

## Central Bedfordshire Council

EXECUTIVE

9 January 2018

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### Recommissioning Continuing Support Services for Children

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**This report relates to a decision that is Key.**

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#### Purpose of this report

1. To present the recommissioning approach and Communication, Engagement and Consultation (CEC) Plan for endorsement.

#### RECOMMENDATIONS

The Executive is asked to:

1. endorse the recommissioning approach and champion the recommissioning process; and
2. approve the engagement approach set out in the CEC Plan.

#### Overview and Scrutiny Comments / Recommendations

2. The engagement approach will be presented to Overview and Scrutiny on 16 January 2018.

#### Background

3. A key element of the Children's Transformation Programme is to develop commissioned services that meet the identified needs of local families and children in the most cost-effective way. Intervention at the first sign of need is the best way to achieve good outcomes for children whilst achieving best value financially.

4. Currently, Children's Services commissions a number of support services for children, young people and families, but these are delivered separately and the same customers may receive several different services. We intend to implement a commissioning model consistent with the "one family, one worker, one plan" approach which sits at the heart of our transformation, and explore opportunities for greater connectivity – joining up work within the Directorate and across the Council's service offer.
5. We propose to review all services in scope and the outcomes they achieve for our residents to identify whether they can be recommissioned in a more joined up way.
6. This proposal will achieve better integration of support at a local level, resulting in the delivery of more effective and efficient support services and better outcomes for service users.

### **The proposed commissioning approach**

7. We propose to recommission a number of services jointly, in order to align services to drive improved outcomes and financial efficiencies.
8. This approach has been discussed in detail with colleagues from Procurement and LGSS. A competitive dialogue approach was proposed in order to offer more flexibility in determining the final service delivery model.
9. Procurement and LGSS were initially supportive of this approach. The LGSS response stated that tendering must begin by March 2018 and warned that this is a resource intensive approach.
10. Waivers would be needed to extend the current contract term of those services due to end in March and August 2018 to end in March 2019, in order to re-commission all contracts holistically and with a view to integrated, locality-based service delivery as envisioned by the Transformation plan.
11. Outcomes from the recommissioned contracts would need to be finalised before the Council could enter into competitive dialogue with providers.
12. Further discussion with corporate Communications highlighted that a public consultation on the final service model(s) would need to be undertaken before any procurement process began, but that the Communications team would be unable to support such a consultation until later in 2018.

13. As a result of this feedback, it is no longer possible to meet the statutory timescales for both public consultation and competitive dialogue in order to award contracts by December 2018 (ahead of contract commencement on 1<sup>st</sup> April 2019).
14. It is proposed to proceed with the contract waivers, but to conduct widespread stakeholder engagement early in 2018 to identify and agree the outcomes for the recommissioned services in the coming months.
15. This engagement will feed into public consultation on the different models and options for recommissioning, to help us understand how these outcomes can best be delivered.
16. The results of this consultation will in turn inform the specifications of the recommissioned services, to be tendered by a more standard procedure (above OJEU threshold) from June 2018.
17. This proposal offers the following benefits:
  - time to consult more widely with service users, providers and stakeholders, ensuring that services developed meet the identified needs and aspirations of customers;
  - opportunities for co-production with local delivery partnerships and customer forums;
  - the ability to consider all services at the same time to recommission in a more integrated way, including the ability to commission and deliver needs-led locality based services;
  - aligning outcomes and service delivery models with those of the new ELFT Community Health Service to achieve maximum benefits; and
  - achieve improved outcomes and meet financial efficiencies captured within the MTFP.
18. A number of contracts in scope can be extended for this period within their current terms and conditions; however, some will require a waiver. This may leave the Council open to challenge that tendering for these contracts is insufficiently competitive.

19. However, the proposals outlined in this report will allow for greater market engagement at an earlier stage of commissioning. This will ensure that providers are able to shape the new services and develop innovative solutions to meet local needs. Tenders will be published on InTend and all providers will have an equal opportunity to bid for contracts. The proposed extension period will support this process and allow sufficient time to secure these positive outcomes through recommissioning.
20. Due to the size and specialist nature of these contracts, re-commissioning activity should commence at least 12 months before the contracts end. Contract T&Cs state that providers will be informed of commissioning decisions a minimum of 3 months before contract end dates.
21. A Communication, Engagement and Consultation (CEC) Plan has been produced in line with good practice within the Council to support this project, and includes engagement with Members; children, young people and families and other partners and stakeholders.
22. The CEC Plan includes a formal public consultation (12 weeks), as recommissioning is likely to result in significant changes in the scope and reach of some of the services currently delivered, including many statutory services and services delivered by schools and the third sector.
23. It is recommended that the Executive endorse the commissioning approach outlined.

### **Governance and Consultation**

24. A Commissioning Project Board will be created as part of the Transformation Governance and will oversee this re-commissioning activity. This Board will include key stakeholders from within Children's Services (from Early Help/Children's Centres, SEND, Youth Support Services and Corporate Parenting), as well as partners from Public Health, Procurement, Communications, Assets, Leisure & Libraries and LGSS.
25. Further governance will take place through Children's Services Management Team and Transformation Board/Children's Leadership Board.
26. Schools Forum will be required to approve re-commissioned services funded through the Dedicated Schools Grant as outlined in **Appendix A**.

## **Reason/s for decision**

27. To ensure the Council meets its statutory obligation to deliver specific services to children, young people and families as outlined in 'Legal implications'.
28. Where services are not statutory, to support the objective of the Children's Transformation Programme and Children and Young People's Plan to help children, young people and families at an earlier stage of need by providing holistic, locality-based services. These services will achieve better outcomes for our residents and divert service users from high-cost, statutory services.

## **Council Priorities**

29. The plan for recommissioning supports the Council's priorities, in particular:
  - Delivering great residents' services
  - Improving education and skills
  - Protecting the vulnerable, promoting wellbeing.

## **Corporate Implications:**

### **Legal Implications**

30. A number of services included in this re-commissioning are statutory (see **Appendix A**). The re-commissioning approach will ensure that statutory provision is compliant and effectively provided.
31. This proposal will ensure statutory procurement timescales are met, especially when de-commissioning contracts.
32. This proposal also allows for the inclusion of a 12-week consultation on the proposed service scope and model to fulfil the Council's accountability and transparency duties, including COMPACT compliance.

### **Financial and Risk Implications**

33. This project will support the directorate to achieve the required MTFP efficiencies.
34. Potential legal challenge and reputational risks if commissioning and consultation processes and timescales are compressed.

35. Risk due to lack of capacity within the Children's Commissioning Service; this is currently under review and being addressed through recruitment processes.
36. Potential negative impact on outcomes, value for money and efficiencies if services are not re-commissioned in an integrated way as outlined in this report.

### **Equalities Implications**

37. An Equality Impact Assessment has been developed as part of the overall Transformation Programme – any additional information relating to equalities implications specific to this project will be considered alongside this Assessment.

### **Public Health Implications**

38. A number of services in scope include outcomes to improve the physical and mental/emotional health of children, young people and families. A focus on improved wellbeing will be central to recommissioning these services.

### **Community Safety Implications**

39. A number of services in scope include outcomes around safeguarding, and improving children's behavioural, educational and social development. This will have a positive impact on community safety by encouraging positive choices and behaviour.

### **Conclusion and next Steps**

40. Executive is asked to consider the proposal for recommissioning made in this report and endorse the approach.
41. If approval is made, the next steps are to begin engaging with service users, partners and the market to shape the outcomes for the recommissioned services, and identify elements of good practice and gaps in the local market.
42. At the same time, a robust data analysis will be carried out to identify areas of local need.

43. The results of this analysis, and of the consultation and engagement period, will be used to inform specifications for the recommissioned services, which will then be advertised for competitive tender. It is envisaged that contracts could be awarded by December 2018 (see **Appendix B**).

## **Appendices**

- Appendix A:** Services in scope for recommissioning  
**Appendix B:** Recommissioning timeline  
**Appendix C:** Communication, Engagement and Consultation (CEC) Plan

## **Background Papers**

The following background papers, not previously available to the public, were taken into account and are available on the Council's website:

## **None**

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