

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 05 June 2018

TITLE	Direct award of contract for an integrated service for Vulnerable Parents with Young Children.		
Ward(s)	Citywide		
Author:	Hywel Caddy	Job title:	Senior Commissioning Officer
Cabinet lead:	Paul Smith	Executive Director lead:	Alison Comley
Proposal origin: BCC Staff			
Decision maker: Cabinet Member			
Decision forum: Cabinet			
<p>Purpose of Report: To gain approval for the direct award (following a negotiated procedure) of a contract to Elim and Places for People to provide an integrated supported accommodation and floating support service for vulnerable parents with young children aged up to two years. The service will be for parents of any age. The contract will be to provide:</p> <ul style="list-style-type: none"> ▪ Support at the 36 units of accommodation used for the current specialist young parents homelessness prevention service. We will require a higher level of support at 15 units of accommodation, but not with a 24 hour staff presence. One of the three locations will specialise in supporting young parents, but this will not be a rigid division. ▪ Floating support that is linked to the supported accommodation units. This will be support to prevent homelessness, help vulnerable families settle into accommodation and link into support networks in their local community and will provide additional ‘bolt-on’ support to vulnerable families in lower support accommodation where needed. 			
<p>Evidence Base: The current service provided by Elim and Places for People through the ‘Bristol Young Parents Alliance’ will vary from existing provision in that the previous service focussed on young parents. Since then there has been a significant reduction in teenage pregnancies in the city, the age profile of young parents who present as homeless to the council has changed - the head of the household is now more likely to be older in their early 20s, rather than a teenage parent - and one in five parents in the BYPA young parents accommodation are couples. There is also a need to provide a recognised move on pathway for families who are undertaking parent and child assessment placements which will reduce expenditure for Children and Families Services.</p> <p>The proposed service will be for vulnerable parents (of any age) with babies (up to the age of 2 years) who are homeless or at risk of homelessness, as well as providing move-on accommodation and/or support to families moving on from parent and child assessment placements. In relation to the latter families, the support the service provides will be informed by any recommendations from the assessment placement and work in partnership with the family’s social worker and other practitioners working with the family. To mitigate the change of emphasis of the client group to include vulnerable parents of any age we have remodelled other supported housing provision for young people to include 28 units in dispersed houses for young parents and a developed a further 25 Mother and baby units (for parents of all ages) in Phoenix House (a women only hostel). We will also ensure that one 10 bed unit within this contract is reserved for young parents.</p> <p>We propose to negotiate with the current provider partnership, because:</p>			

- The council is dependent on a small number of landlord and managing agents for supply of supported accommodation (including a very limited range of properties designed to provide on-site staff facilities and appropriate accommodation for service users with the most complex needs).
- There is no alternative source of supply for these services – providers have to supply accommodation. A specialist (vulnerable parents) support provider is extremely unlikely to be able to access affordable accommodation from a landlord if not already in an existing partnership.

In order to inform this decision, we issued a Prior Information Notice (PIN) describing the services we seek and asking for responses from any organisation that could provide those services. The only responses were from current providers – there is no new suitable and available accommodation in Bristol. Negotiating with the current provider partnership will mean that:

- We will specify what accommodation we want to meet specific needs, meeting the council’s assessed needs rather than the needs of landlords.
- A market with two providers will be retained.
- Service users will continue to receive an uninterrupted service.
- Providers will work closely in partnership, delivering good quality services, efficiencies and streamlined contract monitoring processes.

The negotiations will lead to the partnership submitting a bid, tested by a robust assessment process, and ability for commissioners to help shape the final submission. If the final submission is not deemed to be satisfactory then the contract will not be awarded and alternative competitive options revisited.

The market testing and market development we have undertaken mitigates the risk of a legal challenge to a direct award. In the event of a challenge we will need to follow a competitive approach. The proposal to directly award the contract has been approved by the Commissioning and Procurement Group on 5th March 2018.

Recommendation:

That Cabinet approves the direct award of a contract for an integrated service for Vulnerable Parents with Young Children to the Elim and Places for People for three years with an option to extend the contract for two additional years from October 1st 2018.

Corporate Strategy alignment: Links to Empowering and Caring Theme - Work with partners to empower communities and individuals, increase independence and support those who need it. Give children the best possible start in life – and the key commitment to Reduce the overall level of homelessness and rough sleeping, with no-one needing to spend a ‘second night out’.

City Benefits: The EQIA for the Housing Strategy and the Preventing Homelessness Strategy provides a useful overview. This commissioning proposal is included in the Commissioning plan for Vulnerable Parents with Young Children which also has an EQIA linked to it (see Appendix E): In summary:

General

Current Equalities monitoring through the Housing Support Register is incomplete so the new equalities monitoring approach will be implemented with the new service. Providers will be required to complete an annual equalities impact assessment to improve practice and access to services.

We will monitor referrals that are refused on the basis of risk. This will enable us to identify and challenge refusals that may be connected with a protected characteristic, e.g. gender or disability (such as learning difficulty or mental health).

Age

There will be no specialist services for young parents age 16-24, as these will be replaced by services for vulnerable parents of all ages. This is mitigated by maintaining specialist staff to work with young parents, increasing provision elsewhere and ensuring one of the units is for young parents only.

Eligibility for new services will be determined by the level of need, not age, of the parent(s) meaning parents aged 25+ will be able to access higher support services in the future.

Gender

Only 11 out of 36 units in the current provision are able to take fathers/couples. This will be increased.

The following objectives in Bristol's Strategy for Children, Young People and Families are relevant to this key decision:

- Have the best possible start in life; protected from abuse, neglect or harm, at home, at school and in the community, with a secure and supportive network of family or carers and friends.
- Live in a nurturing home, in a family setting, with additional help or adaptations if needed, or, where necessary, in a suitable care setting.
- Live in safe and stable accommodation, free from financial exclusion and fear, indoors and out; giving the permanence and security upon which they can build.

Consultation Details: These plans were described in a draft commissioning plan which was consulted on in autumn 2017 (see Appendix B). In summary, areas raised specifically linked to the service were:

- **Integrated Service:** 9 of 11 responses (82%) agreed that we should commission an integrated service.
- **Changing the client group:** 10 respondents (77%) agreed with the proposal to change the client group from young parents aged 16-24, to vulnerable parents of all ages who have young children, however, there will be a specialism around working with young parents and separate accommodation
- **24/7 staffing:** 8 respondents (61%) thought that there is a need to have 24/7 staffing at some of the accommodation. Only 1 respondent (8%) disagreed, with 4 respondents (31%) saying that there is 'maybe' a need. There were mixed responses in consultation events.
- **Reduced funding:** The service providers felt that the budget reduction would make 24/7 staff cover untenable, this is no longer a requirement. Providers also requested that the savings are not made through floating support, however, there must be adequate support in the accommodation.
- **Whole service improvements for vulnerable parents with young children:** providers and social workers requested closer joint working and improved communication between teams which is being undertaken.

For more detail on how we have responded to the consultation, please see Appendix B.

Revenue Cost	£1,840,000	Source of Revenue Funding	Costcode provided.
Capital Cost	n.a.	Source of Capital Funding	n.a.
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The cost of the services proposed in this report with Elim and Places for People will be contained within the budget available of £1.84m. The approach taken to negotiate with existing providers Elim and Places for People where there is no alternative local capacity is a sensible route to ensure supply over the life of the contract period.

Finance Business Partner: Neil Sinclair 28/03/18

2. Legal Advice: This estimated value of this contract is above the EU threshold for services, which would ordinarily trigger the need to run a tendering process under the PCR 2015. There are however exceptions provided in Regulation 32. In addition the Councils own procurement rules would ordinarily require a tender process, however this can be waived where certain requirements are met. The Commissioning and Procurement Group has supported a waiver in this case accepting that there appeared to be no reasonable alternative. A degree of market testing has been conducted through the use of a prior information notice (publicised in the OJEU) to which there were no responses other than from current providers suggesting there are no reasonable alternative providers. Accordingly the risk of challenge is likely to be low and in any event the Council would seek to rely on Regulation 32 (absence of competition) to direct award this contract.

Consultation: The responses to the consultation must be taken into account in finalising the decision.

- Consultation should occur when proposals are at a formative stage;
- Consultations should give sufficient reasons for any proposal to permit intelligent consideration;
- Consultations should allow adequate time for consideration and response;

- The consultation meets the requirements set out in case law and good practice guidance.

There must be clear evidence that the decision maker has considered the consultation responses, or a summary of them, before taking its decision.

Equalities: The decision maker must comply with the Public Sector Equality duty to consider the need to promote equality for persons with “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.

The Equalities impact assessment attached to the report and summarised in the report should be considered carefully by the decision maker as it will assist on meeting this duty.

Legal Team Leader: Eric Andrews 16/05/2018

3. Implications on ICT: n.a.

ICT Team Leader n.a.

4. HR Advice: n.a.

HR Partner: n.a.

EDM Sign-off	Pam Wharfe	4th April 2018
Cabinet Member sign-off	Councillor Paul Smith	16th April 2018
CLB Sign-off	Jacqui Jenson	17th April 2018
For Key Decisions - Mayor's Office sign-off	Mayor's Office	30th April 2018

Appendix A – Further essential background / detail on the proposal	NO
Appendix B – Details of consultation carried out - internal and external 'You said we did' document attached.	YES
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal - No major changes are anticipated to the number of service users, building locations or travel patterns as a result of these proposals. No significant changes in environmental impact are likely to arise.	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Combined Background papers: Vulnerable Adults with Young Children Commissioning Plan	YES
Appendix J – Exempt Information	NO
Appendix K – HR advice	NO
Appendix L – ICT	NO