencap	01/07/2013 - 31/03/2016 (33 months)	£126,770	n/a	£2,200 per annum reduction	£122,370

Activities	Fairplay Barnet	01/07/2013 - 31/03/2016 (33 months)	£290,242	n/a	£30,541 per annum reduction	£229,160
<b>Community Coaching</b> <b>Service Area: Family Services</b>						
Community Coaching	Homestart	01/07/2013 - 31/03/2016 (33 months)	£439,335	n/a	£61,680 per annum reduction (Children's Services) Additional £107,000 in 2014/15 (Community Safety)	£420,975

## 5.2 Procurement Performance, Value for Money and Sustainability

- 5.2.1 The procurement processes for all of the contracts were conducted in accordance with Public Contracts Regulations 2006, the Council's Contract Procedure Rules and the Corporate Procurement Code of Practice.
- 5.2.2 The proposals for contract variations have taken into account the contract performance to date, the potential impact to service users and the cost of delivery to ensure that decisions were based on achieving best value for money.
- 5.2.3 To ensure monies are being spent effectively, the contracts are performance managed using a robust monitoring system including regular submission of performance data, monitoring meetings and audits.

## 5.3 Staffing, IT, Property

- 5.3.1 There are no staffing, IT or property implications for the Council in relation to the contracts listed within this report.

## 6. LEGAL ISSUES

- 6.1 Written deeds of variation, which comply with the provisions specified by the Council's Contract Procedure Rules, will be drawn up and executed on behalf of the parties in accordance with the terms and conditions of the contracts.

## 7. CONSTITUTIONAL POWERS

- 7.1 The Contract Procedure Rules, paragraph 14.3 sets out conditions that must be satisfied in order to extend or vary a contract:
- The initial contract was based on a Contract Procedure Rules compliant competitive tender or quotation process;
  - The value of the extension or variation added to the value of the original contract does not exceed the original Authorisation threshold as defined in Appendix 1, Table A;
  - The extension or variation has an approved budget allocation;
  - The extension or variation is in accordance with the terms and conditions of the existing contract;

- If the initial contract was subject to EU tender procedure, that the extension option was declared within the OJEU notice and the original Acceptance (Delegated Powers Report/Cabinet Resources Committee Report); and
- The contract has not been extended before;

All of the above conditions are met for the contracts listed in section 5.1.2.

- 7.2 The Council's Contract Procedure Rules, Appendix 1, Table A, sets out the Authorisation and Acceptance thresholds and tendering requirements. The extensions for youth homelessness services were approved by Cabinet Resources Committee on 16 December 2013 up to a value of £540,000, in line with the Contract Procedure Rule's thresholds for extensions to contracts.
- 7.3 On 24 June 2013, the Cabinet Resources Committee approved the budget of £118,300 to implement the Community Safety Community Coaches initiative. This was in accordance with the Council's Constitution, Part 3, Responsibility for Functions, paragraph 4.6, which states the terms of reference of the Cabinet Resources Committee including "approval of schemes not in service plans but not outside the council's budget or policy framework".
- 7.4 On 25 February 2014, Cabinet approved the savings on Children's Service commissioned services through reduction in external spend on preventative contracts.

## **8. BACKGROUND INFORMATION**

### **8.1 Youth Homelessness Services**

- 8.1.1 A competitive tender process was undertaken in 2011/12 for housing related services to support homeless young people. The contract for the Foyer was awarded to Safe Start Foundation and the contract for High Needs Support was awarded to Metropolitan. These contracts were awarded for the period 1 June 2012 to 31 May 2014. Contract extensions have been agreed until 31 March 2015 as these providers have been performing well and the services are well-utilised.
- 8.1.2 Youth homelessness services are available to young people in Barnet aged 16-21 years old who are homeless or at risk of becoming homeless. They provide secure accommodation and individual support to the young people so that they develop independent living skills and can move into education, employment and training.
- 8.1.3 The current contracts for Foyer and the High Needs Service were reviewed and efficiency savings were identified in order to achieve the expected budgetary savings for 2014/15.

### **8.2 Early Intervention and Prevention Short Breaks Services for Disabled Children and Families**

- 8.2.1 A competitive tender process was undertaken in 2012/13 for early intervention and prevention services, and contracts were awarded for the period 1 July 2013 to 31 March 2016. Barnet Mencap was awarded a contract for delivering an advice and advocacy service consisting of a drop-in service for parents of disabled children, a signposting service for referrals onto short breaks and Pre-Common Assessment

Framework (Pre-CAF) assessment work. Fairplay Barnet was awarded a contract for promoting activities for disabled children and young people, providing play provision, advice services for children, and youth workshops preparing disabled children for life and work.

- 8.2.2 The current block contracts were reviewed and agreements were reached with providers to achieve budget savings, ensuring best use of available resources. It has been agreed that Barnet Mencap will no longer be funded to deliver the parenting programme element of the contract and Fairplay Barnet will no longer be funded to provide the Sunday playscheme. The final agreements were made through careful consideration of the limited financial resources available, the utilisation of services and the impact of services supporting young people most in need.

### **8.3 Community Coaching**

- 8.3.1 A competitive tender process was undertaken in 2012/13 for early intervention and prevention services and contracts were awarded for the period 1 July 2013 to 31 March 2016. Homestart Barnet was awarded a contract for delivering Community Coaching Services to vulnerable families. The Community Coaching programme trains local volunteers to provide targeted emotional and practical support to disadvantaged individuals/families. The community coaches work with the beneficiary to identify and prioritise their needs, support them to solve problems, tackle the root cause and giving them strategies for fundamental behaviour change.
- 8.3.2 The current delivery was reviewed and an agreement was reached with the provider to reduce the number of families receiving community coaching through the Children's Service whilst introducing a pilot project to deliver a Safer Communities community coaching service to tackle anti-social behaviour and crime. The aim of this pilot is to prevent and reduce offending through introducing appropriate interventions at different stages in the justice continuum from prevention through to release from prison. The Safer Communities Community Coaches pilot project will build on previous learning experience of the Community Coaches model commissioned by Children's Services. It will deliver short term interventions led by community volunteers to prevent young people becoming involved in crime and anti-social behaviour where a risk has been identified

## **9. LIST OF BACKGROUND PAPERS**

- 9.1 None

## **10. DECISION TAKER'S STATEMENT**

- 10.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

## **11. OFFICER'S DECISION**

### **11.1 Family Services:**

#### **I authorise the following action**

To authorise contract variations, effective from 1 April 2014, for contracts held between the Council and providers of: (i) youth homelessness services and (ii) community coaching services.

**Signed**                **Nicola Francis**    

**Date**                 **9 April 2014**    

### **11.2 Education and Skills:**

#### **I authorise the following action**

To authorise contract variations, effective from 1 April 2014, for contracts held between the Council and providers of early intervention short breaks services for disabled children and families.

**Signed**                **Ian J Harrison**    

**Date**                 **8 April 2014**