
By: Andrew Ireland, Corporate Director, Families and Social Care

To: Jenny Whittle, Cabinet Member- Specialist Children's Services

Subject: **THE AWARD OF AN EARLY INTERVENTION AND PREVENTION MULTIPLE SUPPLIER FRAMEWORK AGREEMENT AND DELEGATED AUTHORITY FOR THE AWARD OF FUTURE CALL-OFF CONTRACTS**

Classification: Unrestricted

(Appendix 1 is EXEMPT – not for publication – Paragraph 3 of Part 1 to schedule 12A of the Local Government Act, 1972 refers)

Summary: The report outlines the procurement process carried out for the Early Intervention and Prevention Multiple Supplier Framework Agreement and the process for mini competitions and the award of call-off contracts.

Recommendations: This report seeks Member approval to inform those organisations who tendered for inclusion on the framework if they have been successful or unsuccessful, and to grant the delegated authority to the Corporate Director, Families and Social Care (or other nominated officer) to approve the award of call-off contracts through the framework agreement's mini competition process and, throughout the life of the framework agreement.

Introduction

1. (1) On 23 November 2011 a paper went to Families and Social Care Directorate Management Team to outline the procurement process that had taken place for the Early Intervention and Prevention Multiple Supplier Framework Agreement. This multiple supplier framework agreement allows a number of organisations to apply to be part of the framework and if successful, become framework approved providers.

(2) Throughout the life of the framework agreement the framework approved providers will be invited to tender for call-off contracts through a mini competition process.

Financial Implications

2. (1) It is the Council's intention to award a four year contract.

(2) The estimated annual value of the framework agreement is approximately £5.1m but no guarantee is given to the actual value since call-off contracts will only be awarded after the completion of mini competitions. This funding is identified from the early intervention budget.

Bold Steps for Kent and Policy Framework

3. (1) The proposed decision links with Bold Steps for Kent Priority 1: Improve how we procure and commission services.

(2) The Framework Agreement has been developed following advice from Strategic Procurement and Legal Services. The Social Care Procurement briefing from the National Market Development Forum states:

"A framework agreement is an agreement with one or more contractors setting out the terms and conditions under which one or more purchasers may enter into (or "call off") a specific contract during the term of the agreement. It does not contain an obligation to supply or pay for anything, but just sets out the terms on which subsequent call-offs will be made. A framework agreement may set a price and set out terms in respect of quality or the amount of services which may be required. It is commonplace for local authorities to set up framework agreements for themselves and other public bodies to make use of. The benefit of framework agreements is that they enable authorities to quickly purchase goods, works or services and also provide value for money because they make it unnecessary to go through the expense of a full procurement process each time."

(3) The KCC framework for delivering services has been developed to achieve best value and support personalisation as well as inclusion into mainstream services, whilst offering a range of services across the County.

(4) The Policy Context is:

The Early Intervention and Prevention (EI&P) Strategy – the commissioning strategy responds directly to the priority areas and intended outcomes of the EI&P Strategy. Similarly, services will support the delivery of the **Adolescent Strategy**.

The Community Child and Adolescent Mental Health Service (CAMHS) Model – inspections by OfSTED, the Core Quality Commission and the National Support Team (NST) recommended improvements to CAMHS practice. The NST recommended a complete system redesign and the development of the Community CAMHS Model. Commissioned services will enhance rather than duplicate the emerging model.

Putting Children First – The Kent Safeguarding and Looked After Children Improvement Plan – the improvement plan has the centralisation of commissioning Tier 2 & 3 services and the procurement of Family Support and Adolescent Services as a priority.

Bold Steps for Kent – has a commitment to make it easier for voluntary and community sector organisations to deliver public services. Previous commissioning arrangements failed to increase transparency or fair and open competition.

The Kent Compact – sets out the relationship between KCC and the voluntary and community sector in terms of how they will work with each other.

Legal Implications

4. (1) Please refer to paragraph 3.(2).

Equality Impact Assessments

5. (1) Equality Impact Screenings were undertaken for each District, with full assessments for high cost/high risk services e.g. Domestic Abuse.

Risk and Business Continuity Management

6. (1) If Member decision is not reached the risks involved are:
 - (a) Breach of procurement regulations as existing contractual arrangements will require extending until a procurement strategy is developed.
 - (b) The risk identified above will also impact on the early intervention budget projections.
 - (c) Services cannot be remodelled to provide early intervention and preventative services that meet the requirements of the early intervention and prevention strategy for children's services.
 - (d) Impact on the joint commissioning of Community CAMHS with Health partners.
 - (e) The Council will be open to challenge by the market.

Consultation and Communication

7. (1) Significant work was undertaken by the Commissioning Unit to decommission services to meet the £400K savings target. All providers receiving funding in 2011-12 have been informed that this will end on 31 March 2012. Consultation via a SNAAP survey has been undertaken and Equality Impact Assessments undertaken as appropriate.

Multiple Supplier Framework Agreement Procurement Process

8. (1) In line with Spending the Council's Money, a fair and transparent non EU competitive procurement process was carried out. All 372 organisations who expressed an interest through the South East Business Portal were issued with invitations to tender for inclusion on the multiple supplier framework agreement. Tender responses were received from 162 organisations.

(2) The Framework Agreement includes the following categories and lots which will be available across the county, and are described below:

Category	Lot Number and Name
Safeguarding	Lot 1 : Young Carers
	Lot 2 : Domestic Violence
	Lot 3 : Anti Bullying
	Lot 4 : Stay Safe
Family Focus	Lot 1 : Parent & Family Support
	Lot 2 : Parenting Skills
	Lot 3 : Parent Advocacy & Empowerment
	Lot 4 : Play
	Lot 5 : Counselling & Mediation
	Lot 6 : Family & Adult Learning
	Lot 7 : Tackling Family Poverty & Worklessness
	Lot 8 : Family Substance Misuse
Engagement of Children & Young People Vulnerable to Poor Outcomes	Lot 1 : Transitions
	Lot 2 : Speech, Language & Communications
	Lot 3 : School based Achievement Programmes
	Lot 4 : School & Community based Activities (includes adolescence)

	Lot 5 : Tackling Absence
	Lot 6 : Reducing Exclusion
	Lot 7 : Alternative Curriculum KS1-5
	Lot 8 : Consultation & Participation
	Lot 9 : Making a Positive Contribution (includes adolescence)
	Lot 10 : Prevention of Anti-Social Behaviour
	Lot 11 : Health based Intervention
	Lot 12 : Work based Learning & Apprenticeships
	Lot 13 : Housing
Emotional Wellbeing	Lot 1 : Emotional wellbeing services in educational settings
	Lot 2 : Emotional wellbeing services in community settings
	Lot 3 : Emotional wellbeing services to parents, carers and families

(3) Tenderers were invited to bid for a minimum of 1 lot and up to 28 lots. Tenderers were also invited to bid for each of the specified lots in each of the 12 districts. Again, tenderers were able to bid for a minimum of 1 and up to 12 districts.

(4) The first step in the evaluation process focussed on a series of Pass/Fail questions relating to the essential requirements of the framework agreement terms and conditions and the categories and lots as follows:

- (a) The organisations experience of delivering the activities and the overarching outcomes to each specified category and lot
- (b) Policies and procedures
- (c) Safeguarding leads and the application of enhanced CRB checks for staff and volunteers
- (d) Financial liquidity

(5) 32 organisations failed to meet the essential criteria and 130 organisations progressed to the next stage of evaluation.

(6) The next stage of the evaluation process focussed on the capability of the organisations to deliver the quality requirements of the terms and conditions.

- (a) Safeguarding procedures
- (b) Staff recruitment, induction, training, supervision and performance management
- (c) Quality assurance and business management
- (d) Health and safety procedures, including risk assessments
- (e) Complaints procedures
- (f) Service user involvement
- (g) Service user references
- (h) Publicity information
- (i) Equalities and diversity procedures
- (j) Data protection and confidentiality procedures
- (k) Insurances

(7) Capability under the sections listed above was assessed through the scoring of tender responses to all criteria and the evaluation of a full set of detailed policies and procedures submitted by each organisation. The evaluators of this stage were the Commissioning Unit. All scoring was adjudicated by the Commissioning Unit's Head of Service and Contracts Manager. 126 organisations achieved the required 50% score.

Multiple Supplier Framework Agreement Mini Competition and Call-Off Contract Process

9. (1) Inclusion on the Early Intervention and Prevention Multiple Supplier Framework Agreement at this stage will not guarantee that organisations will be awarded a call-off contract and there is no legally binding commitment for the Council to procure services from the approved framework providers. However, all organisations that are successful for inclusion will be invited to tender for the lots their organisations were awarded.

(2) During the framework agreement period and in line with the Early Intervention and Prevention Commissioning Strategy, Commissioners will identify the need and gaps in provision for services to be procured through the framework agreement. The Commissioning Unit will work with Commissioners to develop outcome based service specifications, identify the relevant framework lot which the service specification requirements fall into, identify the organisations who have been awarded framework approved provider status within this lot, and invite those organisations to tender through the SE Business Portal by conducting a mini competition.

(3) The successful tenderer at the mini competition stage will be issued a call-off contract which will incorporate the outcome based service specification requirements, identify the framework lot for which the award is made, state the price payable and payment terms and incorporate the framework agreement terms and conditions.

Sustainability and Rural Proofing Implications

10. (1) The framework agreement will offer children, young people their parents and/or carers sustainability (the long term maintenance of well being), whilst also demonstrating social justice (creating a society or institution that is based on the principles of equality and solidarity that understands and values human rights, and recognises the dignity of every human being).

Are there any Personnel or Health and Safety Issues which are relevant?

11. (1) There is currently a review of in-house Early Intervention and Prevention Services and this will ensure a smooth interface between in-house and commissioned services.

Alternatives and Options

12. (1) An alternative is to continue the ad hoc grant arrangements that had previously been in place, many of which did not meet Spending The Council's Money. Another option would be to have separate procurement exercises for each service required, however, this would be time consuming for both KCC and providers and not an effective use of resources.

Conclusions

13. (1) Framework agreements are an effective way of stopping spot purchasing and reducing bureaucracy for both Commissioners and providers. They also enable Commissioners to purchase services in a short timescale so they are responsive to need and in line with Spending The Council's Money.

Recommendations:

14. (1) The Cabinet Member is asked to AGREE:
- (a) that the Families and Social Care Commissioning Unit informs those organisations who tendered for inclusion on the framework if they have been successful or unsuccessful, and
 - (b) to grant the delegated authority to the Corporate Director, Families and Social Care (or other nominated officer) to approve the award of call-off contracts through the framework agreement's mini competition process and, throughout the life of the framework agreement.

Background Documents:

None

Contact details

Helen Jones, Head of Commissioning FSC,
01622 696682,
helen.jones@kent.gov.uk