

MUNICIPAL YEAR 2017/2018 REPORT NO.

MEETING TITLE AND DATE:

Operational Decision by:
Tony Theodoulou
Executive Director of Schools and Children's Services
And in consultation with
Bindi Nagra, Director of Adult Social Care

Key Decision: KD 4584

REPORT OF: **Doug Wilson**
Head of Service Development

Agenda – Part: 1	Item:
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Subject: Young Persons Supported Accommodation contract award
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Wards: All

Cabinet Member consulted:

Councillor Ayfer Orhan

and

Councillor Ahmet Oykenar

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1. EXECUTIVE SUMMARY

- 1.1 This report provides background information to the retender of the Younger Persons supported accommodation pathway funded through the Housing Related Support budget and Leaving Care Team Budget
- 1.2 This Key Decision report seeks approval to award a contract to the successful bidder following a competitive procurement process as detailed in Part 2 of this report.
- 1.3 The operational decisions for the recommendations in part 1 and part 2 of this report will be taken by the Executive Director of Schools and Children's Services in consultation with the Director of Adult Social Care.

2. RECOMMENDATIONS

- 2.1 That approval is granted to award the contracts to the bidders specified in Part 2 of this report for a period of 36 months (2018 to 2021), with an option to extend for a further two consecutive 24 months (total 48 months: 2021-2023 and 2023 to 2025, subject to satisfactory performance in accordance with the contract).
- 2.2 Further information, the quality scores and financial information can be found in part 2 of this report.

3. BACKGROUND

- 3.1 A number of Younger Persons accommodation and floating support services have been funded through Housing Related Support monies since 2003.
- 3.2 In joint discussions between Adult Social Care and Children's Services the accommodation pathway was remodelled based upon the financial envelope available and the current and future needs of the young people utilising the supported accommodation services.
- 3.3 The proposal to retender the service was agreed by the Commissioning and Procurement Board on the 23rd November 2017.
- 3.3 A Delegated Authority Report (KD 4463) to allow for the retendering of the Young People's accommodation based support services was jointly signed by the Director of Schools and Children's Services and the Director of Adult Social Care.
- 3.4 The tender was broken into 3 lots:

Lot Number	New proposed Young Person pathway	minimum units required	Minimum support hours per client
Lot 1	16-17 Yr old supported accommodation	14	15
Lot 1	Higher Needs 18-24 accommodation	14	10
Lot 1	Medium Needs 18-24 accommodation	36	4
Lot 1	Low Needs 18-24 supported accommodation	39	3
Lot2	16-18 Young People with MH accommodation	5	25
Lot 3	18+ Leaving Care accommodation	6	18 hours per week for the whole unit, to be spread across the clients as per need.
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Lot 1 focussed on general accommodation and varying levels of support based upon the needs of the Young People presenting themselves to the FAST.

Lot 2 is specialist mental health provision with access to the service coming through the CAMHS.

Lot 3 is also specialist block accommodation provision for Looked After Children once they have turned 18 and is a new block contract element of the Young Person accommodation pathway.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Consideration was given to the total decommissioning of all accommodation based services for Young People, this would have a dramatic effect on the homeless figures within the borough. There would also be an impact on the vulnerable young people who fall below the threshold for statutory services but would find themselves at risk of child exploitation, gangs and general anti-social behaviour
- 4.2 Providing accommodation without support would deliver greater efficiencies but leave young people at risk as mentioned above and also reduce their life opportunities without the support into Education, Employment and Training. There would also be greater risk of homelessness due to tenancy breakdown as they would not have the support for benefit maximisation and tenancy sustainment.

5. REASONS FOR RECOMMENDATIONS

- 5.1 See part 2 of this report

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

See part 2 of this report

6.2 Legal Implications

6.2.1 Section 1 of the Localism Act 2011 permits the Council to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. Section 10 of the Children's Act 2004 requires local authorities to make arrangements with third parties to improve the safeguarding and wellbeing of children in that authority's area relating to, amongst other things, their physical and mental health and emotional wellbeing. The proposals within the report are in accordance with these local authority obligations.

6.2.2 The Housing Act 1996, Part 7 (as amended by the Homelessness Act 2002) places a responsibility on local authorities to assist those who are within the priority category of need which includes 16-17 year olds, care leavers aged 18, 19, 20 and those who are categorised as vulnerable because they have fled their home because of violence. Elsewhere, section 17(1) Children Act 1989 places a duty on local authorities:

(a) to safeguard and promote the welfare of children within their area who are in need; and

(b) so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.

Additionally, section 20(3) Children Act 1989 places a duty on local authorities to provide accommodation for children in need aged 16 or over whose welfare is otherwise likely to be seriously prejudiced if the local authority does not provide such accommodation.

6.2.3 The Council must comply with all requirements of its Constitution, Contract Procedure Rules ("CPRs") and, where relevant, the Public Contracts Regulations 2015 ("Regulations"). As the contract value exceeds £250,000, this is a Key Decision and the Council must comply with the Key Decision procedure.

6.2.4 A tender process was undertaken as described in section 3 and Part 2 of this Report. It has been confirmed that a fully compliant procurement process has been carried out in accordance with the Regulations and the CPRs.

6.2.5 In relation to Lot 1, officers have confirmed that sufficient security will be provided by the preferred bidder in compliance with CPR 1.18 (Security). Throughout the engagement of the preferred bidder for Lot 1, the Council must comply with its obligations of obtaining best value, under the Local Government Act 1999. The Council must keep a clear audit trail of its decision to award these services to the preferred bidder to demonstrate that best value has been, and will continue to be, obtained for the Council. All legal agreements arising from the matters described in this report must be approved in advance of contract commencement date by the Director of Law and Governance. Contracts whose value exceeds £250,000 are required to be executed under seal. The original contract must be sent to or retained by Legal Services for secure storage.

6.2.5 The procurement process for Lots 2 and 3 failed to elicit suitable tenders. The Council is entitled to abandon the procurement of Lots 2 and 3. Any retender of services must comply with overriding principles of transparency, equality, proportionality and non-discrimination. The

services must be procured in accordance with the Council's Constitution, the CPRs and, where applicable the Regulations.

6.3 Property Implications

6.3.1 See part 2 of this report

6.4 Procurement Implications

7 KEY RISKS

7.1. See part 2 of this report.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

This service provides independent living for a range of vulnerable young people giving them the support to improve their wellbeing and life opportunities.

8.2 Growth and Sustainability

The service is designed to help Young People along a support pathway irrespective of their entry point. It is aimed to develop their independence and prevent service users having to enter crisis services.

8.3 Strong Communities

Service users can maintain their independence within the wider community, maintaining a tenancy or stay with their families.

9 EQUALITIES IMPACT IMPLICATIONS

An assessment has been undertaken that acknowledges that there have been changes in the Young Persons accommodation pathway and the potential impact upon client groups. More information is detailed in Part 2 of this report.

10 PERFORMANCE MANAGEMENT IMPLICATIONS

The contract and service utilisation is regularly monitored. Services such as this can be seen as a cost avoidance and demand management service, allowing both commissioned services and other support services time to work an intervention and prevent individuals entering into our statutory services which have a greater resource impact.

11 HEALTH AND SAFETY IMPLICATIONS

No Health & Safety implications have been identified.

12 HUMAN RESOURCES IMPLICATIONS

None. Enfield Council will not employ the staff.

13 PUBLIC HEALTH IMPLICATIONS

No Public Health implications have been identified.

Background Papers

None