

Decision Pathway - Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 22 June 2021

TITLE	Childcare Development and Sustainability Service		
Ward(s)	Citywide		
Author: Alex Bate	Job title: Commissioning Manager		
Cabinet lead: Cllr Helen Godwin	Executive Director lead: Hugh Evans		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member Decision forum: Cabinet			
Purpose of Report: <ol style="list-style-type: none">To seek approval to vary the Childcare Development and Sustainability Service contract to extend by one year to 31 December 2022, to provide continuity for childcare providers facing sustainability challenges due to COVID-19.To seek approval to recommission the service through an open tender process from 1 January 2023 for one year, plus the option of an additional one-year extension.			
Evidence Base: <ol style="list-style-type: none">The Childcare Act 2006 sets out a statutory duty for local authorities to secure sufficient childcare for children of working parents. Bristol has historically commissioned an external provider to support the council in meeting this duty through the Childcare Development and Sustainability Service (CDSS). The service is currently provided by the Bristol Association for Neighbourhood Daycare (BAND) Ltd., and the current contract runs until 31 December 2021.The service has delivered against its key objectives of increasing childcare quality, promoting childcare sustainability and developing new childcare. The most recent Ofsted data (31 August 2020) shows there are 8,521 Early Years Register non-domestic childcare places, compared to 8,280 at the start of the current contract (31 December 2018). 97% of non-domestic childcare providers are rated good or outstanding, compared to 94% at the start of the current contract.The service will also support One City Plan objectives up to 2048 to increase the availability and affordability of childcare throughout the city.COVID-19 has had a significant impact on childcare providers, which is likely to be further exacerbated once the current furlough scheme ends on 30 September 2021. A December 2020 survey by Coram Family and Childcare on the impact of COVID-19 found that 58% of local authorities expected the pandemic to lead to childcare providers closing.This report proposes varying the current contract length by a year in order to provide short-term continuity through financial challenges of providing childcare in COVID-19 set out above, as well as operational challenges such as a return to onsite Ofsted visitations and new childcare funding regulations.Following this short-term variation, this report proposes an open tender process for a longer-term contract from 1 January 2023. This will give time to assess the results of the latest Childcare Sufficiency Assessment (CSA) to be completed later this year, which will give a more detailed picture of sufficiency and inform any changes needed to the CDSS specifications. The last CSA was completed in 2018, and therefore the timeliness of its information is more limited.			
Cabinet Member / Officer Recommendations: <p>That Cabinet:</p> <ol style="list-style-type: none">Approve the variation to extend the contract for the Childcare Development and Sustainability Service for one year to 31 December 2022 at a cost of £305,000.			

2. Approve the recommissioning of the Childcare Development and Sustainability Service for one year from 1 January 2023 with the option to extend for one additional year at a cost of £305,000.
3. Authorise the Executive Director, People in consultation with Cabinet Member Education and Skills to take all steps required to extend the current contract and recommission the service, in-line with the commissioning strategy, procurement routes and maximum budget envelopes outlined in this report, noting the associated Procurement and Legal commentaries.
4. Authorise the Executive Director, People to invoke any subsequent extensions/variations specifically defined in the contract being awarded, up to the maximum budget envelope outlined in this report.
5. Authorise the Head of Strategic Procurement & Supplier Relations to approve appropriate procurement routes to market where these are not yet fully defined in this report, or if changes to procurement routes are subsequently required.

Corporate Strategy alignment:

The following Corporate Strategy key commitments are supported by this proposal:

1. *Give our children the best start in life by protecting and developing children's centre services, being great corporate parents and protecting children from exploitation or harm (Empowering and Caring)* – The service supports childcare including childcare provided at children's centres, and ensures provision is safe and providers are Adverse Childhood Experience (ACE)-aware
2. *Improve educational outcomes and reduce educational inequality (Fair and Inclusive)* – High quality childcare, particularly early years provision, is shown to improve the educational development of the most disadvantaged children.
3. *Reduce social and economic isolation and help connect people to people, people to jobs and people to opportunity (Well Connected)* – Sufficient childcare for working parents/carers allows them to access jobs and opportunities. In the 2020 Modern Families Index survey, 75% of parents said they would assess available childcare before taking on a new job.
4. *Tackle food and fuel poverty (Wellbeing)* – The service supports the development of breakfast clubs, access to which is a key measurable outcome of the Corporate Strategy.

City Benefits:

1. High quality early childcare can help disadvantaged children to close the educational attainment gap, as well as improving the educational, social and emotional development of all children in the city.
2. Childcare providers can identify behavioural problems, slower language or cognitive development earlier on, and provide additional support to the child and parents/carers to make a difference to outcomes before they start school.
3. Sufficient childcare benefits the local and national economy, allowing parents/carers to take up opportunities to work.

Consultation Details:

1. The commissioning strategy for the above proposals went out for consultation between 15 March 2021 and 25 April 2021. Full details of consultation responses and changes made to the proposals are set out in Appendix B.

Background Documents:

1. [Childcare Act 2006](#)
2. [Bristol's Childcare Sufficiency Assessment](#), 2018
3. [Bristol City Council Corporate Strategy](#), 2018-2023
4. [Bristol One City Plan](#)
5. [Coram Family and Childcare - Childcare Survey 2021 early release](#), December 2020
6. [Working Families - 2020 Modern Families Index](#)
7. [Ofsted - Childcare Providers and Inspections](#)

Revenue Cost	Variation - £305,000 New contract - £305,000 pa (up to £610,000)	Source of Revenue Funding	Early Years budget
Capital Cost	n/a	Source of Capital Funding	n/a
One off cost <input type="checkbox"/>	Ongoing cost <input checked="" 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: This report seeks a one-year contract extension for the Childcare Development and Sustainability service contract and approval to recommission the service from 1 January 2023. This service currently cost £305,000 per annum and is fully funded from within existing Council budgets. Any future recommissioning may however, lead to a change in these contract costs and resources would need to be flexed accordingly to meet any cost pressures or variations.

Finance Business Partner: Denise Hunt, 7 June 2021

2. Legal Advice: The procurement process must be conducted in line with the 2015 Procurement Regulations and the Councils own procurement rules. Legal services will advise and assist officers with regard to the conduct of the procurement process and the resulting contractual arrangements.

Legal Team Leader: Husinara Jones, Solicitor/Team Leader, 2 June 2021

3. Implications on IT: I can see no IT implications evident in this report

IT Team Leader: Gavin Arbuckle, Head of Service Improvement and Performance, Digital Transformation, 29 March 2021

4. HR Advice: The report is initially seeking to extend the contract for Childcare Development and Sustainability services by one year until 31 December 2022, which will have no HR implications for Bristol City Council employees.

The report is also requesting an open tender process for the provision of the service from 1 January 2023 and whilst this will not have any HR implications for Bristol City Council employees, it may have an impact on the current providers employees if they are not successful in their bid for the new contract. If this was to happen there could be TUPE issues for the current provider, if this was the case then, if required, our HR team would support the providers in managing this process.

HR Partner: Lorna Laing, HR Business Partner – People, 29 March 2021

EDM Sign-off	Hugh Evans	21 April 2021
Cabinet Member sign-off	Cllr Helen Godwin	24 May 2021
For Key Decisions - Mayor's Office sign-off	Mayor's office	24 May 2021

Appendix A – Further essential background / detail on the proposal	YES
Appendix B – Details of consultation carried out - internal and external	YES
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	No
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO