
Decision Maker:	EXECUTIVE WITH PRE DECISION SCRUTINY BY THE CHILDREN, EDUCATION AND FAMILIES PDS COMMITTEE		
Date:	8 SEPTEMBER 2020		
Decision Type:	Non-Urgent	Executive	Non-Key
Title:	PROVISION OF HOLIDAY AND SATURDAY GROUP BASED SHORT BREAKS - AUTHORISATION TO EXTEND THE SHORT BREAKS FOR DISABLED CHILDREN AND YOUNG PEOPLE CONTRACT WITH RIVERSIDE SCHOOL ORPINGTON		
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Chief Officer:	Janet Bailey, Director of Children's Social Care E-mail: janet.bailey@bromley.gov.uk		
Wards:	All		

1. REASON FOR REPORT

- 1.1 The contract with Riverside School for provision of Short Breaks for Disabled Children was originally awarded in May 2010 following competitive tender. Further contracts were awarded in 2012, 2015 and 2018 via exemption to competitive tendering due to the specialist nature of the service, with a cumulative value to date of over £1m. The current contract commenced on 1st April 2018 and is due to end on 31 March 2021 with the option to extend for a further two years. The estimated annual value of the current contract is **£192,213** p.a. with a whole life value, inclusive of extension option, of **£968,753**
- 1.2 In order to ensure timely confirmation of service continuity for a vulnerable cohort of children and young people with disabilities and their families it is proposed apply the two year extension option at an estimated annual value of £196k with a revised end date of 31 March 2023.

2. RECOMMENDATION(S)

- 2.1 The Leader, on behalf of Executive, is recommended to approve the formal two year extension option for the Short Breaks for Disabled Children contract with Riverside School with a revised end date of 31 March 2023 at an estimated annual value of **£196,057** p.a. (whole life value of £968,753 inclusive of extension).

- 2.2 That members note the high quality of service provision from the staff at Riverside School Orpington, as detailed below.

Impact on Vulnerable Adults and Children

1. Summary of Impact: As well as providing meaningful, fulfilling activities for children and young people with SEND and respite for parents and carers, Short Breaks play a vital role in family cohesion and support. Short Breaks are important as a preventative service, without which an increased number of children and young people with SEND are more likely to be subject to care orders when families are unable to continue to fulfil their caring responsibilities due to the physical, mental and emotional strain of the role.
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Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Estimated Cost:£392,115 over two years.
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Group Based Short Breaks/Safeguarding and Care Planning West
 4. Total current annual budget for this head: £195,100 (for 2020-21)
 5. Source of funding: Revenue
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Personnel

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable Not Applicable: Further Details
-

Procurement

1. Summary of Procurement Implications: Formal two year extension option
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 147 CYP
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 Riverside School is a special school with two sites; one in Beckenham which meets the needs of children with complex medical needs and one in Orpington, which is focused on the needs of children with Autism, Learning Disabilities and Social Communication disorders. It was inspected by Ofsted in April 2019 and received a rating of Outstanding. The inspection included an evaluation of the Short Breaks service, which is based at the Orpington site. In July 2019, an LBB Quality Assurance visit to the Short Breaks service was undertaken by a Contract Compliance Officer. The service scored highly against all quality measures and no concerns regarding the safety or appropriateness and effectiveness of the service were reported.
- 3.2 The service is able to take advantage of school resources in terms of both the purpose built physical space and the specialist skills of staff employed by the school during term times. Staff and CYP also benefit from existing relationships formed during school time. However, it is important to note that the service also accepts referrals for children who attend schools other than Riverside. During the year 2019-20, the scheme was attended by 147 children and young people from 16 different schools and units.
- 3.3 Dedicated, full-time nursing staff, commissioned by Bromley CCG and employed by the school, are also available to support children attending the service, which ensures that children with a wide range of medical needs can be supported to enjoy activities safely, and that parents and carers can have peace of mind that a suitable level of skills and experience are available throughout each day attended.
- 3.4 The service operates for 22 Saturdays per year and for 25 days during summer, Easter, Christmas and February half-term. CYP who are able to access the scheme are typically allocated anywhere between 6 days to 35 days per year. As a general principle, younger children who are just starting on the scheme are allocated fewer days to start with, as their allocation is expected to grow over time as they get older. The maximum allocation in the past year of the service has been 35 days for a small number of older children with very high needs. The service can support children from the age of 8 to 18 years old.
- 3.5 The service provides a wide range of activities including many different sports, arts and crafts and trips out to a number of different venues.

4. SUMMARY OF THE BUSINESS CASE

- 4.1 There are approximately 375 Children and Young people with Disabilities in Bromley whose needs are sufficiently high to reach the social care threshold and are therefore eligible for a service from the Children with Disabilities Team. There are an estimated 6,000 children and young people with SEND in Bromley and approximately 2,600 children and young people with an Education, Health and Care Plan (EHCP).
- 4.2 The Saturday and Holiday Clubs have been run by Riverside School since June 2010. Demand for places continues to exceed the number of places available. Most families benefit from 2-3 Saturdays per half term and 1 or 2 days per week of operation during the holidays. Additional days are accommodated where possible for families in the greatest need, especially where such respite could help to support the family and avoid crisis which could lead to young people requiring out of Borough or residential placements. The scheme is wholly funded by the contract with no direct charge to service users. The service is only able to run for three weeks during the summer.
- 4.3 The service is very successfully meeting needs, but it is limited in the amount of days on which it can run and by the physical limits of the school site. One of the elements which maintains the high quality of the service is the presence of school staff who are prepared to work during school holidays and weekends, but like anyone else, they require time off in order to avoid burn-out. Similarly although it would extend capacity to be able to operate on another site, for instance, Riverside Beckenham, this is not a viable option. Safety is of course a paramount concern and it is felt that in terms of management capacity this

could not be adequately maintained over two sites. It would also be problematic to try to recruit enough suitably qualified staff, even with additionally capacity drawn from outside of the school staff.

4.1 SERVICE PROFILE/DATA ANALYSIS

- 4.1.1 Over the previous calendar year the service delivered a total of 1639 days of Short Breaks to the children and young people who attended the service during the year. This equates to an average of 11 days per child per year.

4.2 OPTIONS APPRAISAL

- 4.2.1 Option 1: Extend the service for two years in accordance with the existing provisions within the current contract and apply a 2.0% uplift for the duration of the extension period. This would offer the service some protection against both rising costs and the rising levels of complexity of need being observed in CYP using the service.
- 4.2.2 Option 2: Extend the service for two years in accordance with the existing provisions within the current contract at the current annual funding rate. The service has already confirmed that they would be unable to deliver the service for the extension period at the current rate of funding.
- 4.2.3 Option 3: Do Nothing. The current contract terminates on 31st March 2021. Failure to renew this contract would leave a considerable number of families without the support they need and is likely to increase the numbers of families in crisis. It would also pose a risk to the reputation of the new Bromley Autism Partnership. Another likely outcome would be an increase in the use of personal assistants to support families at a higher cost and an increase in social isolation for vulnerable children and young people.

4.3 PREFERRED OPTION

- 4.3.1 The preferred option is 4.2.1; extend the service for two years in accordance with the existing provisions within the current contract and a 2.0% uplift for the duration of the extension period. This would offer the service some protection against both rising costs and the rising levels of complexity of need being observed in CYP using the service and it should eliminate the need for any reduction in service capacity.
- 4.3.2 As noted in 4.3 above and 4.4.1 below, there is little that can be done to increase capacity in this scheme or to improve the current model. For this reason an extension is preferred in order to prevent unnecessary commissioning and procurement activity in the near future. The contract extension would include break clauses and annual reviews to ensure that there was flexibility and the mechanism to ensure that the current high quality of the service is maintained.
- 4.3.3 Please see Figure 1 below for complete contract and pricing history:

Date	Contract type	Value (p.a. unless stated)	Total Value
1 April 2010 to March 2012 (option to extend)	Open market tender - Service Level Agreement	£238,405	£476,810
1 April 2012 to 31 March 2014	Awarded on basis of exemption	£249,004	£498,008
1 April 2014 to 30 September 2014	Awarded on basis of extension	£113,937 (6 months, inc summer holiday)	£113,937
1 October 2014 to 31 March 2015	Further contract extension	£79,917 (6 months exc. Summer holiday)	£79,917
1 April 2015 to 31 March 2018	Awarded on the basis of an exemption for 3 years until March 2018	£171,493	£514,479
1 April 2018 to 31 March 2021	Awarded on the basis of an exemption for 3 years + 2 years optional extension until March 2021	£192,213	£576,639
1 April 2021 to 31 March 2023	2 years optional extension with 2% uplift utilised until March 2023	£196,057	£392,114
	Current Contract (Whole Life Value inc. Extension)		£968,753
	Total Service Cumulative Value (at Contract End)		£2,651,904

Fig.1 Riverside Short Breaks Service Contract and Pricing History 2010 - 2023

4.4 MARKET CONSIDERATIONS

- 4.4.1 Although there are other Short Breaks providers in the local, regional and national market, given the features that make the service as successful as it is; staff with a developed knowledge of the children and young people with whom they are working, and a specially adapted permanent site, it is felt that it would be difficult, if not impossible, for another provider to develop a service which can meet the needs of this particular cohort as successfully as Riverside School does. For this reason it is proposed that the contract with the current service provider be extended, rather than exposed to market competition.
- 4.4.2 As part of an ongoing review of Short Breaks provision, the service has been tested for value for money by reviewing it against the unit costs of other comparable services. The average figure for a days attendance at the service is **£117.27**. When considering the high level of complexity of both medical and behavioural needs that the service is able to accommodate, and the high level of quality achieved by the service, this is considered to be a very competitive daily rate.

5. STAKEHOLDER ENGAGEMENT

- 5.1 The services regularly receive very positive feedback from parents and children. The service is assiduous in communicating with families, referrers and other relevant practitioners, giving daily written updates to parents for all days when their children have attended the service. Being embedded in the school as the service is, it is able to make really valuable contribution to the overall system in supporting children to stay safe and reach development goals. Each child has an individual care plan which staff use to plan personalised programmes of activity.
- 5.2 Commissioners and Service Leads from the Disabled Childrens Team have visited the service during the course of the year.
- 5.3 It was noted that no complaints about the service had been received in the year leading up to the Quality Assurance visit in July 2019.

6. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

- 6.1 **Estimated Contract Value** – £392,115 over two years (£196k per annum)
- 6.2 **Other Associated Costs** – N/A
- 6.3 **Proposed Contract Period** – Two year extension from 1 April 2021 to 31 March 2023

7. SUSTAINABILITY AND IMPACT ASSESSMENTS

- 7.1 As well as providing meaningful, fulfilling activities for children and young people with SEND and respite for parents and carers, Short Breaks have been shown to play a vital role in family cohesion and support. Many parents have reported that Short Breaks, particularly overnight respite, are vital in allowing them time away from their caring responsibilities. In this sense, Short Breaks are incredibly important as a preventative service, without which an increased number of children and young people with SEND are more likely to be subject to care orders when families are unable to continue to fulfil their caring responsibilities due to the physical, mental and emotional strain of the role.

8. POLICY CONSIDERATIONS

8.1 National Policies

- 8.1.1 Breaks for Carers of Disabled Children Regulations 2011
- 8.1.2 Children and Families Act 2014
- 8.1.3 Carers Act 2014
- 8.1.4 SEND Code of Practice 2015

8.2 Local Policies

- 8.2.1 Joint SEND Strategic Vision and Priorities 2019-22
- 8.2.2 LBB ECHS Portfolio Plan 2018-22
- 8.2.3 LBB Children and Young Peoples Plan 2018-21

9. IT AND GDPR CONSIDERATIONS

- 9.1 All documentation and processes were reviewed and amended (where required) when GDPR regulations were introduced. The service will continue to ensure compliance with regulations.

10. PROCUREMENT RULES

- 10.1 The report seeks a two year extension to the contract with Riverside School, utilising the formal extension options built into the contract, the value of the proposed extension being an estimated £392,115.
- 10.2 The Council's requirements for authorising an extension are covered in CPR 23.7 and 13.1. For an extension of this cumulative value, the Approval of Executive in Agreement with the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance must be obtained. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 10.3 Following Approval, the extension must be applied via a suitable Change Control Notice, or similar, as specified in the contract.
- 10.4 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

11. FINANCIAL CONSIDERATIONS

- 11.1 The current and proposed extension of the contract is detailed in the table below

	<u>Contract</u>
	<u>£'000</u>
2018/19	192
2019/20	192
2020/21	192
Proposed extension	
2021/22	196
2022/23	196
Total	968

- 11.2 The current contract value is £192k. The contract value from the 1st April 2021 will be £196k per annum over the following two financial years. This is an increase of 2% on the original contract value.
- 11.2 There is sufficient budget within the service to contain the costs of the increase in this contract.

12. PERSONNEL CONSIDERATIONS

- 12.1 N/A

13. LEGAL CONSIDERATIONS

- 13.1 This report seeks to award a two year extension to the Contract with Riverside School, utilising the formal extension options incorporated into the Contract. The estimated value of the whole life cost of the proposed extension will be approximately £392,115.

- 13.2 Under the Councils Contract Procedure Rules, the Councils requirements for authorisation of an extension, is in accordance to CPR 23.7 and 13.1. The decision to commence an extension of this value of the Contract (i.e £392,115 over the extended Contract period), which is between £200k and 500k, must be approved by the Chief Officer following Agreement by the Assistant Director of Governance and Contracts, the Director of Corporate Services and the Director of Finance, in accordance with CPR 2.1.2. Officers must take all necessary professional advice. Due to the cumulative value of the contract to date, Executive approval is required.
- 13.3 Following approval, the extension of the Contract must be applied via the appropriate Change of Control Notice or similar method as specified in the Contract.
- 13.4 The Contract can be awarded in accordance with the Council's Contract Procedure Rules.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

OFFICER SIGN OFF SHEET (NOT TO BE INCLUDED WITH PUBLISHED MEMBERS REPORT)

Title:

Decision: Gateway Over £500k / Extension Over £100k / Exemption Over £100k / Variation over £100k

Contact Officer:

Name
Title
Department

AUTHORISATION

Agreed by (signature and date):

_____ Date: _____

Name
Budget Holder / Contract Owner
Title
Department

_____ Date: _____

Name
Lead Commissioner *(only where applicable)*
Department

_____ Date: _____

Assistant Director Governance & Contracts

Required for all proceeding to procurement £100k+ / Extension £50k+ / Exemption £50k+ / Variation £50k+

_____ Date: _____

Director of Corporate Services

_____ Date: _____

Director of Finance

Required for all proceeding to procurement £100k+ / Extension £50k+ / Exemption £50k+ / Variation £50k+

Approved by (signature and date):

_____ Date: _____

Chief Officer

Name
Title
Department

Required for all extension / exemptions / variations. Required for proceeding to procurement £200k+