

Executive Procurement Committee On 28th February 2006

Report Title: Intensive Supervision and Surveillance Programme (ISSP) Award of contract.

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

Report of: Head of Safer Communities Unit

Wards(s) affected: All

Report for: Non-Key Decision

1. Purpose

1.1. To seek Members agreement to award the contract for the provision of Intensive Supervision and Surveillance programme (ISSP).

2. Introduction by Executive Member

2.1. The government prioritises reducing offending and re-offending amongst youth. The ISSP is a highly successful programme that is key to tackling social exclusion in the borough. It aims to rehabilitate through individual and parental work and increase the life chances of young people who are mostly members of black and minority ethnic communities and come from deprived neighbourhoods. This change will mean an improvement in quality for this programme.

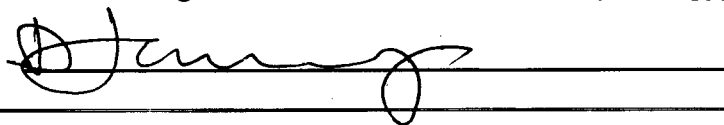
2.2. I recommend the Committee agree this report.

3. Recommendations

3.1. That Members agree to award the contract for the ISSP, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in this report.

3.2. That the contract be awarded for a period of 1 year with an option to extend for 2 further periods of 1 year on the basis detailed in the report.

Report Authorised by: David Hennings, Assistant Chief Executive (Strategy)



Contact Officer: Vinnett Pearcy
Operational Manager, Haringey Youth Offending Team

2nd Floor, 476 High Road, Tottenham
N17 9JF
0208 489 1124

4. Executive Summary

- 4.1. The Youth Justice Board for England and Wales requires all Youth Offending Services to provide The Intensive Supervision and Surveillance Programme for young people between the age of 10 – 17 years old
- 4.2. This report requests to award a contract for the provision of the Intensive Supervision and Surveillance Program.
- 4.3. The contract will be for the period of 1 year with the option to extend for 2 further periods of 1 year, the extension would be based on performance and continuation of funding arrangements.

5. Reasons for any change in policy or for new policy development (if applicable) N/A

6. Local Government (Access to Information) Act 1985

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6.1 List of background documents:

The following background documents were used in production of this report:

- TUPE

6.2 The Appendices 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/or

(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.

7. Background

- 7.1 The Youth Justice Board for England and Wales requires all Youth Offending Services to provide The Intensive Supervision and Surveillance Programme for young people between the age of 10 – 17 years old. The Youth Justice Boards (YJB) Intensive Supervision and Surveillance Programme (ISSP) was launched in 2001. The ISSP are the most rigorous non-custodial intervention available for young offenders. It combines intensive community-based surveillance and comprehensive and sustained focus on tackling the factors that contribute to the young person's offending.
- 7.2 The work of the Youth Offending Service and the ISSP Scheme supports the Safer Communities Strategy. It attempts to reduce the number of serious offences being committed in the borough and make Haringey a safer community to live and work in. The Scheme targets the most serious and persistent offenders in the three boroughs and works towards achieving the reduction in Robberies, Burglaries and Motor Vehicle Crime as part of the targets outlined in Haringey's Crime Strategy. All young people placed on ISSP complete community reparation in the borough to make a contribution to their locality and to highlight the impact that crime has on the borough and its residents.
- 7.3 The North London ISSP Scheme consists of Haringey, Enfield and Barnet YOT. A contract was awarded to YAP UK (via a tender process) for the period 01/09/02 – 31/03/05, the contract was extended for 1 year for the period 01/04/05 – 31/03/06.
- 7.4 Members have been asked to consider a separate report at this meeting which requests a further 3 month contract extension on the current contract with YAP UK for the reasons set out in that report.

8. Description

- 8.1 A market mapping exercise was carried out in 2005 which identified that there were only two (2) organisations that had the ability and experience of providing an ISSP service. The organisations were YAP UK Ltd and NACRO.
- 8.2 The waiver of CSO 6.4 (requirement to tender) as allowed under CSO 7.2 was agreed at Procurement Committee on 20th September 2005 to enable us to seek quotations from the two (2) existing organisations. See Appendix 4 - Waiver Report and Minutes of Committee meeting
- 8.3 On the basis of the results of the market mapping exercise a tendering exercise was undertaken in 2005 to award a new contract for the provision of the North London ISSP scheme.
- 8.4 Both organisations were invited to bid for the provision of the North London ISSP scheme. Both organisations submitted Tender bids.
- 8.5 The bids were evaluated by a panel of Council officers from the 3 relevant boroughs and officers from Haringey Council with specialist knowledge such as Health & Safety and Equal Opportunities.

8.6 As part of the evaluation process both organisations were also invited to give a presentation to the panel, demonstrating how they can deliver an ISSP scheme to meet the needs of the three (3) North London boroughs.

8.7 Maximum possible score is 1000.
(See Appendix 2 & 3)

8.8 Tender price
NACRO tendered the cheapest price. Bid prices are shown in Appendix 2.

8.9 YAP UK have provided the ISSP scheme for the past four years and have delivered an adequate service as per the Service specification. Over the last four years the scheme has developed the necessary infrastructure. However the scheme now needs to improve and deliver qualitative interventions which are focused on evidenced based practice and delivered by staff who are able to provide such interventions.

YAP UK's structure and recruitment policy does not lend itself to moving in the direction of the North London Consortium. They do provide ongoing training for their sessional advocates however this is at a basic level. Also they rely on the advocates to provide all core elements of the programme however this at times has been difficult to achieve due to lack of experience/professional training.

Nacro have fully trained staff in who have experience of delivering 1:1 interventions, group work which is all evidenced based and evaluated. They also use advocates however they focus on specific pieces of outreach work thus ensuring that the structured interventions are provided by staff who are trained to do so.

Of significant concern was the tender price that YAP UK submitted. For the past four years YAP UK have delivered the service according to the tender price with no issues highlighted about budgetary constraints or being unable to deliver the service within the budget. Clarification was sought from the National Director. YAP UK stated that the tender price reflected the fact that the programme was 4 years old and further funding for the programme was required. However further details were not provided about what areas of the service required further funding.

YAP UK have over the past 12 months experienced some staffing issues which has impacted upon their ability to fully respond to the needs of the YOS. The programme director has been responsible for delivering supervision to 16 advocates on a fortnightly basis, as well as delivering training and servicing three YOTS. As a consequence communication has been affected and the programme director has had to streamline her workload offered to the 3 YOTS. Whilst this is a temporary issue it has highlighted the need for increased communication across the scheme. NACRO have identified this as central to the delivery of the ISSP scheme and plan to base an ISSP worker in each of the YOTS to facilitate this.

An area of concern during the tender process was the lack of clarity about the YAP UK's equalities process and procedure. YAP UK have demonstrated in the past their commitment to meeting the needs of young people and ensuring that an equitable service is delivered. What has been particularly impressive about the programme is their recruitment of advocates from each of the boroughs to ensure

that they can be matched with the young people. However during the tender process they did not demonstrate wider equalities issues despite being advised that this needed to form part of their presentation.

8.10 Strengths of the YAP UK Ltd Tender Bid

- YAP UK is a registered charity set up in 2001.
- YAP UK Ltd is presently providing ISSP's to 3 London Borough Partnerships:
 - Camden, Islington, Hackney,
 - Tower Hamlets, Lambeth and Wandsworth
 - Haringey, Enfield, Barnet
- YAP UK service is based on the principle of a wrap around service that looks at the young persons needs in conjunction with input from their family and community.

8.11 Weaknesses of YAP UK Bid

- Tender price is not within the funding allocation given by the YJB. The cost per case was higher than the average and was not seen as providing value for money to the Council.
- Equalities was not sufficiently covered in their bid and in their presentation consideration was not given to the implications of meeting the diverse needs of the three London boroughs

8.12 Strengths of the NACRO Tender Bid

- NACRO's youth crime section has been operating for 16 years and has a strong organisational structure.
- Since 2001, NACRO has been the ISSP provider for the South East London consortium of Greenwich, Lewisham and Southwark
- The proposed service provision and their commitment to partnership working to ensure effective communication within the project and the YOT teams will enable better outcomes for users and more effective and timely intervention to users.
- Appreciation of the implications of meeting the diverse needs of each of the three boroughs.
- Reference stated that they were providing an excellent service.

8.13 Issues to be monitored to ensure the success of the service

A development plan will be issued stating timescales for the improvement and implementation of their Health & Safety policy and Equalities policy in line with the Council's requirement

8.14 Justification for the award of the contract to NACRO

- NACRO gained the higher score in the evaluation process.
- They provide value for money to the Council, their contract price is within the funding allocation provided by the YJB.
- Their method for provisioning the service was preferred by the Panel and it is believed that their delivery of the service will provide better outcomes for young offenders to help prevent re-offending.
- Their communication strategy with the three (3) YOTs will enable better partnership working and faster resolution of any arising problems.

- The local project would benefit from the experience of the NACRO providing youth crime services for the past 16 years and can also draw on the expertise within the national organisation.

8.15 Contract management

The contract will be monitored on a monthly basis in the first year and quarterly thereafter for the duration of the contract to ensure performance targets are met in accordance with the contract.

8.16 Additional information with regard to submissions is included at Appendix 2

9 Summary and Conclusions

9.1 The purpose of this report is to award a contract for the provision of the Intensive Supervision and Surveillance Programme (ISSP).

9.2 The Provider has the experience and knowledge of providing this service as set out in section 8 of this report, it would therefore be in the best interest of the Council to award the contract to NACRO.

9.3 It is intended to let a 1 year contract with an option to extend for 2 further period of 1 year, the extension would be based on performance and continuation of funding arrangements.

10 Recommendations

10.1 That Members agree to award the contract for the ISSP, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in this report.

10.2 That the contract be awarded for a period of 1 year with an option to extend for 2 further periods of 1 year on the basis detailed in the report.

11 Financial Implications

11.1 The funding for ISSP is provided by the Youth justice Board, capped figure for 2006-07 is £320,000. The tender price will be contained within the agreed funding allocation.

11.2 The funding formula is based on the Youth justice Boards baseline costing for the provision of a 6-month ISSP programme. Additionally the funding is associated with meeting the target number of starts set. The North London ISSP is set a target of 60 starts per year, which the scheme has been exceeding thus far.

12 Comments of the Director of Finance

12.1 Director of Finance notes that the proposed supplier provides best value for money, not only in financial terms but in terms of quality, experience & communication. It is noted that an extension to existing contract for a further 3 months has been requested to enable the new contractor time to get systems in place; Members should be happy that the cost of this will be contained within the ISSP funding provided by the Youth Justice Board.

13 Comments of the Head of Legal Services

- 13.1 A waiver of contract standing orders 11, the requirement to undertake a full tender process was obtained at the procurement committee of the 20th September 2005.
- 13.2 A limited procurement process has now been undertaken.
- 13.3 Because the value of the contract is in excess of £250,000 any award must be approved by Members in accordance with CSO 11.3.
- 13.4 The Head of Legal Services confirms that there is no legal reason preventing Members from approving the recommendation
- 13.5 TUPE comments
The successful tenderer and the current provider of the service have been informed that the Council considers that the award of this contract might constitute a relevant transfer for the purposes of the Transfer of Undertakings (Protection of Employment) Regulations 1981. In the circumstances both organisations will need to take appropriate advice concerning the requirements of TUPE for the employees affected by the transfer of the contract. In particular the current provider will need to give immediate consideration to its duty to consult its employees and any recognised trade unions.
- 13.6 The Council is not required to consult leaseholders under Section 20 of the Landlord and Tenant Act 1985 in relation to the recommendation contained at paragraph 3 of the report.

14 Comments of the Head of Corporate Procurement

The Head of procurement considers that the approach taken in the procurement of this service was the most appropriate due to the market conditions.

The service specification has developed as a result of robust monitoring of the existing contract has been structured to achieve value for money and improvement in performance. This approach is consistent with best practice.

The request for an extension of the existing contract with YAP to facilitate an orderly transfer between providers will minimise risk to service disruption and allow for the necessary TUPE arrangements to be made.

The service is being procured for three London boroughs and has strict monitoring arrangements in place to manage the quality of service provision and measure the individual and community benefits delivered.

15 Equalities Implications

- 15.1 The Providers will all operate a robust Equality Policy that complies with all relevant legislation and is reviewed on an annual basis.

15.2 The Council will monitor all equality consideration throughout the life of the contract.

16 Use of Appendices / Tables / Photographs

Appendix 1 - Intensive Supervision and Surveillance Programme (ISSP) Explained

Appendix 2 – Tender Submissions

Appendix 3 – Evaluation Scoring Table

Appendix 4 – Waiver Report and Minutes of Committee meeting

APPENDIX 1

Intensive Supervision and Surveillance Programme (ISSP) Explained

1.1 Intensive Supervision and Surveillance Programme (ISSP)

ISSP is the most rigorous non-custodial intervention available for young offenders. As its name suggests it combines unprecedented levels of community-based surveillance with a comprehensive and sustained focus on tackling the factors that contribute to the young person's offending behaviour. ISSP targets the most active repeat young offenders and those who commit the most serious crimes. ISSP is now operating across all of England and Wales. There are 74 ISSP schemes and the intervention is available in all 155 Youth Offending Teams (Yots).

Since the programme started in July 2001 up to the end of March 2004, 8,898 persistent young offenders have been referred to an ISSP. During 2003/04 alone there were 4,705 young people starting the ISSP. Responsibility for delivering ISSP rests with a dedicated team that works closely with your local Yot, or with a partnership of Yots in some instances. Most young people will spend six months on ISSP. The most intensive supervision (25 hours a week) lasts for the first three months of the programme. Following this the supervision continues at a reduced intensity (a minimum of five hours a week and weekend support) for a further three months. On completion of ISSP the young person will continue to be supervised for the remaining period of their order.

The North London ISSP Scheme consists of Haringey, Enfield and Barnet YOT and in total 30 places are available on the ISSP programme. Places were assigned to each YOT according to an assessment of need carried out by the Youth Justice Board based on the offending profile of each area. Haringey was allocated 14 spaces, Enfield 9 places and Barnet 7.

1.2 Who is ISSP for?

The Intensive Supervision and Surveillance Programme is targeted at two main groups of young offenders:

- (i) the small group of prolific young offenders (aged 10 to 17) who, Home Office research suggests, commit approximately a quarter of all offences committed by young people;
- (ii) those young people who are not prolific offenders, but who commit crimes of a very serious nature and who would benefit from early and intensive intervention.

ISSP is based on the best evidence as to what will reduce the frequency and seriousness of offending. It promises to bring structure to offenders' lifestyles. While systematically addressing the key risk factors contributing to their offending behaviour such as educational deficits, weaknesses in thinking skills or drug misuse. For serious offenders who do not meet the definition of persistence, it plans to address their behaviour before they become habitual and persistent offenders.

1.3 Who is eligible?

Young offenders are eligible for ISSP if they are appearing in court charged with or convicted of an offence and have previously:

- been charged, warned or convicted of offences committed on four or more separate dates within the last 12 months, and received at least one community or custodial penalty.

In addition, young offenders can also qualify for ISSP if they are at risk of custody because:

- the current charge or sentence relates to an offence which is sufficiently serious that an adult could be sentenced to 14 years or more, or
- they have a history of repeat offending on bail and are at risk of a secure remand under section 130 of the Criminal Justice and Police Act 2001.

However, not all the young offenders meeting these criteria will be suitable for such an intensive programme. Generally, Youth Offending Teams will only advise courts to consider the option in the context of a pre-sentence report (PSR) where:

- the young offender fits the criteria for ISSP;
- they are not considered to pose an unacceptable risk to the community if placed on ISSP;
- the current offence before the court is of sufficient gravity for the court to be considering a custodial sentence or remand, and
- there is a place available.

Youth Offending Teams will assess suitability, check there is the capacity to offer ISSP, and make a recommendation to the court. It is then for the courts to sentence (or make remand decisions) as they see fit.

1.4 Supervision

The supervision element of the programme has the following features:

- rigorous assessment of the offender's background, behaviour and needs;
- a minimum of 25 hours' carefully programmed contact time each week, for three months, with support during evenings and weekends;

-core elements covering:

- education and training (especially basic literacy and numeracy),
- interventions to tackle offending behaviour,
- reparation to victims and/or the community,
- assistance in developing interpersonal skills,
- family support;

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Flexibility to access support for individual problems, for example, homelessness, drug misuse or mental health problems.

1.5 Surveillance

A key element of the programme is community surveillance, which ensures that the offenders themselves are aware their behaviour is being closely monitored, and brings some structure to their often-chaotic lifestyles.

The surveillance element also helps demonstrate to the wider community that the behaviour of these young people is being tackled.

ISSP schemes will tailor individual packages of surveillance to the risks posed by each offender. Each scheme is using a mix of the following types of surveillance:

- Tracking - Staff maintain regular contact with the young offender throughout the week accompanying them to scheduled activities and appointments. Staff also provide support and advice and follow up any non-attendance.
- Tagging - The young offender is electronically monitored (for example to reinforce a night-time curfew if that is when they are most at risk of re-offending).
- Voice verification - The 'voice print' of the young offender is checked over the telephone at times specified in a contact schedule, to confirm that the young person is where he/she is supposed to be.
- Intelligence-led policing - The police can provide overt monitoring of the movements of these young offenders at key times to reinforce the programme, as well as share information with the ISSP staff in the Youth Offending Team. The minimum requirement is for two surveillance checks per day, but this can be increased to 24-hour monitoring.

1.6 Enforcement

Strict enforcement is key to making ISSP work and providing reassurance to the community. ISSP has been designed to ensure strict compliance. Once the young person is on the scheme non-compliance will be dealt with according to the Youth justice Board's National Standards. Fast track arrangements for ISSP schemes and their local youth court will be encouraged to ensure breaches are dealt with quickly.

Given that this is a difficult group of offenders and the programme will make strenuous demands of them, there will be failures. However, in considering breach proceedings, if the court feels that the structured approach of ISSP represents the most constructive option for engaging with the offender, it may feel it appropriate to allow them to continue on the programme