

CABINET MEMBER DELEGATED DECISION 05 JANUARY 2022

Report title: Re-Procurement of Early Years Service Contracts

Wards: All

Portfolio: Cabinet Member for Children and Young People: Councillor Ed Davie

Report Authorised by: Merlin Joseph: Strategic Director for Children's Services

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REPORT SUMMARY

This report seeks approval to directly award new early years commissioning contracts to three existing providers of targeted support services.

These providers are: St Michael's Fellowship, for the delivery of targeted support for young parents of children under five and in the antenatal period; the Centre for Parent and Child Support, South London and Maudsley, for the delivery of the Empowering Parents, Empowering Communities suite of parenting interventions; and Merton and Lambeth Citizens Advice for the delivery of specialist advice services in and through Lambeth's Better Start Children's Centres.

FINANCE SUMMARY

The total aggregate value of the three proposed contracts is £382,000 per annum / £764,000 over the two year term, and £1,146,000 in the event that the contracts are extended for a further one year. The National Children's Bureau (NCB) as the lead organisation for the Lambeth Early Action Partnership (LEAP) will make a contribution of £60,000 per annum towards the cost of the contract with the Centre for Parent and Child Support, South London and Maudsley under a task order in place with the council.

RECOMMENDATIONS

1. To waive contract standing order 8.2 and directly award contracts to:
 - a. St Michael's Fellowship: Contract for the delivery of one to one and group based support for young parents of children antenatally and to age four. The contract will run from 1 January 2022 to 31 December 2023 at a value of £150,000 per annum and total value of £300,000, with the option to extend for a period of 12 months to 31 December 2024 for a total maximum contract value of £450,000.
 - b. Merton and Lambeth Citizen's Advice Service: Contract for the provision of financial advice services to cover money management; debt; and housing advice. The contract will run from 1 January 2022 to 31 December 2023 at a value of £80,000 per annum and total value of £160,000, with the option to extend for a period of 12 months to 31 December 2024 for a total maximum contract value of £240,000.
 - c. The Centre for Parent and Child Support, South London and Maudsley: Contract for the delivery of the Empowering Parents, Empowering Communities (EPEC) programmes. The contract will run from 1 January 2022 to 31 December 2023 at a value of £152,000 per annum and total value of £304,000, with the option to extend for a period of 12 months to 31 December 2024 for a total maximum contract value of £456,000.

1. CONTEXT

- 1.1 This is a procurement report relating to Early Years Commissioning of targeted support services. The Early Years Commissioning Budget is used to provide specialist and targeted services to be delivered in and through Better Start children's centres as part of the wider offer of interventions and support for children aged 0-4 and their parents and carers. These services are either targeted to meet the needs of a particular group or community such as young parents, or to fulfil a particular need, for example around community based parenting support, or financial advice appointments.
- 1.2 Commissioning priorities for Early Years Commissioning will be reviewed in readiness for a new procurement exercise in 2023 / 2024 to take account of the learning and evaluation from the Big Lottery Fund a Better Start programme led by the Lambeth Early Action Partnership (LEAP).
- 1.3 The purpose of this report relates to the Borough Plan objective to Increase Community Resilience, with a focus on providing children with support and resources to get the best start in life, narrowing the gap and reducing inequality, and intervening early to support children and families.

2. PROPOSAL AND REASONS

- 2.1 This report outlines proposals to make new direct awards to three current providers of targeted support services for children aged 0-4 and their families. These providers are: St Michael's Fellowship; Merton and Lambeth Citizen's Advice Bureau; and the Centre for Parent and Child Support, South London and Maudsley. The services delivered by these providers are an integral and essential part of Lambeth's Better Start children's centre offer. Current contracts are due to expire on 31 December 2021.
- 2.2 All three have been extended previously under waiver, and specifications and contract requirements are no longer fully fit for purpose having been issued in 2015. Direct awards are proposed as there is a strong rationale for continued commissioning of current providers at this time, meaning an open tender process is not the recommended approach, but further contract extensions under waiver regulations would not allow for specifications and contracts to be fully revised and updated.
- 2.3 Lambeth's network of Better Start children's centres engage and support some of the borough's most disadvantaged and vulnerable residents in a wide range of activities aimed at parents / carers and their children aged 4 and younger. Strong partnerships exist to provide additional services to support parents / carers including adult learning, employment support, health services and family support.
- 2.4 The Better Start children's centre programme was reorganised following extensive public consultation in 2019/20, and as part of this reorganisation savings of £530,000 were made to the Early Years Commissioning Budget, with only three contracts being extended. The decision to extend the three contracts was made based on a revised and reduced set of commissioning priorities which have not subsequently changed.
- 2.5 These three contracts cover the delivery of targeted support services which are delivered in and through Better Start children's centres as part of the wider offer of interventions and support for children aged 0-4 and their parents and carers. These services are either targeted to meet the needs of a particularly vulnerable group or community such as young parents, or to fulfil a particular need, for example around community based parenting support, or financial advice appointments. These are services which cannot be delivered directly by Better Start children's centre staff teams, and which are not covered through other commissioning arrangements such as Lambeth Adult Learning, Public Health or the Clinical Commissioning Group.
- 2.6 The three direct awards are proposed to run from 1 January 2021 to 31 December 2023, with an option to extend for a further one year to 31 December 2024 and provision to terminate early.

The table below provides a summary of the proposed contracts, value and duration:

| Service provision | Proposed commissioning approach | Proposed value per annum | Proposed contract start date | Proposed contract end date |
|---|---|--------------------------|------------------------------|--|
| Provision of one to one and group based parenting support for young mothers and fathers | Direct award of new contract to St Michael's Fellowship | £150,000 | 01/01/2022 | 31/12/2023 2 year contract with option to extend for 1 year and provision to terminate early. |
| Provision of financial advice services to cover money management; debt; and housing advice | Direct award of new contract to Merton and Lambeth Citizen's Advice Service | £80,000 | 01/01/2022 | 31/12/2023 2 year contract with option to extend for 1 year and provision to terminate early. |
| Empowering Parents, Empowering Communities Programme (EPEC) – community based parenting support Community based parenting support for parents of children aged 0-4 | Direct award of new contract to Centre for Parent and Child Support, South London and Maudsley* | £152,000 | 01/01/2022 | 31/12/2023 2 year contract with option to extend for 1 year and provision to terminate early. |
| Total | | £382,000 | | |
| Contribution from Lambeth Early Action Partnership (LEAP) to EPEC contract* | | -£60,000 | | |

- 2.7 A number of alternative options have been considered, including further extension to existing contracts through a waiver of Contract Standing Orders; In House Provision or direct delivery by Children's Centre teams; and an open tender process. These options were not considered viable at the current time, and the proposed option is therefore to make Direct Awards of new contracts with revised specifications through a waiver to contracts standing orders.
- 2.8 The recommended providers have demonstrable experience and expertise in delivering the required services, and provide value for money in delivering the proposed contracts.
- 2.9 Quarterly contract management meetings will be held between the responsible commissioning officer and the provider, using a set monitoring template to gather information on outputs, outcomes and achievement of key performance indicators. Qualitative feedback including case studies from service users will also be reviewed within these meetings and form an important part of the monitoring process.

- 2.10 Contract management meetings for the contract to be held with the Centre for Parent and Child Support at South London and Maudsley for the delivery of EPEC programmes will also be attended by representatives from the Lambeth Early Action Partnership (LEAP).
- 2.11 Contract monitoring reports and associated documents will be reviewed by the Commissioning Lead for the service area, who will ensure poor performance is reported to senior management if required and who will oversee any required performance improvement plans.
- 2.12 The Council's Contract Management Segmentation Tool identifies that these contracts are 'Level 4' contracts, which will require an estimated minimum 0.31 monitoring resource per contract, with scope for efficiencies when the contracts are considered collectively.
- 2.13 Contract terms and conditions will incorporate measures in relation to GDPR and data protection.

3. FINANCE

| Direct Award Provision | Provider | Value (cost per annum) | Value (cost for proposed contract duration of two years) | Value (cost if contracts are extended for a third year) |
|---|--|------------------------|--|---|
| One to one and group based support for young parents | St Michael's Fellowship | £150,000 | £300,00 | £450,000 |
| Financial advice appointments to include benefit, debt and housing advice | Merton and Lambeth Citizen's Advice Bureau | £80,000 | £160,000 | £240,000 |
| Empowering Parents, Empowering Communities Programme (EPEC) – community based parenting support | Centre for Parent and Child Support, South London and Maudsley | £152,000 | £304,000 | £456,000 |
| Total contractual value | | £382,000 | £764,000 | £1,146,00 |
| LEAP contribution to EPEC programme | | £60,000 | £120,000 | £180,000 |
| Cost to Council General Fund | | £322,000 | £644,000 | £966,000 |

- 3.1 The cost of the contracts outlined in the report have been verified by Finance and will be funded through the Early Years commissioning budget, part of the Council General Fund. The LEAP funding of £60,000 per annum has also been confirmed. No additional risks have been identified.

- 3.2 The Early Years Commissioning budget, part of the Council General Fund, will cover the remaining £322,000 per annum / £644,000 over the two year term, and £966,000 in the event that contracts are extended for a further one year.
- 3.3 No savings are to be delivered against this decision.

4. LEGAL AND DEMOCRACY

- 4.1 The authority to enact this report's recommendation is delegated to the Cabinet Member for Children and Young People, in consultation with the Leader. Before exercising that authority, this paper should be reviewed by the Procurement Board.
- 4.2 The Contract Standing Orders includes provision for the responsible Cabinet Member to waive the requirement to competitively tender contracts valued at £100,000 where it is demonstrably in the Council's best interest to do so.
- 4.3 The services which are the subject of this report are deemed Schedule 3 health, social and other services under the Public Contracts Regulations 2015, and as such a contract notice should be published in Find a Tender only where the value of a contract exceeds £633,540. It should be understood that the proposed contracts amount in effect to extensions, and therefore modifications, of the previous contract. The regulations allow for the modification of contracts in limited circumstances and the modification must not alter the overall nature of the contract and any increase in price must not exceed 50% of the value of the original contract. In assessing the risk of challenge the decision maker will have regard to the justification set out in section 2 and to officers' advice in the risk table of this report.
- 4.4 This proposed key decision was entered in the Forward Plan on 14 December 2020 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. CONSULTATION AND CO-PRODUCTION

- 5.1 Service user feedback is routinely gathered as part of the contract monitoring process for all three current provider organisations. In addition, a comprehensive early years consultation process was undertaken as part of the wider Better Start reorganisation, and parents and carers repeatedly provided positive feedback on the services provided by these organisations and the value in them being delivered as part of the wider children's centre offer.

6. RISK MANAGEMENT

The main risks that impede on the successful delivery of this procurement and contract are:

| Item | Risk | Likelihood | Impact | Score | Control Measures |
|-------------|---|-------------------|---------------|--------------|---|
| 1 | Existing suppliers do not wish to enter into new contracts with | 1 | 8 | 8 | Discussions have already been had with existing providers to seek agreement |

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|---|--|---|---|---|---|
| | the council for the continued delivery of services | | | | in principle to this approach. Providers have indicated a willingness to continue, but welcome new contracts against a revised specification. |
| 2 | Risk of challenge from other potential providers | 2 | 4 | 8 | There is a strong rationale for direct award of each of these contracts at the current time. There is no other licenced provider of the EPEC programmes, and a very limited number of potential providers for the delivery of advice services or young parents support, with the current providers strongly established in Lambeth. |
| 4 | Business sustainability | 1 | 8 | 8 | Financial checks before contract award and payments. The Centre for Parent and Child Support is part of a much larger hospital trust (SLAM); St Michael's Fellowship while a small local organisation is in receipt of other grant funding for the three year period; and Merton and Lambeth Citizen's Advice Service is part of a national organisation. |
| 5 | Business continuity | 1 | 8 | 8 | Business continuity plans to be received from the providers, and to include Covid 19 and Brexit consideration. Providers have maintained business continuity throughout the pandemic, with service delivery adapted to enable this. |

Key

| | | | | |
|-------------------|-----------------|-------------|-----------------|-------------------|
| Likelihood | Very Likely = 4 | Likely = 3 | Unlikely = 2 | Very Unlikely = 1 |
| Impact | Major = 8 | Serious = 4 | Significant = 2 | Minor = 1 |

7. EQUALITIES IMPACT ASSESSMENT

7.1 An equalities impact assessment has been completed and is included as an appendix.

8. COMMUNITY SAFETY

- 8.1 St Michael's Fellowship works extensively with young mothers and fathers across the borough, many of whom are involved in or affected by serious youth violence and gang related activity. The support provided by St Michael's Fellowship seeks to minimise this and enable the young person to focus on their role as a parent and the needs of their baby or young child.

9. ORGANISATIONAL IMPLICATIONS

9.1 Environmental

Services procured through this decision will be delivered in children's centre venues across the borough, reducing the need for service users to travel across the borough.

9.2 Health

These services aim to support the key aims of the Joint Strategic Needs Assessment, with a focus on emotional wellbeing, safeguarding children, healthy eating in children and young people mental health in maternity services, domestic violence prevention, child health promotion, sexual health services for high risk groups, breast feeding, immunisation and care in pregnancy in early years

9.3 Corporate Parenting

A significant proportion of the young parents supported by St Michael's Fellowship are Care Leavers or have been in the care of the Council at some stage. The services and support provided through this tender will support these young parents in their parenting role.

9.4 Staffing and Accommodation

None

9.5 Responsible Procurement

9.6 Good Quality Jobs with Fair Pay and Decent Working Conditions

The new contracts will have a London Living Wage clause making it obligatory to pay staff involved in the contract London Living Wage and to increase the London Living Wage hourly rates at appropriate point of time in the future.

These contracts are much smaller contracts however reference has been made to the Modern Slavery Act in monitoring meetings. The Whistleblowing policy is a requirement of the Section 11 (Safeguarding) audit for working with children and vulnerable adults.

For all contracts the provider is required to commit and demonstrate that employees are free to join a trade union.

9.7 Quality Apprenticeships (NVQ Level 2 or above), Targeted Employment & Lambeth Priority Group:

The community parenting programme offers local Lambeth parents / carers the opportunity to train to become facilitators on future programmes. This unique addition to the programme has an impact of targeted employment for Lambeth Priority Groups.

9.8 Reduce Emissions: Lambeth Council has a commitment to being Zero Carbon Neutral by 2030.

It is expected that all providers will have environmental policies in place, with net zero Carbon Neutral as an aim. The nature of the work of each of these contracts is local and minimum resourcing. Providers will be contractually required to report emissions resulting from service delivery as part of the monitoring process.

9.9 Single Use Plastics:

It is expected that all providers will have environmental policies in place, with elimination of single-plastics as an aim. The nature of the work of each of these contracts is local and minimum resourcing, impacting on packaging and consumables.

9.10 Positive Health & Wellbeing

Health and well-being will be considered as a part of the procurement process. Choosing healthy foods, snacks and drinks is essential to all work based in Better Start children's centres, as is encouraging breast feeding. Mental health well being would also be essential to each of these contract areas both directly and by signposting opportunities offer across the service.

South London and Maudsley (NHS) Trust has signed the London Healthy Workplace Charter or equivalent and will be asked to confirm this.

9.11 Other Offer (Innovative Practices)

Continuing a commissioning arrangement with St Michael's Fellowship through a direct award process will enable young mothers, fathers and their children in Lambeth to benefit from innovative practice as part of the work St Michael's Fellowship will deliver as part of the Health and Wellbeing fund: Starting Well programme, which will include innovative work with young fathers in the antenatal period and in the early years of parenthood.

The EPEC programmes delivered by the Centres for Parent and Child Support, South London and Maudsley provide innovative opportunities for peer led parenting support which is embedded in the local community.

10. TIMETABLE FOR IMPLEMENTATION

The table below details the stages and deadlines for implementing the recommendations:

| Activity | Proposed Date |
|---------------------------------|---------------|
| Date published on Forward Plan | 14.12.2020 |
| Publication on Decisions online | 23.12.2021 |
| Cabinet Member Decision | 05.01.2022 |
| End of Call-in Period | 12.01.2022 |
| Commencement of Contract | 01.01.2022 |

| Audit Trail | | | | |
|--------------------------------------|--|------------------|----------------------|-------------------------------|
| Name and Position/Title | Lambeth Directorate | Date Sent | Date Received | Comments in paragraph: |
| Councillor Ed Davie | Cabinet Member for Children and Young People | 27.10.2021 | 30.11.21 | all |
| Councillor Claire Holland | Leader of the Council | 10.12.21 | 10.12.21 | all |
| Merlin Joseph, Strategic Director | Children's Services | 15.09.21 | 17.09.21 | all |
| Abi Onaboye, Director | Children's Services | 15.09.21 | 17.09.21 | all |
| Rachel Harrison, Finance | Finance and Property | 11.08.21 | 11.08.21 | 3 |
| David Thomas, Legal Services | Legal and Governance | 11.08.21 | 20.08.21 | 4 |
| Maria Burton, Democratic Services | Legal and Governance | 16.09.21 | 21.09.21 | 4 |
| Maryama Sesay, Procurement Team | Finance and Property | 25.10. 21 | 02.11.21 | all |
| Grace Ferris, Sustainability Officer | Finance and Property | 19.11.21 | 01.12.21 | 9 |

| Report History | |
|---|--|
| Original discussion with Cabinet Member | 23.06.21 |
| Report deadline | N/A |
| Date final report sent | N/A |
| Part II Exempt from Disclosure/confidential accompanying report? | No |
| Key decision report | Yes |
| Date first appeared on forward plan | 14.12.20 |
| Key decision reasons | 2. Expenditure, income or savings in excess of £500,000. |
| Background documents | Fund for a Better Start Better Start Children's Centres Programme |
| Appendices | Appendix 1: Equalities Impact Assessment |

APPROVAL BY CABINET MEMBER OR OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:

Signature: _____ **Date:** _____

Post: Laura Griffin, Commissioning Lead Early Years and Parenting

I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:

Signature: _____ **Date:** _____

Post: Councillor Ed Davie
Cabinet Member for Children and Young People

Any declarations of interest (or exemptions granted): None

Any conflicts of interest: None

Any dispensations: None