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| | <p>Policy and Resources Committee</p> <p>16 December 2015</p> |
| <p style="text-align: right;">Title</p> | <p>Extension of Family Services contracts</p> |
| <p style="text-align: right;">Report of</p> | <p>Family Services Director</p> |
| <p style="text-align: right;">Wards</p> | <p>All</p> |
| <p style="text-align: right;">Status</p> | <p>Public</p> |
| <p style="text-align: right;">Urgent</p> | <p>No</p> |
| <p style="text-align: right;">Key</p> | <p>Yes</p> |
| <p style="text-align: right;">Enclosures</p> | <p>None</p> |
| <p style="text-align: right;">Officer Contact Details</p> | <p>Lindsey Hyde, Strategy, Insight and Commissioning Manager Lindsey.hyde@barnet.gov.uk</p> |

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| <p>Summary</p> |
| <p>In line with the Council’s Contract Procedure Rules, waivers are required to enable the extension of six contracts set out within this report. This report seeks approval for the required waivers and the extension of the six contracts.</p> |

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| <p>Recommendations</p> |
| <p>That the Committee approve the required waivers and contract extensions set out in section 5.2.2 of this report</p> |

1. WHY THIS REPORT IS NEEDED

- 1.1 The Council's Contract Procedure Rules set out that waivers are required to extend the six contracts set out in paragraph 5.2.2 of this report. The primary reason for this is due to there being no extension clause in the contracts. For one low value contract, the waiver is required due to the pilot service not having been competitively tendered to date.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The recommendation to approve the required waivers and contract extensions in section 5.2.2 of this report is proposed to enable continuity of service provision while reviews and service development is undertaken and to avoid putting new contracts out to market at a time when services are being reshaped. The current contracts are performing well.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 If the contracts in section 5.2.2 of the report were put out to market for new contracts to be put in place, opportunities to redesign services in line with new service development opportunities would be missed.

4. POST DECISION IMPLEMENTATION

- 4.1 Following the decision, if the recommendation is approved, the contracts will be extended in liaison with legal services. The specifications contained within the contracts will be reviewed and will be amended if required.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate Plan 2015-20 states that the council, working with local, regional and national partners, will strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that prevention is better than cure
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

- 5.1.2 The extension of the contracts set out in this report contributes to the Corporate Plan priority 'To create better life chances for children and young people across the borough'.

- 5.1.3 The contracts set out in this report support Barnet's Early Intervention and Prevention Strategy, signed off by Barnet Safeguarding Children Board, which seeks to intervene early and support children and young people to achieve their best outcomes.

5.1.4 The CELS Commissioning Plan 2015-2020 sets out proposals to address challenges, reshape services, and to deliver savings for services within the Committee area over the next five years. These include:

- Alternative ways to deliver services, in partnership with other organisations and residents
- Narrowing the gap and targeting support to those that need it
- Greater personalisation, choice and control over services
- Focus of efficiency, effectiveness and impact

Section 5.2.2 sets out the specific CELS Commissioning Plan Priority and CELS Commissioning Intention related to each contract.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 As set out in paragraphs 5.4.1 and 5.4.2 of this report, the Council's Contract Procedure Rules dictate that waivers are required to extend the contracts set out in paragraph 5.2.2 of this report. The rationale for extending each of the contracts and the finance implications are set out in paragraph 5.2.2 of this report.

Two of the contracts for which extensions are sought are IT contracts (Children's Centre Management Information System and Youth Justice database) and the extensions will enable consistent delivery using systems that are already in place.

Where a contract is a pilot, this will be reviewed within 6 months of the extension going live to help inform future options for the delivery of these services.

There are no Staffing or Property implications relating to this decision. The contracts will all be recommissioned within relevant timescales to ensure that value for money is obtained.

All contracts will be funded from Family Services budgets, set through the business planning process.

5.2.2 Table of contract extensions required

| Contract | Provider | Rationale for extension and waiver | Link to CELS Commissioning Priorities | Original contract length | Original contract value | Extension period | Extension value | Total contract value incl. extension |
|--|------------------|--|---|--------------------------|-------------------------|-----------------------------|-----------------|--------------------------------------|
| Evidence based parenting programmes | CommUNITY Barnet | These contracts are performing well and meeting local need. As part of the implementation of the early intervention and prevention strategy, there is a review of parenting programmes across the partnership underway. Until the review is concluded, it is proposed that this contract is extended for one year. | This contract links to the CELS Commissioning Intention to increase the use of evidence based programmes to improve the effectiveness and value for money of interventions. | 33 months | £107,810 | 12 months from 1 April 2016 | £39,220 | £147,030 |
| Support to targeted communities | CommUNITY Barnet | | This contract links to the CELS Commissioning Intention to continue with our early intervention approach to family support. | 33 months | £35,690 | 12 months from 1 April 2016 | £12,980 | £48,670 |
| Support service for disabled children and young people aged 5 - 18 and their family carers | Barnet Mencap | This pilot service did not undergo a competitive process for the initial 12 month period. The contract is performing well and is being integrated with support for 0-5s and a specific Adult and Communities contract which support young people aged 18+. It is proposed that this contract is extended for a further 12 months | This contract links to the CELS Commissioning Intention to continue with our early intervention approach to family support. | 12 months | £21,000 | 12 months from 1 April 2016 | £21,000 | £42,000 |

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| | | before being recommissioned in light of the development of 0-25 service. | | | | | | |
| Family Group Conferences | Forward for families | This contract is performing well. There are opportunities to recommission this in partnership with other boroughs. However, a one year extension is needed to provide time to complete this and the contract will be capped at £170k. | This contract links to the CELS Commissioning Intention to continue with our early intervention approach to family support. | 36 months | Up to £130,000 | 12 months from 1 April 2016 | Up to £40,000 | Up to £170,000 |
| Children's Centre Management Information System | CACI | A change of contractor cannot be realistically made for technical reasons and would cause significant inconvenience or substantial duplication of the Council's costs. | This contract is an enabler to the work of the Early Years Service and supports the CELS Commissioning Intention for a strengthened early years service that integrates universal provision with targeted services with a specific focus on improving outcomes for the most vulnerable families. | 36 months | £69,000 | Up to 24 months from 9 February 2016 | £46,000 | £115,000 |
| Youth Justice database | Carework LTD | | This contract is an enabler to the work of the Youth Offending Service and supports the CELS Commissioning Intention to work with partners to better support young offenders | 36 months | £36,000 | Up to 24 months from 15 March 2016 | £24,300 | £60,300 |

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| | | | and other high risk young people to access education, training and employment opportunities available in Barnet. | | | | | |
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5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. When these services are recommissioned, commissioners will consider how additional social value can be secured for Barnet.

5.4 Legal and Constitutional References

5.4.1 The council's Constitution - Appendix A - Responsibilities for Functions, states that Policy and Resources Committee:

- To be is responsible for the overall strategic direction of the Council including Corporate Procurement (including agreement of the Procurement Forward Plan and agreeing exceptions to CPRs)
- To authorise procurement activity within the remit of the Committee and any acceptance of variations or extensions if within budget in accordance with the responsibilities and thresholds set out in Contract Procedure Rules

5.4.2 Section 14.5 of the Contract Procedure Rules sets out the conditions that contracts may only be extended or varied.

5.4.3 Section 15.1 of the Council's Contract Procedure Rules sets out that if the application of these Contract Procedure Rules prevents or inhibits the delivery or continuity of service, Directors or Assistant Directors, Commissioning Directors and Heads of Service may apply for a waiver. All applications for a waiver of these Contract Procedure Rules must be submitted to Policy and Resources Committee specifically identifying the reason for which a waiver is sought, including justification and risk.

5.5 Risk Management

5.5.1 Family Services manages risk using Barnet's Corporate Risk Management Framework. The recommendation to approve contract extensions and the associated waivers is low risk as all contracts are under the OJEU threshold.

5.5.2 Conversely, there are service risks that would present if the recommendations of this report were not approved. There would be discontinuity in service provision if these contracts were not extended which would have a negative impact on the ability of the Delivery Unit to deliver consistent support through systems and would have a negative impact on Barnet residents through disruption to service delivery.

5.5.3 There are legal risks even though they may be small in relation to some extension values being more than 50 percent of the contract value namely for the Community Barnet and Carework Limited contracts.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and

other conduct prohibited by the Equality Act 2010

- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

5.6.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services.

5.6.3 Equalities impact assessments are undertaken as part of each recommissioning cycle and will be undertaken when the services outlined in this report are recommissioned.

5.7 **Consultation and Engagement**

5.7.1 Consultation and service user feedback is undertaken as part of contract monitoring. Further engagement will be required when recommissioning the services with a range of stakeholders including service users and provider organisations.

5.8 **Insight**

5.8.1 Insight is used to inform the development of needs analysis and the ongoing review of service delivery. The demand for the services delivered through the contracts set out in this report will inform the future design and recommissioning of services to most effectively meet needs.

6. **BACKGROUND PAPERS**

6.1 Barnet Early Intervention and Prevention Strategy, 2014