

Executive Procurement Committee On 28th February 2006

Report Title: Award of contract for Community based Risk and safeguarding Assessment of children and families

Forward Plan reference number (if applicable): N/A

Report of: The Executive Director of the Children's Service

Wards(s) affected: [All] - this service is available to residents of all wards

Report for: Non-Key Decision

1. Purpose

1.1 To seek Members agreement to award a contract for a period of three years as allowed under Contract Standing Orders (CSO 11.03).

2. Introduction by Executive Member

2.1 I endorse the recommendations of this report and ask for members to agree to the awarding of the contract.

3. Recommendations

3.1 That Members' agree to award a contract for a period of three years from 1st of April 2006 to 31st of March 2009.

4. Report Authorised by:



Sharon Shoesmith
Director
The Children's Service

5. Contact Officer: Marion Wheeler

Service Manager, Children & Families

Telephone: 0208 489 1862

6. Executive Summary

6.1 In 1997, Haringey's Voluntary Sector grants service funded the NSPCC, to provide

11.1 The service provider will be subject to robust monitoring processes to ensure performance targets are met in accordance with the contract and the service specification, the Provider will be subject to quarterly monitoring visits and on-going spot-checks.

12 Consultation

12.1 In July 2005, a service evaluation was convened, whereby child care professionals were surveyed and it was validated that the service provider provides an exceptional and very valuable service.

12.2 Service Managers have expressed confidence in the quality of the work being carried out through the contract and the service rendered meets the current contract objectives.

13 Summary and Conclusions

13.1 The purpose of this report is to seek members' agreement as required under CSO 11.3 to award a contract for a period of three years from the 1st of April 2006 to the 31st of March 2009.

14 Recommendations

14.1 That the Members approve the request to award the contract for a period of three years as allowed under CSO 11.03.

15 Financial Implications

15.1 Members agreed on the 6th of September 2005 to transfer Voluntary Sector grants annually to Children and Families Commissioning.

15.2 There is no financial implication over and above these as the grant awards have been agreed to be 'ring-fenced' for 3 years funding arrangement in line with the financial year 2008/09.

16 Comments of the Director of Finance

16.1 The Director of Finance has been consulted and his comments have been included in the body of the report through the Voluntary Sector Grants Committee Report of the 6th September 2005, Section 9.

17 Comments of the Head of Legal Services

17.1 The contract is categorised as a Part B Service under the Public Contracts Regulations 2006 which means that there is no requirement to carry out a European tendering exercise.

17.2 Social Services Directorate wishes to appoint the Service Provider identified in Appendix 1 to carry out the service of child protection assessments and training for

Appendix 1

The total value of the contract is £266,250.00 to be awarded to NSPCC for a period of three years from 1st of April 2006 to the 31st March 2009.

The Grants Voluntary Section will transfer an annual cost of £88,750.00 every year for three years from 1st April 2006 to 31st March 2009.

Agenda item:

Executive Procurement Committee On 3rd January 2006

Report Title: Request for waiver of requirement to tender for Community based Risk and safeguarding Assessment of children and families	
Forward Plan reference number (if applicable): N/A	
Report of: The Executive Director of the Children's Service	
Wards(s) affected: [All] - this service is available to residents of all wards	Report for: Non-Key Decision
<p>9. Purpose</p> <p>1.2 To seek Members agreement to waive the requirement to tender under Contract Standing Orders (CSO 7.02).</p>	
<p>10. Introduction by Executive Member</p> <p>2.1 I endorse the recommendations of this report and ask for members to agree to the waiver of the Contract Standing Order.</p>	
<p>11. Recommendations</p> <p>3.2 That Members agree the waiver of Contract Standing Order (CSO)6.04 (requirement to tender), as allowed under CSO 7.02, in accordance with waiver requirements noted under CSO 7.03 (a) and (d)</p>	
<p>12. Report Authorised by: Sharon Shoesmith Director of the Children's Service</p> <p><i>Sharon Shoesmith</i></p>	
<p>13. Contact Officer: Marion Wheeler Service Manager, Children & Families Telephone: 0208 489 1862</p>	
<p>14. Executive Summary</p> <p>6.3 In 1997, Haringey's Voluntary Sector grants service funded the NSPCC, to provide</p>	

Community based Child protection assessments, therapy and staff consultation and training for Children and Families social work staff in Haringey. The assessments are primarily for families involved in s31 1989 Children Act proceedings and therapeutic services for children recovering from the effects of abuse

- 6.4 It is a Haringey's initiative to promote the Gershon review, in securing value for money and efficiency, and to work with Small and medium sized enterprises, voluntary charitable agencies to promote local regeneration. Thereby, working in partnership with NSPCC, Haringey will implement this initiative.

15. Reasons for any change in policy or for new policy development (if applicable)

7.2 N/A

16. Local Government (Access to Information) Act 1985

Background papers

9.2 Buying a Better London

9.3 Voluntary Sector grants Committee report 6th September 2005

9.4 The two appendices attached to this report is **not for publication** as it contains exempt information under the following categories:

viii) The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

And

(ix) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

10 Background

10.1 Historically the NSPCC have been providing a service to Haringey Council since the 1st April 1997. They are based at Maya Angelou Centre located in Tottenham which is leased to NSPCC by the Council. The following services are provided by the NSPCC to Haringey.

10.1.1 Specialist family assessments where children are on the child protection register or subject to court proceedings. Referrals are made by the two District Service Managers.

10.1.2 Therapeutic work with children with a particular focus on disabled children who have suffered abuse. In addition they also provide two therapeutic surgeries in two special schools (Moselle and The Vale). A third link with Blanche Neville school is in progress.

10.1.3 Training and Consultations to child care professionals.

10.2 The National Society for the Prevention of Cruelty to Children herein

referred to as NSPCC is a registered charity whose constitutional objectives are to: -

- Prevent children suffering from significant harm as a result of ill treatment.
- Help protect children who are at risk from such harm
- Help abused children to overcome the effects of such harm
- Work to protect children from further harm.

10. Description

- 10.4 The NSPCC is currently funded by the Council's grant section until the 31st March 2006. On the 6th of September 2005 the Voluntary sector grants committee have agreed to transfer these funds to Children and Families Commissioning. The funding is awarded for a period of three years from April 2006 to March 2009.
- 10.5 Since 1997, families known to The Children's Service have benefited from the support provided by the NSPCC, through the comprehensive assessments, therapeutic work and consultations sessions that are undertaken as part of this agreement.

11. Reason for Waiver

- 20.1 A market mapping exercise was undertaken whereby local authorities and agencies were contacted to ascertain whether they could provide a similar service and at what cost.
- 20.2 10 Neighbouring boroughs were also contacted to ascertain if and how similar services were provided within their boroughs, 5 authorities responded and the results are set out in Appendix 1.
- 20.3 Three providers were identified through the research and their cost of assessments were compared, see Appendix 2
- 20.4 The current NSPCC contract has provision for 20 Specialist assessments, 6 therapeutic interventions and 10 training /consultations to child care professionals per year for the contracted annual value of £88,750.00.
- 20.5 This is a cost effective service as NSPCC's funds the Maya Angelou project at a total cost £345,000.00 per annum, of which Haringey contributes £88,750.00, a small proportion of the total cost. Haringey Council, therefore benefits from a high quality service at a comparatively low price proving to be best value to the Council.
- 20.6 An average breakdown of the annual contract price and the unit cost to Haringey is as follows
- 20% - £17,800.00 towards 6 -Therapeutic and 10 -Consultations /training sessions
80% - £71,200.00 towards 20 – Community Assessments.
Therefore the unit cost to Haringey Council is £3,560.00 per assessment. See appendix 2 for comparison with other independent providers.

A recent internal review of the service by the NSPCC which sought the views of

both parents and social workers praised the child centred work that was being carried out.

21 Contract Management

21.1 The Providers will be subject to robust monitoring processes to ensure contract compliance. To ensure performance targets are met in accordance with the contract and the service specification, the Providers will be subject to monitoring visits and on-going spot-checks.

22 Consultation

22.1 In July 2005, a service evaluation was convened, where by child care professionals were surveyed and it was validated that NSPCC provide an exceptional and very valuable service.

22.2 Service Managers have expressed confidence in the quality of the work being carried out through the contracts compliance meetings.

23 Summary and Conclusions

23.1 The purpose of this report is to give justification to waiver the requirement to tender.

23.2 It would be a waste of Councils resources to go to tender for these services and in the best interest of the Council to continue contracting with NSPCC. As they have the experience and knowledge of providing a specialised service at a cost effective price as set out in **section 9 & 11** of this report.

23.3 It is proposed to seek members agreement to waive CSO7.02, 7.03 and it is intended to let a three year contract to NSPCC from 1st of April 2006 to 31st of March 2009.

24 Recommendations

24.1 That the Members approve the waiver of CSO 6.04 as allowed under CSO 7.03 (a) and (d).

25 Financial Implications

25.1 Members agreed on the 6th of September 2005 to transfer Voluntary Sector grants of £88,750 annually to Children and Families Commissioning.

25.2 There is no financial implication over and above these as the grant awards have been agreed to be 'ring-fenced' for 3 years funding arrangement in line with the financial year 2008/09.

26 Comments of the Director of Finance

26.1 The Director of Finance has been consulted and his comments have been included in the body of the report through the Voluntary Sector Grants Committee

27 Comments of the Head of Legal Services

- 27.1 The services to be provided are categorised as "residual activities" under the Public Services Contracts Regulations 1993 and therefore do not need to be tendered in Europe.
- 27.2 The Children's Services Directorate is seeking a waiver of Contract Standing Order 6.4 (requirement to tender) in accordance with the provisions of CSO 7.3 (a) i.e that the nature of the market has been investigated and is shown to be such that a departure from CSOs is justified, and (d) i.e that it is in the Council's overall interest.
- 27.3 Because of the value of the contract the waiver must be approved by the Procurement Committee in accordance with CSO 7.2 (a).
- 27.4 The Head of Legal Services confirms that there is no legal reason preventing Members from agreeing the recommendations in this report.

28 Comments of the Head of Corporate Procurement

- 18.5 The Head of Procurement is satisfied at the amount of market research done with other boroughs in the process of options appraisal.
- 18.6 The recommendation to award to NSPCC is supported by the financial and qualitative aspects of the current provision compared to other providers and therefore provides a best value solution.
- 18.7 The Head of Procurement considers that the waiver route exposes the Council to the minimum amount of risk considering other options.
- 18.8 The Head of Procurement considers there to be adequate contract management arrangements in place to ensure compliance with the service aims and objectives.

29 Equalities Implications

- 29.1 The Providers will all operate a robust Equality Policy that complies with all relevant legislation and is reviewed on an annual basis.
- 29.2 The Council will monitor all equality consideration throughout the life of the contract.

30 Use of Appendices

Appendix 1 & 2

Appendix 3

Councillors *Milner (Chair), Adje, *Diakides, Hillman and *Meehan.

* Members present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC58.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were submitted by Councillor Adje and by Councillor Hillman for whom Councillor Meehan deputised.</p>	
PROC59.	<p>DECLARATIONS OF INTEREST</p> <p>Councillor Diakides in respect of Agenda Item 7 (see Minute PROC 62) below.</p>	
PROC60.	<p>MINUTES</p> <p>RESOLVED:</p> <p>That the minutes of the meeting held on 6 December 2005 be approved and signed.</p>	HMS
PROC61.	<p>AMENDMENTS TO TENDER OPENING PROCEDURES IN CONTRACT STANDING ORDERS (REPORT OF THE HEAD OF LEGAL SERVICES AND MONITORING OFFICER – AGENDA ITEM 6):</p> <p>We noted that it was proposed that the special procedure for tenders over £150,000 in value be abolished and to have a uniform process for all tender openings similar to that already existing but not involving the Legal Service. We also noted that it was to be made express in Contract Standing Orders that the tender opening officers were to come from a different team from that involved in commissioning the tenders and that the selection, training and arrangements for due independence of the tender opening officers were to be approved by the Head of Corporate Procurement who was in the process of completing a Training Manual for the use of these officers.</p> <p>Having regard to the concerns previously expressed by the General Purposes Committee in relation to the possible risks of fraud and corruption if tender opening teams were drawn from the same Directorate as the tender commissioning team, the Head of Internal Audit and Risk Management had indicated that any extra risk from the revised arrangements proposed could be mitigated by an appropriate framework which defined the standard practices to be followed by all Directorates. We were of the view that details of such a framework to be</p>	

devised by the Head of Internal Audit and Risk Management in conjunction with the Head of Procurement should be included when the proposals were re-submitted to the General Purposes Committee. As suggested in the report, audit trails should be maintained which should be reviewed and monitored by service management and Internal Audit. We also endorsed the suggestion that spot checks be made by managers on compliance should be included in the agreed framework and made part of the routine checking process signed off by managers.

Further, the additional safeguard outlined of Internal Audit including a review of the tender opening process as part of the annual audit programme of work should be adopted to provide assurance that the risks were being managed effectively and that the controls were in place and operating as intended. We would wish to receive a report on each Review at a meeting of our Committee.

RESOLVED:

1. That, subject to an appropriate framework which defined the standard practices to be followed by all Directorates being agreed by the General Purposes Committee and to the additional safeguards outlined above, approval be granted to the proposals to amend Contract Standing Orders on Tender Opening Procedures, as described in paragraphs 8.2 and 8.3 and set out in Appendix 1 to the interleaved report.
2. That, subject to 1. above, the General Purposes Committee be requested to recommend the full Council to amend the Constitution accordingly.

HLS/
HPr/
HARM

HLS

PROC62. REDEVELOPMENT OF UNITS 20-22 BERNARD ROAD, RANGEMOOR ROAD (REPORT OF THE ASSISTANT CHIEF EXECUTIVE (ACCESS) – AGENDA ITEM 7):

Councillor Diakides declared an interest in this item by virtue of being a Tottenham Green Ward Councillor.

With the consent of our Chair an amended version of the report was tabled.

Details of the value of the proposed additional contract to ABK which were set out in Appendix 1 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.

RESOLVED:

	<p>That, in accordance with Contract Standing Order 7.3(d), approval be granted to the waiver of Contract Standing Order 6.4 (Requirement to Tender) in respect of the full design and delivery consultancy contract for the Rangemoor Road project.</p>	ACE (A)
PROC63.	<p>SEVEN SISTERS SHOP FRONT RENEWALS: AWARD OF CONTRACT</p> <p>We noted that this item had been withdrawn.</p>	
PROC64.	<p>REQUEST FOR WAIVER OF REQUIREMENT TO TENDER FOR COMMUNITY BASED RISK AND SAFEGUARDING ASSESSMENT OF CHILDREN AND FAMILIES (REPORT OF THE DIRECTOR OF THE CHILDREN'S SERVICE – AGENDA ITEM 9):</p> <p>Details of the market mapping exercise and market testing exercise which were set out in Appendices 1 and 2 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Orders 7.2 and 7.3(a) and (d), approval be granted to a waiver of Contract Standing Order 6.4 (Requirement to Tender) in connection with the contract for community based risk and safeguarding assessment of children and families.</p>	DCS
PROC65.	<p>NEW ITEMS OF EXEMPT URGENT BUSINESS - LEISURE CENTRES INVESTMENT : PROCUREMENT (REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES – AGENDA ITEM 15):</p> <p>Our Chair agreed to accept the report as urgent business. The report was late because of the need to conclude negotiations and the related increase in total contract price. The report was too urgent to await the next meeting because of the need to finalise the Stage 2 contract award.</p> <p>This item was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>We noted that pursuant to our decision of 12 July 2005 (vide Minute PC 24) a two stage procurement process had been followed in respect of Leisure Centres Investment and the Stage 1 contract was awarded to Crispin and Borst. Authority had also been granted to the Director of</p>	

Environmental Services, in consultation with the Executive Member for Environmental Services to finalise Stage 2 negotiations and contract award within a threshold figure.

We also noted that on conclusion of negotiations in relation to Stage 2 works the costs had risen above the previously agreed threshold although still within the approved total investment budget. In view of the need to finalise the Stage 2 contract award before the Christmas holiday, action had been taken under the Council's urgency procedures in consultation with the Leader of the Council to approve a revised contract price threshold and to grant delegated authority to the Director of Environmental Services in consultation with the Executive Member for Environment and Conservation to finalise the contract detail and award.

RESOLVED:

That the action taken by the Director of Environmental Services in consultation with the Leader as outlined above be noted.

RICHARD MILNER
Chair