



Haringey Council

NOTICE OF MEETING

Cabinet Procurement Committee

TUESDAY, 22ND DECEMBER, 2009 at 19:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Bob Harris (Chair), Bevan, Kober and Reith

AGENDA

1. **APOLOGIES FOR ABSENCE (IF ANY)**
2. **URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 10 below. New items of exempt business will be dealt with at item 16 below.

3. **DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. **MINUTES**

To confirm and sign the minutes of the meeting of the Procurement Committee held on 24 November 2009.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. HARINGEY OFFENDER MANAGEMENT SCHEME

(Report of the Assistant Chief Executive – Policy, Performance, Programmes and Communications): To seek approval to award the contract for the provision of the Offender Management Scheme (incorporating Haringey’s Drugs Intervention Programme and Other Priority Offenders Scheme).

7. ASBESTOS REMOVAL FRAMEWORK AGREEMENT

(Report of the Director of Corporate Resources): To seek approval to award framework agreements for the provision of asbestos removal services for buildings owned or managed by the Council and Homes for Haringey; and other instances where the Council may have a public duty.

8. CONTRACT FOR PROVISION OF LEGAL SERVICES (CHILD CARE LITIGATION) BY LONDON BOROUGH OF ISLINGTON

(Report of the Head of Legal Services): To seek approval to the extension of the existing contract for Child Care Litigation for a further period of three months, until 31 March 2010.

9. PROVISION OF INTENSIVE SUPERVISION AND SURVEILLANCE - AWARD OF CONTRACT

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships & Communication): To seek approval for the award of the provision of Intensive Supervision and Surveillance to the preferred suppliers.

10. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at 2 above.

11. EXCLUSION OF THE PRESS AND PUBLIC

The following items are likely to be the subject of a motion to exclude the press and public as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from the Head of Local Democracy and Member Services

Items 12 - 15 allow for consideration of exempt information in relation to items 6 - 9 which appear earlier on this agenda.

12. HARINGEY OFFENDER MANAGEMENT SCHEME

(Report of the Assistant Chief Executive – Policy, Performance, Programmes and Communications): To seek approval to award the contract for the provision of the Offender Management Scheme (incorporating Haringey’s Drugs Intervention Programme and Other Priority Offenders Scheme).

13. ASBESTOS REMOVAL FRAMEWORK AGREEMENT

(Report of the Director of Corporate Resources): To seek approval to award framework agreements for the provision of asbestos removal services for buildings owned or managed by the Council and Homes for Haringey; and other instances where the Council may have a public duty.

14. EXTENSION OF CONTRACT FOR THE PROVISION OF LEGAL SERVICES (CHILD CARE LITIGATION) BY LONDON BOROUGH OF ISLINGTON

(Report of the Head of Legal Services): To seek approval to the extension of the existing contract for Child Care Litigation for a further period of three months, until 31 March 2010.

15. PROVISION OF INTENSIVE SUPERVISION AND SURVEILLANCE - AWARD OF CONTRACT

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships & Communication): To seek approval for the award of the provision of Intensive Supervision and Surveillance to the preferred suppliers.

16. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at item 2 above.

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and Member Services
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14 December 2009

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**MINUTES OF THE CABINET PROCUREMENT COMMITTEE
TUESDAY, 24 NOVEMBER 2009**

Councillors Bob Harris (Chair), *Bevan, *Kober and *Reith.

*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC53.	<p>APOLOGIES FOR ABSENCE (Agenda Item 1)</p> <p>An apology for absence was submitted on behalf of our Chair. In the absence of Councillor Bob Harris, Councillor Kober took the Chair.</p>	
PROC54.	<p>MINUTES (Agenda Item 4)</p> <p>Arising from consideration of Minute PROC.45 – Parking Services Managed IT Contract Upgrade we noted that a meeting had taken place between officers from Urban Environment and Homes for Haringey (HfH) to scope the project involving the possible issue of HfH parking permits as part of the contract with Civica and a report was in the course of preparation. Councillor Bevan asked that he be supplied with an early copy of the report.</p> <p>Arising from consideration of Minute PROC.48 – Park View Academy Emergency Heating System Renewal clarification was sought of whether the possibility of the Council making a claim against its former PFI provider had been investigated. Officers present were not able to respond and the Cabinet Member for Children and Young People indicated that she would pursue the matter further outside the meeting and report back to the Committee.</p> <p>RESOLVED</p> <p>That the minutes of the meeting held on 27 October 2009 be approved and signed.</p>	<p>DUE</p> <p>DCYPS</p> <p>HLDMS</p>
PROC55.	<p>COMMUNITY SAFETY CCTV MANAGEMENT AND OPERATION (Report of the Director of Urban Environment - Agenda Item 6)</p> <p>We noted that the report sought approval to extend the current CCTV Community Safety management and operation contract for a further period of one year.</p> <p>We also noted that there was a discrepancy in the report in that the value of the contract stated in paragraph 9.3 of £205,693.35 was at variance with that stated in paragraph 13.1 of £202, 653.55. We were informed that following a review the contract price had been agreed at the current contract value and that the figure shown in paragraph 13.1 of £202, 653.55 was the correct one.</p> <p>RESOLVED</p> <p>That, in accordance with Contract Standing Order 13.02, approval</p>	<p>DUE</p>

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE
TUESDAY, 24 NOVEMBER 2009**

	<p>be granted to the extension of the existing contract for Community Safety CCTV Management and Operation with NSL for a period of one year based on the same terms and conditions.</p>	
PROC56.	<p>NORTH TOTTENHAM DECENT HOMES PROGRAMME 2010/11 - PHASE NT12 (Director of Urban Environment - Agenda Item 7)</p> <p>With the consent of the Chair an amended version of the report and the appendix thereto was tabled. The appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report set out a detailed programme of works in relation to various properties in the North Tottenham Area, known as NT12 within the delivery of the Decent Homes Programme and sought our approval to award the contract for the works in this project.</p> <p>We also noted that the total estimated amount recoverable from leaseholders outside the 5 year Section 125 period and the estimated amount payable by each of the leaseholders were not shown and we asked officers to ensure that future Decent Homes Programme reports included this information.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 11.03 approval be granted in principle to the award of the contract for Phase NT12 of the Decent Homes Programme to Lovell Partnerships for the Total Agreed Maximum price (excluding fees) as detailed in paragraph 2.2 of the Appendix to the interleaved report. 2. That in accordance with Section 15 (5) (b) of the Local Government Act 2000 authority to finalise the award be delegated to the Director of Urban Environment subject to his consideration of any comments received from leaseholders in response to Notices to be issued under Schedule 3 of the Service Charges Regulations 2003. 3. That it be noted that the scheme was to be funded from the 2010/11 Decent Homes allocation which would require funding to be brought forward to 2009/10. 	<p>DUE</p> <p>DUE</p> <p>DUE</p>
PROC57.	<p>MUSWELL HILL PLAYING FIELDS IMPROVEMENTS (Director of Adult, Culture and Community Services - Agenda Item 8)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p>	

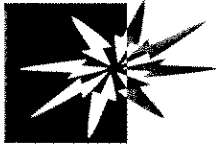
**MINUTES OF THE CABINET PROCUREMENT COMMITTEE
TUESDAY, 24 NOVEMBER 2009**

	<p>We noted that the report sought approval to appoint a principal works contractor selected through a competitive tendering process from five landscape contractors on Haringey's pre-qualified approved list for the improvement works on Muswell Hill Playing Fields.</p> <p>RESOLVED</p> <p>That in accordance with Contract Standing Order 11.01 (a) approval be granted to the award of the contract for improvement works to Muswell Hill Playing Fields to Calabasas Ltd. on the terms and conditions set out in the Appendix to the interleaved report and with a contract period of 12 weeks.</p>	DACCS
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The meeting ended at 18.30 hours.

CLAIRE KOBER
In the Chair

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Haringey Council

Agenda item:

[No.]

Cabinet Procurement Committee on Tuesday 22nd December 2009

Report Title.

Award of Contract for the Haringey Offender Management Scheme (incorporating Haringey Drugs Intervention programme and Prolific and Other Priority Offenders Scheme):

Report authorised by **Wayne Longshaw**, Interim Assistant Chief Executive, PPP&C

Contact Officer: Andrew James, Acting DAAT Programme Manager.

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Marion Morris, Drug and Alcohol Strategy Manager

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Wards(s) affected: **ALL**

Report for: **Key decision.**

1. Purpose of the report (That is, the decision required)

1.1 To seek Members' agreement to award the contract for the provision of the Offender Management Scheme (incorporating Haringey's Drugs Intervention Programme and Other Priority Offenders Scheme).

2. Introduction by Cabinet Member (if necessary)

2.1 Haringey Drug and Alcohol Action Team (DAAT) are responsible for commissioning services for adult drug and alcohol misusers in the borough. The DAAT is funded through Department of Health (Pooled Treatment Budget); Home Office Grant (DIP Main Grant) and mainstream Health (Haringey NHS) and Social Service's (LBOH) budgets. The Drugs Intervention Programme plays a major role within the borough,

working with some of the most vulnerable residents of the borough in regard to drug misusing offenders and social re-integration. Its role within the Prolific and Other Priority Offenders Scheme provides treatment for some of the most prolific offenders in the borough. Through strong links with our partners, Police, Probation and Health, and with Council Services it has a major effect in reducing crime in the borough. I fully support the recommendation to award these contracts as outlined in paragraph 4 of this report.

Councillor Nilgun Canver, Cabinet Member for Safer Communities and Enforcement

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 The Haringey Offender Management Scheme is a partnership programme which aims to reduce offending of Drug Misusing Offenders. It incorporates the Drugs Intervention Programme (DIP) and Prolific and Other Priority Offenders schemes.

3.2 The provision of this scheme contributes to all five of the London Borough of Haringey Council's priorities.

3.2.1 A Better Haringey

3.2.2 A Thriving Haringey

3.2.3 A Caring Haringey

3.2.4 A Greener Haringey.

3.2.5 Driving change, improving quality.

3.3 The provision of this scheme contributes to the London Borough of Haringey Council's strategies

3.3.1 **Community Strategy** - The Provision of the Offender Management Scheme links to the Council's Community Strategy through complying with the Council's priorities for Safer for all, Healthier people with a better quality of life and People and customer focus through reduction in crime, drug and alcohol misuse. There was also service user and carer involvement in the tender process.

3.3.2 Wellbeing Strategic Framework - complying with the Framework's:

Goal 1 – To promote healthy living and reduce health inequalities in Haringey by reducing the harm caused by drugs and alcohol.

Goal 2 – To promote opportunities for leisure, socialising, life-long learning, and to ensure that people are able to get out and about and feel safe and confident inside and outside their homes through social re-integration of offenders and reducing the fear of crime.

Goal 3 – To encourage opportunities for active living including getting involved, influencing decisions and volunteering through Service User and Carers involvement in the Tender Process.

3.3.3 **Children's and Young People's Plan** - complies with the plan's requirement to safeguard the families of drug misusing offenders through the identification and acting upon the impact a parent's substance misuse has on a child. It also offers early intervention for those 18-25 years of age into treatment, employment, training and education.

3.3.4 **Safer for all (Safer Communities Plan)** - complies with the plan's priority on: Drugs and Alcohol – Prevention and effective treatment by targeting services within the Criminal Justice sector, by delivering holistic services and reducing drug misuse. Reducing re-offending by Adults and Young People by supporting offenders and ex-

offenders into sustainable social re-integration.

3.3.5 Homelessness Strategy - complies with the strategy's priority 2 through improving procedures for dealing with prison leavers and establishing early intervention to maintain users in accommodation. The scheme also supports offenders, who maintain abstinence, through a rent deposit scheme into private rented accommodation.

3.4 Use of Resources - The Drug and Alcohol Action Team is made up of staff from the Council and the PCT and reports to a partnership board with the PCT, Metropolitan Police, London Probation Service/National Offender Management Service, Voluntary Sector, Government Office for London, National Treatment Agency and Job Centre Plus. The Drug and Alcohol Action Team (DAAT) undertake annual needs assessment for both adults and young people in the borough, to identify future treatment needs and effectively target support (see Treatment Plans and Alcohol Harm Reduction Strategy). Haringey is the first borough to undertake a specific Needs Assessment for the Drugs Intervention Programme, and this has been highlighted as "Good Practice" by the National Treatment Agency. This assessment identifies the needs of those drug misusers in the Criminal Justice system and has enabled the tender specification to be aimed at those local needs. The DIP Needs Assessment feeds into the borough's overall adult drug treatment needs assessment and consequent treatment planning cycle.

3.4.1 Value for money – The tender evaluation has adhered to the Council's Supplier Selection Policy and the recommendation is based on the most economically advantageous bid. The schedules have also been measured value for money through the comparison of schedule of rates against the National Treatment Agencies regional unit cost where possible. The Contracts will be performance managed with the providers through quarterly contract meetings.

3.4.2 Property Assets - The project is looking for the provider to supply the property the programme will operate from as part of the bid, moving property maintenance and liability to the provider. The DIP's present operational building is leased by the current provider from a private landlord. Additional aspect to the contract is the Sustainable Procurement Service Level Agreement which all DAAT contracts will have from April 2010

3.4.3 Risk Management - As part of the process the Tenderers were requested to provide a project plan to cover the period prior to commencement of contract. The successful Tenderers plans will be the foundation of a partnership plan to ensure the contract commences on time, to quality expectations and on budget. The management of the contract is covered in the summary aspect of this report.

3.4.4 Staff/Workforce

Staff/workforce evaluation was undertaken through method statement and at interview. All staff will be employed by the successful Tenderers. The DAAT expects that all services will be provided with due consideration to the diverse needs in the borough of Haringey.

4. Recommendations

4.1 That Members agree to award of the contract for Haringey's Offender Management Scheme Criminal Justice Intervention Team (Lot1) and Rapid Access Prescribing (Lot2) to Tenderer C, for a period of 36 months, with an option to extend for a further period of up to 24 months, for the sum of £690,726 per annum; and that this contract

award will be paid from Drugs Intervention Programme Main Grant and Pooled Treatment Budget. The contract to commence on April 1st 2010.

4.2 That Members agree to award of the contract for Haringey's Offender Management Scheme the Drug Rehabilitation Requirement Programme (Lot 3) and Haringey Resettlement Service (Lot 4) to Tenderer D, for a period of 36 months, with an option to extend for a further period of up to 24 months, for the sum of £394,128.77 per annum; and that this contract award will be paid from Drugs Intervention Programme Main Grant and Pooled Treatment Budget. The contract to commence on April 1st 2010.

4.3 That it be noted that the cost of the contract will be met from partnership budgets, all being external grants given to the partnership for this purpose, these being The Drugs Intervention Programme Main Grant, hosted by the London Borough of Haringey, and Pooled Treatment Budget, hosted by Haringey NHS. Any variance in the allocated grant will be reflected in the annual cost of the contract.

5. Reason for recommendation(s)

5.1 The recommendation for the contracts awards is made on the basis of the bid which is the most economically advantageous and not simply the lowest tender.

5.2 The Contract is awarded to the Tenderer with the highest score in each of the four Lots

6. Other options considered

6.1 The current DIP contract terminates on 31st March 2010 after a one year's extension. In line with the Council's Contract Standing Orders the DIP was required to be re-tendered.

7. Summary

7.1 Haringey Offender Management Scheme consists of the Drug Interventions Programme (DIP) and the Prolific and Other Priority Offenders Scheme (PPO).

7.2 Haringey's Drug Interventions Programme is funded through a Home Office grant and the Pooled Treatment Budget for Adult Substance Misuse Treatment Budget from the Dept. of Health.

7.3 The aim of the DIP is to divert substance misusing offenders out of the Criminal Justice System through effective substance misuse drug treatment. It does this through assertive contact and assessment of offenders in various environments, such

as custody suites, courts, prisons, and engaging them in effective drug treatment in order to eliminate/reduce their offending behaviour.

- 7.4 The aspects of Haringey's DIP consist of the Criminal Justice Intervention Team (Lot 1), Rapid Access to Prescribing (Lot 2), Drugs Rehabilitation Requirement order programme (Lot 3) and Haringey Resettlement Programme (Lot 4).
- 7.5 The Programme accounts for approximately one third of clients entering drug treatment and contributes to part of Haringey's LAA target NI 40 (Number of Drug Misusers in Effective Treatment). It is also a significant part in the NI38 (reducing drug related (Class A) offending rate) and NI 30 Adult re-offending rates for those under Probation orders. It also contributes to targets for NI16 (Serious Acquisitive crime).
- 7.6 The programme is funded by an annual grant from the Home Office. This grant is facing a "standstill" position over the next year.
- 7.7 The Pooled Treatment Budget contributes towards the provision of the Drug Rehabilitation Requirement programme. This budget is facing a 14% decrease for 2010/11.
- 7.8 The Contracts will include a clause that in the event of decreases in the funding of either the Home Office Grant for DIP or the Pooled Treatment Budget, the contract shall be adjusted accordingly.
- 7.9 The Contracts will include a clause that in the event of the cessation of the Home Office Grant or the Pooled Treatment Budget, the contract shall be terminated at the end of available grant funds.
- 7.10 The Contracts will be robustly performance managed with the providers through quarterly contract meetings.
- 7.11 The performance data will be from the National Treatment Agency's (NTA) National Drug Treatment Monitoring System (NDTMS); Home Office Drug Interventions Record data collection system (DIRWeb) and additional supporting local data. Financial data will be from LBOH SAP system.
- 7.12 The Offender Management Scheme Steering Group, a partnership board, monitors the performance of the Drugs Intervention Programme and Prolific and Other Priority Offenders schemes. This board reports to the Safer Communities Executive Board (SCEB) and the Drugs And Alcohol Action Team Board (DAAT)
- 7.13 The providers will participate in monthly borough wide DAAT performance management meetings.
- 7.14 The National Treatment Agency will hold an annual review of the Drugs Intervention Programme 3-4 months into every financial year.

- 7.15 The open tender procedure was followed in accordance with Contract Standing Orders
- 7.16 There were 27 applications for tender packs of which 6 actual tenders were received
- 7.17 The Tenders were evaluated against Cost (40%) and Quality (60%). The Quality score and the Cost Score were added together to give an overall score per Lot per Tenderer. The contract is awarded to the Tenderer with the highest score in each Lot.
- 7.18 All Tenderers passed the financial soundness evaluation.
- 7.19 A ratio for each tendered price within each Lot was created by dividing all tendered prices into the lowest cost within each Lot. This ratio is multiplied by the weighting (40%) to give a cost score for each Tenderer within each Lot.
- 7.20 Quality was measured against the criteria of Clinical Governance; Service Delivery and Care Pathways; Workforce Development; Capacity; Collaborative Working and Service User Involvement; and Technical and Information Requirements.
- 7.21 Each Quality criterion was evaluated through the method statement and presentation and interview based on the following criteria.

Criteria	Weighting
Quality and Clinical Governance	15%
Service Delivery and Care Pathways	15%
Workforce Development	10%
Capacity	6%
Collaborative Working and Service User Involvement	10%
Technical and Information Requirements	4%
Total	60%

- 7.22 The scores from evaluation of each Quality criterion were added together to give the Quality Score. Quality was measured out of 60 to account for quality weighting (60%)

8. Chief Financial Officer Comments

- 8.1 This contract is funded via external grant – the DIP main grant and the pooled treatment budget - and the contract has been let based on current grant values. Given the limited control the Council has over the on-going certainty of external grant levels, the contract will include a clause enabling adjustments to the contract should funding levels decrease over the life of the contract.
- 8.2 The cost of the contract performance management has been allowed for from within the DIP grant.

9. Head of Legal Services Comments

- 9.1 This report is recommending the award of contracts for services categorised as Part B or residual services under the Public Contracts Regulations 2006. These contracts are not subject to the full EU procurement procedures. In particular there is no requirement to tender them in Europe.
- 9.2 The contracts were tendered in accordance with the Council's Contract Standing Orders using the open procedure.
- 9.3 Each of the two contractors recommended for award of contracts has been selected for award of 2 of the 4 lots tendered. This is on the basis that each contractor submitted the most economically advantageous tender in respect of the lots to be awarded to it. This is in accordance with CSO 11.01(b). Under CSO 11.01 an award may be made either on this basis or on the basis of the lowest price.
- 9.4 As the total estimated contract value exceeds £250,000 the proposed award must be approved by Members according to CSO 11.03. This says that Cabinet must award all contracts over this value.
- 9.5 The award of the contracts is a key decision as the total value of the award exceeds £500,000. As such it is required under CSO 11.04 to be included in the Council's Forward Plan. The DAAT team has confirmed that it is.
- 9.6 The Head of Legal Services confirms that there are no legal reasons preventing members from approving the recommendations in paragraph 4 of this report.

10. Head of Procurement Comments

- 10.1 The recommendation is in line with the Procurement Code of Practise
- 10.2. A competitive tendering process has been undertaken and evaluated against a Most Economically Advantageous Tender (MEAT) evaluation, providing the Council with a Value for Money service.
- 10.3 The Contract has been developed to mitigate any financial risk to the Council if external funding streams are not continued.
- 10.4 A Contract Management process has been put in place to monitor contract compliance.

11. Equalities and Community Cohesion Comments

- 11.1 Equality considerations were considered throughout the tender process; an equalities impact assessment was conducted through specialist evaluation and in

the quality evaluation in aspects of workforce development; capacity (access and engagement); collaborative working and service users.

11.2 The Drugs Intervention Programme is a positive action programme that addresses the specific needs of those Haringey residents who are in the Criminal Justice system with drug misuse. This client group contains some of the most disadvantaged of Haringey communities and includes a high proportion of BME men who do not readily access treatment but who are over represented in the criminal justice system. The programme will also be required to contact and engage other vulnerable groups such as women, the homeless and those with mental health issues who have contact with the Criminal Justice system.

11.3 The Equalities Team carried out the Equalities Specialist Evaluation of all tenders

12. Consultation

12.1 The Offender Management Scheme specification was devised following consultation by the DAAT with London Probation Service, London Metropolitan Police – Haringey, Service Users and Haringey PCT.

12.2 The process of DIP is laid out by the Home Office Drugs Intervention Record pathway.

12.3 The Offender Management Scheme tender evaluation panel consisted of Metropolitan Police inspector, Senior Probation Officer from London Probation Service, a service user, council officers and managers from the Haringey NHS.

12.4 London Borough of Haringey's Procurement Team supported and advised on the process throughout the tendering.

12.5 Specialist evaluation was undertaken by London Borough of Haringey's Finance, Health and Safety, Procurement and Equalities teams

13. Service Financial Comments

13.1 The DIP Main Grant is to enable the implementation of the Drugs Interventions Programme (DIP) as part of the local delivery of the Governments new Drug Strategy and must only be used to implement DIP, as outlined in the agreement for Drugs Interventions Programme Main Grant. Indicative funding for the forthcoming year is made in February and any changes to funding will be made at this time.

13.2 The Pooled Treatment Budget is comprised of different funding streams from the Dept of Health, Home office and NHS Haringey. The funding is for drug and alcohol services which are commissioned by the Joint Commissioning Manager and over

seen by senior representatives from all the partnership bodies. There is a requirement for the PTB to fund Drug Rehabilitation Requirement services. Confirmation of the annual funding for the forthcoming financial year is given in December and any changes to funding will be made at this time.

- 13.3 There is no specific funding for the Prolific and Other Priority Offenders Scheme. The DIP aspect of the PPO scheme is funded by the DIP Main Grant.
- 13.4 The budget for each year is approved on the understanding that the work will continue to deliver against the targets and milestones set in the contracts and DAAT Performance Management Group. The monitoring of the service is outlined in this report's points 7.10 -7.14.
- 13.5 The full cost of funding the scheme depends on the Government grant and the estimated cost of the initial 36 months requested may vary due to the nature of the funding from the government. The management of this is outlined in this report's points 7.8 -7.9.
- 13.6. Potential savings can also be created through economies of scale and premises costs. Financial and other benefit realisation will form part of the implementation action plan.

14. Use of appendices /Tables and photographs

14.1 Part B

15. Local Government (Access to Information) Act 1985

15.1 Procurement Committee Report – 22nd December 2009

15.2 The following background papers were consulted in the preparation of this report:

- 15.2.1 Contract Specification and other contract documentation
- 15.2.2 Tender and Tender support documents returned by the six Tenderers
- 15.2.3 Evaluation assessments and other relevant papers and files
- 15.2.4 Home Office Drugs Intervention Programme Grant Agreement
- 15.2.5 Haringey DIP Needs Assessment
- 15.2.6 Haringey DAAT Needs Assessment
- 15.2.7 Home Office Drugs Intervention Record Guidance

15.3 This report contains exempt and non-exempt information. Exempt information is contained in Part B of this report and NOT FOR PUBLICATION. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972) (3)Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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Haringey Council

Agenda item:

[No.]**Cabinet Procurement Committee****On 22nd December 2009**Report Title. **Framework Agreement for Asbestos Removal**Report of **Director of Corporate Resources**Signed: *J. Power 14/12/09*

Contact Officer : Jey Jeyakumar, 020 8489 1070

Wards(s) affected: **All**Report for: **Key Decision****1. Purpose of the report (That is, the decision required)**

- 1.1. To seek Cabinet Procurement Committee approval to award framework agreements for the provision of asbestos removal services for buildings owned or managed by the Council and Homes for Haringey; and other instances where the Council may have a public duty.

2. Introduction by Cabinet Member (if necessary)

- 2.1. I note the recommendations set out in this report.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1. The opportunity to procure long term agreements for asbestos removal services was identified through the Council's Category Management strategy.
- 3.2. The framework agreement complies with the Homes for Haringey and Haringey Council Corporate Asbestos Policies. These documents are included as

appendices to the contract document for this framework agreement.

4. Recommendations

- 4.1. In accordance with CSO 11.03 that framework agreements for the removal of asbestos and asbestos containing materials be awarded to those companies listed in Appendix 1
- 4.2. That the framework agreement be awarded for a period of 2 years with an option to extend for a further 2 years and with an estimated total value of £400,000 per year.

5. Reason for recommendation(s)

- 5.1. The Council currently procures construction project-related asbestos removal services through use of a pre-qualified list of contractors that is managed by the Construction Procurement Group (CPG). The Council's Category Management strategy has identified asbestos removal as an area of spend where benefits can be achieved through the procurement of a long term procurement arrangement.
- 5.2. The framework agreement will provide a mechanism for the procurement of asbestos removal companies for individual projects. A work study of asbestos removal work carried out by the Council indicates that the majority of work falls under £3,000. Therefore, work under £3,000 will normally be let on a call-off basis by way of the issuing of a works order. Selection will be on the basis of the most economically advantageous tender (MEAT) based on the results of the procurement process for the framework agreement and performance measured through key performance indicators (KPI). Any work over £3,000 will normally be let via mini-competition in accordance with the criteria set out in the tender documents which has been agreed with Legal Services.
- 5.3. The use of a framework agreement will provide a robust contract management process, with key performance indicators used to monitor contractor performance in order to maintain a quality service for the Council and to inform the decision making process taken in selecting companies through the call-off process (see 5.2 above).
- 5.4. The framework agreement will be available to all Council directorates and Homes for Haringey.

6. Other options considered

- 6.1. The Construction Procurement Group examined the option of using other public sector arrangements for the provision of asbestos removal. No such arrangements were discovered within the public sector that catered for asbestos removal services and which Haringey could legitimately access.

7. Summary

- 7.1. The procurement followed an EU tender process. A contract notice was published on 20th February 2009 via the Official Journal of the European Union (OJEU).
- 7.2. Pre-qualification Questionnaires (PQQ) were received from 35 companies. The pre-qualification questionnaires were assessed by officers from CPG, the Children & Young People's Service and Homes for Haringey.
- 7.3. The 8 companies with the highest scores following evaluation of pre-qualification questionnaires were invited to tender for the framework agreement on 02/10/09. Valid tenders were received from 6 companies. Two tenders were returned incomplete.
- 7.4. Tenders were assessed on a 60% Quality: 40% Price basis.
- 7.5. Quality evaluation was based upon tenderers' responses to questions relating to their proposed delivery of the framework agreement (see Appendix 1, 1.5 for questions). The content of the questions related to both business delivery and specialised asbestos removal expertise. The potential marks available for each question were specified in the tender documents. The quality responses were evaluated by officers representing the Children & Young People's Service and Homes for Haringey and then verified by a suitably qualified and experienced external consultant.
- 7.6. Price was evaluated using a schedule of rates submitted by each tenderer. The schedule of rates consisted of items of work that would be applicable to the asbestos removal work covered by the framework agreement. The submitted rates were multiplied by calculation factors listed in the tender documents to obtain a unit price upon which tenders were evaluated. The calculation factors were specific to each item and were based on work carried out on past projects.
- 7.7. The 3 companies with the highest overall scores following the tender evaluation are being recommended to be appointed under this framework agreement.

8. Chief Financial Officer Comments

- 8.1. As set out in this report, moving from providing this service via a pre-qualified list of contractors to a framework agreement should provide a better quality of service and a more competitive price for this work.
- 8.2. As stated in paragraph 13.1 the costs of any commissioned work will be met by the directorate undertaking the capital works, the costs of which should have been built into scheme budgets.

9. Head of Legal Services Comments

- 9.1 The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006, allows local authorities to enter into framework agreements with service providers, and to select service providers in respect of specific projects from amongst those providers with which it has concluded framework agreements.
- 9.2 The framework agreement to which this report relates has been tendered in the EU in accordance with the Public Contracts Regulations 2006, using the restricted procedure, a tendering procedure whereby expressions of interest are invited by advertisement in the Official Journal of the EU, with a selection of the contractors who have expressed an interest being invited to submit tenders.
- 9.3 This report is recommending award of the framework agreement to the companies named in Appendix 1. These companies have been selected based on the most economically advantageous tenders submitted, in accordance with Regulation 30 of the Public Contracts Regulations.
- 9.4 As the total estimated value of the contracts to be awarded under the framework agreement is likely to exceed £250,000, the proposed award may only be approved by Members pursuant to CSO 11.03.
- 9.5 As this is a key decision the Client has confirmed this has been included in the Forward Plan.
- 9.6 Providing there are no issues arising from the S.20 leaseholder consultation process the Head of Legal Services sees no legal reasons preventing Members from approving the recommendations in paragraph 4 of the report.

10. Head of Procurement Comments

- 10.1. This framework agreement comprising three contractors; is the outcome of a robust competitive process using the EC OJEU restricted procurement procedure.
- 10.2. Thirty five contractors that took part in the process have been gradually reduced in numbers and the three highest scoring contractors are now being recommended to Members for approval.
- 10.3. Asbestos is a highly dangerous substance and provision is made within the framework agreement that enable the Council to rapidly exercise its public duties when necessary, in this regard.
- 10.4. The Head of Procurement supports the recommendation to Cabinet

Procurement Committee to award the Framework Agreement on the basis set-out in this report.

11. Equalities & Community Cohesion Comments

11.1. All pre-qualification questionnaires were evaluated in terms of equality and diversity. The companies to be appointed under this framework agreement have demonstrated a commitment to equalities and diversity.

11.2. The framework agreement will benefit all wards within the borough.

12. Consultation

12.1. The procurement process for the framework agreement has been undertaken in consultation with the Children & Young People's Service, Homes for Haringey and Corporate Legal Services.

12.2. The decision has been taken to enter into a Section 20 Leaseholder consultation process. The Council is obliged to consult leaseholders in accordance with the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations'). The Regulations require the Council to send two notices to leaseholders before the services are provided. In order to ensure compliance with the Regulations the Council must make an application to the Leasehold Valuation Tribunal (LVT) for a dispensation from some of the requirements of the Regulations, specifically the requirement to provide information on the value of work covered by the framework agreement in the second notice. This information will not be available due to the unpredictable nature of the work to be carried out by the framework agreement.

12.3. The Framework Agreement will not provide asbestos removal services for projects in which Section 20 leaseholder consultation may be required, until the statutory consultation is complete.

13. Service Financial Comments

13.1. The costs involved in the use of the framework agreement for future asbestos removal work will come from the capital budget for the directorate for which work is being carried out.

13.2. The prices submitted by the successful tenderers have been assessed and are competitive against the current market. The option for the use of mini-competition for the award of asbestos removal work is also available for projects covered by this framework agreement. This will provide further competition in terms of price.

14. Use of appendices /Tables and photographs

14.1. Appendix 1 of this report contains information exempt from public viewing. The information contained relates to the evaluation process for this procurement.

15. Local Government (Access to Information) Act 1985

15.1. Appendix 1 of this report contains exempt information and is **not for publication**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

- *Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).*



Agenda item:

[No.]**Procurement Committee****On 22nd December 2009**

Report Title.

Extension of Contract for Provision of Legal Services (Child Care Litigation) by London Borough of Islington

Report of: John Suddaby, Head of Legal Services

Signed :

Contact Officer :

Dorothy Simon Assistant Head of Legal Services (Social Care), Haydee Nunes De Souza Deputy Principal Lawyer.

020 8489 5947/ 020 8489 5926

Wards affected: ALL

Report for: Non-Key Decision

1. Purpose of the reportTo seek approval for the extension of the existing contract for Child Care Litigation for a further period of three months, until 31st March 2010.

2. Introduction by Cabinet Member (if necessary)

- 2.1. I support the recommendation for extension of the existing contract because it is essential to minimise risk in the discharge of the Council's safeguarding of children responsibilities pending completion of Legal Services' Strategic Review restructuring process.
- 2.2. The current arrangements also involve a commendable example of partnering working with a neighbouring borough that allows Haringey Legal Services' social care lawyers to renegotiate their relationship with the Courts during a difficult period for this Council.
- 2.3. I note that arrangements are being made to bring the work contracted out to Islington back in-house by the end of the proposed period of extension by which time Legal Services are confident that their restructured Social Care team will be adequately resourced and able to deal fully with the returned caseload without significant risk.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. The extension of the existing contract contributes to achieving the following Council Priorities:

3.2.1 A Thriving Haringey encouraging lifetime well-being at home, work, play and learning

3.2.2 A Caring Haringey promoting independent living while supporting adults and children when needed.

3.2. The contract also contributes to the Council's strategies in the following ways:

3.2.1 Community Strategy – this contract links in to the Council's Community Strategy by supporting the Council's priorities for Safer for all, Healthier people with a better quality of life by providing high quality support and care for vulnerable children through timely initiation and completion of care proceedings.

3.2.2 Children's and Young People's Plan – the arrangement with Islington Legal Services facilitates compliance with the plan's priority on improving the safeguarding of children at risk of ill treatment and abuse through prompt and robust legal intervention.

3.2.3 Safer for all (Safer Communities Plan) – the arrangement also complies with the plan's priority on creating a safer community for all by ensuring the necessary legal protection for children at risk of harm.

4. Recommendations

4.1. That approval be granted, under Contract Standing Order 13.02, for the variation of the existing contract with the London Borough of Islington for Child Care

Litigation by way of an extension for a period of three months, until 31st March 2010, with an increase in the hourly fees to the amount set out in paragraph 1.3 of Appendix A but otherwise on the existing terms and conditions.

5. Reason for recommendation(s)

5.1. The proposed extension is to accommodate a winding down arrangement to bring back in-house the cases which are currently being dealt with by the London Borough of Islington Legal Services by the continuation of the existing support until the completion of recruitment pursuant to the Legal Services re-structuring under its recent Strategic Review.

6. Other options considered

6.1 The contract could be allowed to expire. It is not going to be possible for Haringey Legal Services to have sufficient resources in place by 31 December 2009 in order to cover these cases which include sufficient administrative support as well as lawyers. Any additional staff would have to be locum staff. In addition some staff annual leave has already been planned and one of the experienced lawyers will be absent for a month in December and their work will need to be covered.

6.2 Consideration could be given to finding another legal service to provide this service instead. However, there is no obvious pool of alternative providers because acting on behalf of the local authority in care proceedings is not a legal service widely available in the private sector and only 1 or 2 other local authorities have spare capacity to provide this service. In addition, even with Islington Legal Services' proposed increase in its hourly rate their hourly rate is still less than what was quoted previously by alternative providers when the current contract was procured. The hourly rates originally quoted by and payable to Islington at the start of the current contract and their proposed increased hourly rate are set out in paragraphs 1.1 – 1.3 of Appendix A. The rates quoted by alternative providers are set out in paragraph 1.4 of Appendix A.

6.3 The hourly rate is not the only consideration in relation to cost because of the duplication necessary to take over existing proceedings. If another provider becomes involved at this point a third change would then be needed to bring the work back in house and this would overall be likely to be the most expensive option as well as the most disruptive.

6.4 It would not be helpful to create this level of instability in 25% of the care proceedings on 31 December just prior to the re-inspection by Ofsted. On the other hand by 31 March 2010 the potential impact on Haringey would be much reduced in any event as some of these cases will have finished.

6.5 A further option would be to leave all existing cases for Islington Legal Services to

manage to conclusion allowing Haringey's Legal Services to take on only the new cases. It is noted firstly that, given the average duration of care proceedings, some of the cases currently with Islington are not likely to be concluded for many months yet and the chances of Islington containing their rates beyond March 2010 are diminishing. At the same time, the in-house legal team is confident that by the end of the further period of extension the restructured team will be adequately resourced and sufficiently embedded to be able to take back the outstanding caseload without significant risk. This option is therefore not considered necessary or desirable from a value for money point of view.

6.6 The least disruptive option and one that offers best value is to maintain the status quo by extending the contract for 3 months until 31 March 2010 with a phased transition plan in place for the return of any cases which would still be outstanding by 1 April 2010. The Director of Children and Young People's Service has endorsed the proposal for this extension.

7. Summary

7.1 The workload pre care proceedings in all Haringey's childcare litigation cases began to increase significantly from the early part of 2008 in response to the implementation of new requirements for case management directed in public law family proceedings, the Public Law Outline. This came at a time when the first Serious Case Review undertaken for Peter Connelly acknowledged the need for the Council to employ an additional number of experienced, child care lawyers on a permanent basis. In order to implement the Legal Services' action plan to strengthen the experience of the social care team this led to a contract, obtained under Director's authority dated 25 Sept. 2008, with Islington Legal Services who agreed to undertake a number of care proceedings on behalf of Haringey Legal Services. This contract was for an initial 6 months ending 31 March 2009 and included an option to extend for a further 6 months.

7.2 By 31 March 2009 both nationally and in Haringey the number of care proceedings had increased both suddenly and significantly as a result of the increased scrutiny given to such matters in response to the criminal trial and the publication of the first Serious Case Review for Peter Connelly in November 2008. The option to extend the contract with Islington Legal Services was accordingly exercised on an urgent basis, under further Director's authority obtained on 31 March 2009, for a further 6 months ending 30 Sept. 2009.

7.3 By April 2009 the number of care proceedings conducted by Islington Legal Services on behalf of Haringey Legal Services had doubled to the current average level of 35. Given this continuing increased workload for the in-house service, by Sept. 2009, it was plain that there were still insufficient resources within Haringey Legal Services to assimilate an additional 35 cases. As a result, Director's authority was again obtained on an urgency basis on 23 Sept. 2009 allowing the extension of the contract for a further 3 months until 31 December 2009. At that point the appointment of permanent staff following the implementation of the Legal Services' Strategic Review of its structure had not progressed sufficiently in the Social Care Team and it was considered prudent to

have the new Assistant Head of Legal Services (Social Care) in post (on 5 October 2009) to finalise this process and manage any return of the caseload from Islington.

7.4 However, effectively in early October 2009 there was very little time for the new Assistant Head of Legal to progress a transition plan for the return of these care proceedings in house without a further period of extension beyond December 2009.

7.5 At this point, all the cases that are being undertaken by Islington Legal Services are existing care proceedings that have now been before the court for some time. Each of these has been conducted throughout by the same lawyers with the same supervising senior lawyer. Any change from the Islington lawyers having conduct of these cases needs to be managed carefully not only because they have the consistency of knowledge of the case and the relationships with the other legal representatives and the court but also because there would be a duplication of work required for any lawyer assuming the conduct of the case to have to familiarise themselves with the evidence filed and the issues to be resolved. These cases are all substantial and the charge is calculated on an hourly rate. There would be significant additional costs with any change of legal representation which is not managed gradually.

7.6 If the contract is extended for a further 3 months this allows for a phased transition for the return of those cases that are likely to continue beyond 31 March 2010. There is already joint planning between the senior lawyers in Islington and Haringey to achieve this at an appropriate point so as to minimise duplication. A further number of cases will finish and for those any duplication would be avoided altogether.

7.7 Islington Legal Services have indicated that they are willing in principle to accept the proposed extension on the basis that their hourly rate is increased to the extent indicated in paragraphs 1.1 to 1.3 of Appendix A. This has become necessary because it has recently become clear that Islington Legal Services' current hourly rate is not covering their costs.

7.8 It is noted that the hourly rate agreed with Islington at the start of the contract in September 2008 was the lowest quoted by the available providers identified. It was in fact substantially less and remains lower than the rates quoted by the alternative providers consulted including Creighton and Partners and the London Borough of Camden (see paragraph 1.4 of Appendix A) who undertake some of this particular work for other London Boroughs. By comparison with the alternatives reasonably available, Islington's proposed increased rate therefore represents value for money.

8. Chief Financial Officer Comments

8.1. The Chief Financial Officer concurs with the proposal as in both financial and service delivery terms, an extension offers best value for the Council. The calculated value of work to be commissioned during the extended period is £100,500 which will be fully paid by the Children and Young People's directorate.

8.2. It is important that the recruitment of an in-house advocate team is finalised as a matter of urgency and that momentum is kept up with the planned transition of cases back from Islington to ensure a high level of service is maintained.

9. Head of Legal Services Comments

- 9.1. Legal Services are categorised as Part B services under the Public Contracts Regulations 2006 so there is no requirement to advertise the services in Europe.
- 9.2. The Procurement Committee has power under CSO 13.02 to extend a contract providing that to do so is consistent with the Council's Financial Regulations.
- 9.3. Apart from the increase in the hourly rate, all other terms and conditions of the contract will remain the same.
- 9.4. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

10. Head of Procurement Comments

- 10.1. The provision of Legal Services falls under Part B Category 21 of the EC Procurement Directives and is thus not subject to the full competitive regime.
- 10.2. The original outsourced contract with Islington Council was expected to be worth in the region of £100k but through unforeseen circumstances that resulted in an increased case workload, the contract value has increased to nearer £600k and over an extended period to that envisaged.
- 10.3. Through an effective recruitment campaign, Haringey Legal Services are becoming better placed to increase their capacity to enable any remaining outsourced work to be brought back in-house.
- 10.4. It is noted that the revised rates to be charged by Islington are being compared to rates originally quoted in mid-2008 by other potential service providers. Whilst this is acceptable for the purposes of this report, it is recommended that revised market rates are obtained should the outsourced service continue for any reason beyond March 2010.

11. Equalities & Community Cohesion Comments

- 11.1. Child Care Litigation ensures the Council is able to ensure equality of protection of all children in need of an Order as part of the Council's statutory responsibilities.

12. Consultation

- 12.1. Not applicable

13. Service Financial Comments

- 13.1. The proposed extension of the contract will allow for the provision of essential legal work in respect of care cases to continue. The estimated value of the initial contract period to 31 Mar. 2009 was £107,310 to cover some 14 cases. In reality some £171,000 was spent over this period attributable to the unavoidable referral of more cases than initially anticipated.
- 13.2. The first extension to 30 Sept. 2009 increased the actual spend to £380,000. The projected spend for the current 3-month period is a further £104,000 to give a total projected spend to 31 December 2009 of £484,000. This covers some 38 cases currently being dealt with by Islington.
- 13.3. The projected cost for the further proposed period of extension is £100,500. This is calculated at the proposed higher hourly rate applied to an average of 30 cases over the extended period assuming a wind down during the extension. As a result the current projection to cover the full contract including the initial period, the extensions to date and the proposed extension to 31 March 2010 is £584,500.
- 13.4. The costs of this contract are recharged by Legal Services to the Children and Young People's Service and the Director of that Service has indicated support for this extension.

14. Use of appendices /Tables and photographs

- 14.1. 'Appendix A'

15. Local Government (Access to Information) Act 1985

- 15.1. This report contains exempt and non-exempt information. Exempt information is contained in Appendix A of this report and is NOT FOR PUBLICATION. The exempt information is exempt under the following category (identified in the amended schedule 12A of the Local Government Act 1972) (3): Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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Agenda item:

[No.]**Procurement Committee****On 22nd December 2009**

Report Title. Provision of Intensive Supervision and Surveillance – award of contract

Report of Wayne Longshaw, Assistant Chief Executive, PPP&C

Signed :

Contact Officer : Linda James, Youth Offending Service Strategic Manager

Wards(s) affected: All

Report for: Non-Key Decision

1. Purpose of the report (That is, the decision required)

1.1. This report seeks Member approval for the award of the provision of Intensive Supervision and Surveillance to the preferred suppliers, as detailed in appendix A to this report.

2. Introduction by Cabinet Member (if necessary)

2.1 The current provider for this service in Haringey was the only organisation to send in a tender for the new contracting period. We have been satisfied with the services provided by this provider over the previous 2 years and the tendering process was fully followed.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. Children and Young People's plan; Local Area Agreement indicators; Sustainable Community Strategy; Comprehensive Area Assessment.

4. Recommendations

- 4.1. That Members agree to the award of the provision of Intensive Supervision and Surveillance to the preferred suppliers, as detailed in appendix A to this report.
- 4.2. The contract will be awarded for 12 months in the first instance (as the funding from the YJB may not be ring fenced after 2011) with a view to extending the contract annually for a total of 3 years should funding be secured thereafter.

5. Reason for recommendation(s)

- 5.1. The ISS is an essential service in relation to diverting young offenders from custody. The current contract expires at the end of March 2010 and a re-tendering exercise has taken place. The tender was advertised on the Haringey website and is a collaborative procurement on behalf of Haringey, Enfield and Barnet. The tender received was evaluated by the relevant YOS managers from Haringey and Barnet.
- 5.2. The award of the contract to the existing providers would mean there is no disruption in terms of service delivery, particularly in relation to staff (as there are no TUPE arrangements involved) and young people (who will continue to work with current staff members). The current contract has been monitored annually by the local authority and once by the Youth Justice Board. The contract is achieving the contract objectives. Annual monitoring will continue and the ISS steering group will continue to meet quarterly.
- 5.3. Costs of setting up a new scheme will not apply which represents value for money, as additional costs will not be incurred.
- 5.4. NACRO is a national organisation and is the only other supplier of ISS within London. It is, therefore, able to draw on other resources from other schemes and projects to add value to this scheme.

6. Other options considered

- 6.1. The contract price is for staffing and delivery costs and there are no additional costs for accommodation or assets. This service delivery model represents value for money to the Council and is in line with the funding level for the current scheme.
- 6.2 At the tendering stage, the option of taking the service in-house was explored by the Consortium but was not feasible, principally for financial reasons. Each

Borough is allocated a specific amount of money for ISS which would be insufficient to run separate schemes. Additionally, resources for set up and ongoing management could not be absorbed by the three YOS's.

7. Summary

7.1. The consortium considered the possibility of bringing the ISS 'in-house' but this was not feasible, principally due to costs and financial constraints.

7.2. Following an open tender process for the new contract, one tender was received and this was evaluated in line with the criteria set. The previous market testing exercise had indicated that, within London, NACRO was the only external provider of ISS. The evaluation concluded on 17th November and the final scores are outlined below.

Cost – weighting 40%	Quality – weighting 60% - consisting of: governance, service delivery, workforce development; capacity, collaborative working and service user involvement, technical and information requirements
Score – 40%	Score – 42%

7.3. The recommendation is that the contract be awarded to the preferred supplier.

7.4. The contract will be monitored through the Council's contract management system and contract reviews will be carried out annually.

8. Chief Financial Officer Comments

8.1. The Chief Financial Officer confirms the current year's budget allocated to this service and the funding to support it.

8.2. Given uncertainty over levels of central government grant funding beyond 2010/11, support is given to awarding the contract for one year with provision to extend once funding is confirmed.

9. Head of Legal Services Comments

9.1. The contract which this report relates to is for Part B services under the Public Contract Regulations 2006. Therefore it has not been necessary to advertise in the Official Journal of the European Union (OJEU).

9.2. In accordance with CSO 6.05 as the value of the contract is above £25,000 a competitive tendering process has been followed.

9.3. As the value of the contract is over £250,000 under CSO 11.03 it can only be

awarded by Members.

9.4. Under CSO 11.01 b) contracts can be let on the basis of the most economically advantageous tender (i.e. the tender providing the most benefit to the Council).

9.5. The Head of Legal Services confirms there are no legal reasons preventing Members from approving the recommendation in paragraph 4.1.

10. Head of Procurement Comments –[Required for Procurement Committee]

10.1. The recommendation is in line with the Procurement Code of Practise.

10.2. The single bid represents a VFM outcomes as shown by the Meat evaluation process, and the 82% score achieved by the single bid. Before any future tenders there needs to be some market development work to encourage other providers to set up in London.

10.3. The contract structure allows for Haringey to extend on a yearly basis to ensure that we are not open to any financial risk should the grant allocation be changed.

10.4. A contract monitoring process is in place to ensure contract compliance, to identify any performance issues and put in place actions to rectify them.

11. Equalities &Community Cohesion Comments

11.1. The ISSP is targeted at high risk offenders who are at risk of custody and provides programmes to divert young people from custody. Given the over-representation of black and minority ethnic offenders in the criminal justice system, this programme is vital in addressing the need to reduce levels of disproportionality. Ethnicity monitoring of referrals to ISSP is required and is presented quarterly to the Steering group, which consists of NACRO representatives and the YOS managers of Haringey, Barnet and Enfield, plus an operational manager from one YOS

12. Consultation

12.1. All members of the Haringey, Barnet and Enfield Consortium were consulted on the proposal.

13. Service Financial Comments

13.1. The funding for ISS is provided by the Youth Justice Board and is ring-fenced for ISS provision in 2010-2011. This may alter in 2011 -2012 which is why the contract is for one year initially, with the provision to extend to a total of three years.

14. Use of appendices /Tables and photographs

14.1. Appendix A: Exempt information.

15. Local Government (Access to Information) Act 1985

This report contains exempt and non-exempt information. Exempt information is contained in Appendix A and is not for publication. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972):

(3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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