

Decision Maker: **EXECUTIVE**
For Pre-Decision Scrutiny by the Children, Education and Families PDS
Committee on 17 November 2022

Date: 30 November 2022

Decision Type: Non-Urgent Executive Key

Title: **CONTRACT AWARD: HOLIDAY AND SATURDAY GROUP
BASED SHORT BREAKS PART 1 (PUBLIC) REPORT**

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Ward: All Wards

1. REASON FOR REPORT

- 1.1 This report seeks approval for the recommendation to award the Holiday and Saturday Group Based Short Breaks Contract, scheduled to commence on 1 April 2023.
- 1.2 This recommendation to award follows on from the approval by Executive on the 29 June 2022, for commissioners to re-tender the Holiday and Saturday Group Based Short Breaks service to enable the commencement of a new service contract from 1 April 2023.
- 1.3 This Contract Award report should be read in conjunction with the accompanying Part 2 report which sets out the details of the result of the tendering process for the provision of the Holiday and Saturday Group Based Short Breaks contract.

2. RECOMMENDATION(S)

- 2.1 Children, Education and Families Policy Development and Scrutiny Committee (CEF PDS) are asked to review this report and provide comments prior to the report proceeding to Executive for decision.
- 2.2 The Executive is recommended to:
 - 1) Approve award of contract for the provision of the Holiday and Saturday Group Based Short Breaks Service as detailed in the accompanying Part 2 Report. The proposed contract will commence on **1 April 2023** for the period of three years plus the option to

extend for two periods of up to two years, making a total possible contract period of **seven years**, ending on **31 March 2030**.

- 2) Grant delegated authority to the Director of CEF to apply the two two-year contract extensions in consultation with the CEF Portfolio Holder and subject to agreement of the Director for Corporate Services, the Director of Finance and the Assistant Director, Governance and Contracts as determined by Contract Procedure Rules.

Impact on Vulnerable Adults and Children

1. Summary of Impact: As well as providing meaningful, fulfilling activities for children and young people with Special Educational Needs and Disabilities (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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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority (delete as appropriate):
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Estimated Cost **£Part 2 Report**
 2. Ongoing costs: Recurring Cost **Part 2 Report (3+2+2 contract)**
 3. Budget head/performance centre: Group Based Short Breaks/Safeguarding and Care Planning West
 4. Total current budget for this head: **£ Part 2 Report**
 5. Source of funding: Revenue
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Personnel

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable: Executive Decision
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Procurement

1. Summary of Procurement Implications: Formal contract award for up to seven years.for publicly tendered service.
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Property

1. Summary of Property Implications: N/A
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

The service specification has a dedicated section on Social Value and consequently the service provider will be required to demonstrate how they will meet the required social value outcomes, which could include delivering local employment opportunities to replicating the councils carbon neutral priorities. In addition to this the service providers approach to Social Value will be evaluated via the tender

Customer Impact

1. Estimated number of users or customers (current and projected): 150 - 160
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Ward Councillor Views

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

3. COMMENTARY

3.1 As detailed in the previous Gateway 0 and 1 reports the Core Activity of this contract is to provide school holiday and Saturday group short break provision for children and young people with disabilities including:

- 3 weeks (5 days per week) of provision of at least 6 hours per day during the school summer holiday, totalling 13 days (3 days only in the final week)
- 4 days of provision of at least 6 hours per day during the school Easter and Christmas holidays, totalling 8 days
- 2 days of provision of at least 6 hours per day during February and October school half term holidays, totalling 4 days
- Consequently, the holiday service will run for 25 days per year

The service provider is required to deliver Saturday group provision including:

- 2 Saturdays per month, of at least 6 hours per day, with the exception of the month of August, when the summer holiday service takes place, making 22 Saturdays per year

The number of places at each session are as follows:

- Summer holiday 50 places
- Easter and Christmas 50 places
- February school half term 50 places
- October school half term 50 places
- Saturdays 32 places

3.2 Consequently, the service will offer up to 704 places in total on Saturday Sessions and 1250 places at the holiday sessions.

3.3 The London Borough of Bromley (LBB) Children's Disability Service (CDS) will make appropriate referrals for children and young people with a range of disabilities including complex medical and/or behavioural needs to the provider's Short Break service. The CDS will be responsible for ensuring that those referred are eligible for the service.

3.4 The current service receives a high level of approval from both parents and professionals. Consequently, it was considered important to capture the current service outputs and outcomes in the service specification as accurately as possible in order to ensure that the service as tendered reflects the high quality of the current service as delivered.

3.5 Further details of the tender and recommended award of contract are detailed in the accompanying Part 2 report.

4. CONTRACT AWARD RECOMMENDATION

4.1 **Recommended Provider(s):** Detailed in Part 2 report

4.2 **Estimated Contract Value (annual and whole life):** Detailed in Part 2 report

4.3 **Other Associated Costs:** All contract costs are expected to be covered by the contract price.

4.4 **Proposed Contract Period:** An initial contract of three years with options to extend for two periods of up to two years each, making a total possible contract period of **seven years**, ending on **31 March 2030**.

4.5 Anticipated Contract Timetable:

Objective	By Whom	Date Completed
Anticipated date to advise Tenderers	LBB Commissioners/ Procurement/ Successful Provider	Wc 05 December 2022
Anticipated Standstill Period	LBB Procurement	Wc 12 December 2022
Contract Commencement Date	LBB Commissioners/ Successful Provider	01 April 2023

4.6 This timetable allows around three months for contract mobilisation.

4.7 Tender process:

4.7.1 The tender process was undertaken in accordance with the recommendations set out in the Gateway 1 Report approved by Executive on 29 June 2022.

4.7.2 The tender was undertaken electronically using the Pro-Contract portal with bidders being required to submit their bids in accordance with the Public Contracts Regulations 2015.

4.7.3 An invitation to an open tender process was used via the London Tenders Portal (ProContract).

4.7.4 The Stage 1 Selection Questionnaire (SQ) were scored by Procurement then the rest of the submission passed on to a selected evaluation panel to score the Quality Questions using the standard LB Bromley scoring Matrix. Each question was marked out of 10 and the weightings in the table below then applied to each score.

4.7.5 The tender was evaluated based on responses to two questions from stage 1 and nine questions from Stage 2 in accordance with the Public Contract Regulations 2015.

4.7.6 The Council's standard 40% quality and 60% price split was applied for obtaining a total score based on the Chartered Institute of Public Finance & Accountancy (CIPFA) Evaluation Model. The Provider 'Quality' submissions were scored by an Evaluation Panel using the standard LB Bromley scoring Matrix. Each question was marked out of 10.

4.7.7 The results of the evaluation process are detailed in Part 2 of the report.

Criteria	Weightings
Service Vision	15%
Skills and Experience	10%
Service Sufficiency	10%
Activities Offered by the Service	10%
Full Range of Support	15%
Inclusion and Co-Production	10%
Social Value	10%
Financial Sustainability	10%
Information Governance and Security GDPR	10%

5. SOCIAL VALUE, CARBON REDUCTION AND LOCAL / NATIONAL PRIORITIES

- 5.1 The service specification has a dedicated section on Social Value and consequently the service provider demonstrated how they will meet the required social value outcomes in their tender response, which included delivering local employment opportunities, such as social work placements and volunteering opportunities for corporate organisations, such as Balfour Beatty, wishing to undertake social responsibility activities.
- 5.2 The provider has their own development and maintenance plans, which will support the council's own carbon neutrality policy, and this was well demonstrated within their bid. They have also been working with SEN Transport to shorten bus routes for children travelling to school via minibus.
- 5.3 The service also offers some of its older service users the opportunity to volunteer on the scheme to assist with service delivery. This is a valuable opportunity to gain some work experience in a safe and supportive environment.

6. TRANSFORMATION/POLICY IMPLICATIONS

- 6.1 Joint SEND Strategic Vision and Priorities; LBB ECHS Business Plan; LBB Children and Young Peoples Plan
- 6.2 The procurement of adults, children's and health advocacy via the exposure of the service opportunity to competitive tender supports the Corporate Strategy ambition number 5: 'To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents'.
- 6.3 The service also supports the aims of Ambition 1 and 2 of the Corporate Strategy:
- For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence, and making choices.

7. IT AND GDPR CONSIDERATIONS

- 7.1 All documentation and processes were reviewed and amended (where required) when GDPR regulations were introduced. The successful tenderer will continue to ensure compliance with regulations when delivering these contracts.
- 7.2 A Data Protection Impact Assessment has been produced for the recommissioning of the existing service. This will be kept under review as the contract progresses.

8. PROCUREMENT RULES

- 8.1 This report seeks to award a contract to the provider detailed in the accompanying Part 2 report for the provision of Holiday and Saturday Group Based Short Breaks Service for an initial duration of 3 years with options to extend by up to four years on a 2+2 year basis (seven years in total). The total contract value over the seven years if all extension options are utilised is detailed in Part 2 of this report.
- 8.2 An open tender procedure was followed in accordance with the Public Contracts Regulations 2015.

- 8.3 For an award of contract of this value following a competitive tender, the Council's specific requirements are covered in CPR 16 with the need to obtain the Approval of the Executive following Agreement by the Portfolio Holder, the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance.
- 8.4 All relevant notices which must be published for contracts above £25k will be published following approval.
- 8.5 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.

9. FINANCIAL CONSIDERATIONS

- 9.1 Details of the financial implications are contained in part two of this report.

10. LEGAL CONSIDERATIONS

- 10.1 This Report seeks approval to award the contract relating to the provision of Holiday and Saturday Group Based Short Breaks Service to the provider detailed in the accompanying Part 2 report. The proposed Contract period is for a duration of three years plus the option to extend for two periods of up to two years i.e a total seven year period. The total Contract value (inclusive of all extension options over the seven year period) have been stated in Part 2 of the Report.
- 10.2 Under the Council's Contract Procedure Rules, the Councils requirement for authorisation of an award of contract is in accordance with CPR 16. The decision to commence an award of this value of the Contract and authorisation for such procurement actions are at the Approval of the Executive following Agreement by the Portfolio Holder, the Assistant Director of Governance and Contracts, the Director of Corporate Services, the Director of Finance, the Chief Officer (i.e Director of Children, Education and Families) and the Budget Holder. In accordance with CPR 2.1.2, all Officers must take all necessary professional advice.
- 10.3 Following Approval, the award of Contract must be applied via the relevant method as specified in the Contract or similar method and must be signed by all parties accordingly.
- 10.4 For a Contract holding a threshold value over 25k, a Contract award notice will need to be published via Contracts Finder within 30 days of awarding the Contract.
- 10.5 The Contract can be awarded in accordance with the Council's Contract Procedure Rules and the Public Procurement Regulations 2015.

Non-Applicable Headings:	Strategic Property and Personnel Considerations
Background Documents: (Access via Contact Officer)	[Title of document and date]