



**Cabinet**  
8 February 2016

**Report from the Director of  
Performance, Policy and Partnerships**

Wards Affected:  
ALL

**Authority to award contracts for Advice and Guidance  
Services Service in Brent**

**1.0 Summary**

- 1.1 In accordance with the Council's Contract Standing Order No 88 this report seeks Cabinet approval to award two separate contracts (**Contract 1:** Generalist and Specialist Legal Advice and **Contract 2:** Brent Advice Partnership) for the delivery of Advice and Guidance Services in Brent. Both contracts are for a period of three years with options to extend for two single years (3 + 1 + 1).
- 1.2 This report provides details of the services, the procurement process undertaken and, following the completion of the evaluation of the tenders, recommendation for award of the contracts.

**2.0 Recommendations**

- 2.1 That Cabinet approve the award of the contract for the delivery of Advice and Guidance Services in Brent: Generalist and Specialist Legal Advice to Brent Citizens Advice Bureau, effective from 1 April 2016, for an initial period of three (3) years with an option to extend the contracts for a further two (2) successive one (1) year periods.
- 2.2 That Cabinet approve the award of the contract for the delivery of Advice and Guidance Services in Brent: Brent Advice Partnership to Brent Citizens Advice Bureau, effective from 1 April 2016, for an initial period of three (3) years with an option to extend the contracts for a further two (2) successive one (1) year periods.

**3.0 Detail**

## ***Background***

- 3.1. Between May and October 2015 a project to develop a new delivery model for advice and guidance services in Brent was undertaken and completed. The project employed a council-wide approach with input from representatives of the Council's Adults Social Care Department, Children and Young People Department, Customer Services Team and Employment and Skills Team. Wider engagement was also commissioned to ensure that the views of partners and service users across the advice sector contributed to the development of the model. The new model was approved by CMT on 1 October 2015 and is outlined at Appendix 2.
- 3.2. On 16 November 2015 Cabinet gave approval for officers to invite tenders for contracts for local advice and guidance contracts in two separate lots to deliver the new model for advice and guidance.
- 3.3. The new model is designed to improve access to advice services, enable earlier intervention to limit escalation of problems and to deliver better outcomes for service users. This will be achieved through two separate but complimentary contracts.

### ***Contract 1: Generalist and Specialist Legal Advice***

- 3.4. This contract includes two main elements:
  1. The delivery of generalist legal advice through digital channels, email, phone and face-to-face;
  2. The delivery of specialist legal advice through digital channels, email, phone and face-to-face.
- 3.5. Both elements of this contract will be aligned through seamless client referral pathways and assessment routes, with a focus on minimising escalation of need, preventing recurrence of issues and promoting personal resilience.

### ***Contract 2: Brent Advice Partnership (BAP)***

- 3.6. This contract includes four main elements:
  1. The development, delivery and maintenance of a digital information and advice gateway, available on the internet and through self-serve terminals;
  2. Provision of face-to-face advice services within the community;
  3. The development and management of a community network of local advice agencies; and
  4. Ongoing development of new and innovative ways for Brent residents to access digital advice and guidance.
- 3.7. The services provided by both individual contracts are expected to work

closely together in delivering a holistic and coordinated approach for advice and guidance in Brent.

- 3.8. The current model for advice and guidance services in Brent is delivered through three separate contracts (at a total annual cost of £842,774). The contracts are for Generalist Legal Advice; Specialist Legal Advice; and Advice for Disabled and Elderly People.

### ***The tender process***

- 3.9. The opportunity was advertised using the Council's Electronic Tendering Facility (the London Tenders Portal) on 18 November 2015 using a single stage 'open' procedure, whereby Tenderers were invited to submit their tenders alongside their pre-qualification questionnaires. Tenderers were provided with an outline specification and details of the tender approach.
- 3.10. The Tenderer's financial viability and technical ability were evaluated using the pre-qualification questionnaires and the tenders of those who achieved a pass were then evaluated.
- 3.11. The tendering instructions stated that both of the contracts had a fixed price and that bids would be evaluated based solely on quality. This included the following criteria:
- Contract 1: Generalist and Specialist Legal Advice:
    - Approach to delivering generalist legal advice;
    - Approach to delivering specialist legal advice;
    - Inclusive access to services;
    - Alignment with core principals (free, independent, impartial, confidential, accessible);
    - Communication and promotion;
    - Current context awareness and expertise;
    - Data Protection; and
    - Social value
  - Contract 2: Brent Advice Partnership:
    - Establishment and delivery of a digital information and advice gateway;
    - Approach to face-to-face advice;
    - Development and management of a community network;
    - Innovation and efficiencies;
    - Alignment with design principles (consider individual needs, digital by design, tailored community-based services, coordinated and well connected, outcome focused);
    - Communication and promotion;
    - Current context awareness and expertise;
    - Data Protection; and
    - Social value

- 3.12. Tenderers were required to submit additional information providing details of their proposed arrangements for performing the contract. Individual method statements were submitted addressing each of the quality criteria listed in 3.11.

### ***Evaluation process***

- 3.13. The tender evaluation was carried out by a panel of officers from Council departments including Corporate Policy and Scrutiny, Partnerships, Adults Social Care and Customer Services. The evaluation panel was facilitated by the Senior Category Manager, Corporate Services.
- 3.14. All tenders had to be submitted electronically no later than 12 noon on 18 December 2015. Tenders were opened in the afternoon of 18 December 2015 and two valid tenders were received; one for each contract. The tenders were from the same organisation. The organisation successfully passed the pre-qualification questionnaire for each lot.
- 3.15. Each member of the evaluation panel read the tenders using evaluation sheets to note down their comments on how well each of the quality criteria was addressed.
- 3.16. The Tenderer for both contracts was invited to attend presentation and clarification meetings on 6 January 2016, where they presented their submission and the panel asked, and received answers to, some clarification questions. The panel met following the clarification meetings and each submission was marked by the whole panel against the award criteria.
- 3.17. The evaluation panel scores are contained in Appendix 1. As a single tender was received for each lot, and each of these met acceptable standards and was from the same tenderer, officers recommend the award of both contracts to that tenderer, namely Brent Citizens Advice Bureau (CAB).
- 3.18. It is proposed the contracts will commence on 1 April 2016.

## **4.0 Financial Implications**

- 4.1 The estimated value of the two contracts is £1,711,500 over three years (£2,714,629 if all extension options are applied), which includes a five per cent year on year reduction in value.

	Generalist and specialist legal advice	Brent Advice Partnership	Total
Year 1	£400,000	£200,000	£600,000
Year 2	£380,000	£190,000	£570,000
Year 3	£361,000	£180,500	£541,500
<b>Sub Total</b>	<b>£1,141,000</b>	<b>£570,500</b>	<b>£1,711,500</b>
Extension 1 (optional)	£342,950	£171,475	£514,425
Extension 2 (optional)	£325,803	£162,901	£488,704
<b>Total</b>	<b>£1,809,753</b>	<b>£904,876</b>	<b>£2,714,629</b>

- 4.2 The new model for advice and guidance also includes the administration of a small grants programme (by the provider of the Brent Advice Partnership contract) at an additional cost of £242,000 in the first year. The small grants programme includes a five per cent year on year reduction in value. This means that the total value of the grants programme will be £690,305 over three years (£1,094,900 if all extensions are applied).
- 4.3 All elements of the new model for advice and guidance – both of the contracts and the small grants programme – will be funded from the Voluntary Sector Initiative Fund (VSIF).
- 4.4 There is a £410,000 saving requirement from the VSIF to be implemented from April 2016. This saving was agreed as part of the Council's wider budget savings in February 2015. The new contracts will deliver £242,000 of this saving against current advice and guidance contracts arrangements. The remaining £168,000 saving will be realised from the grants element of the VSIF in 2016/17, outside of these contract arrangements.

## 5.0 Legal Implications

- 5.1 Local authorities are required to provide information and advice to their local residents where necessary, under the legislation and such duty are contained in the Health & Social Care Act 2012, Care Act 2014, Childcare Act 2006, Housing Act 1977, Housing Act 1996, Homelessness Act 2002, and other statutory provisions. They are required to provide an information and advice service that is accessible to everyone in the local population and the information and advice

provided must be proportionate to the needs of those for whom it is being provided. They are to provide independent financial advice where required.

- 5.2 Based on the value of both contracts over their lifetime as mentioned in paragraph 4.1 of this report, they are deemed High Value Contract as defined in the Council's Contract Standing Orders and Financial Regulation, and as such Cabinet approval is required to award the contract to Brent Citizens Advice Bureau.
- 5.3 The two contracts for provision of advice services are categorised as Schedule 3 services under the Public Contracts Regulations 2015 ("PCR 2015"). Both contracts are in excess of the relevant threshold for Schedule 3 services and thus the procurement and award of contracts are subject to relevant provisions of the PCR 2015. The procurement process undertaken by the Council is detailed in this report and complies with the procedural requirements of the PCR 2015.

## **6.0. Diversity Implications**

- 6.1. The provider will be required to comply with the provisions of the Equality Act 2010 and the Public Sector Equality Duty, and to adhere to the Council's Equality policies. The service specifications incorporate relevant Equality and Diversity requirements such as (non exhaustive list): service user monitoring by protected characteristics, tailored local provision (including for vulnerable and seldom heard groups), targeted communication and provision of translation / interpreting and alternative format services, responsive design of web platforms and service user forms that are also compatible with assistive technology, etc Equality and Diversity matters, reporting on service user take-up and satisfaction by protected characteristics, will be a permanent item on the agenda of contract monitoring meetings and these arrangements will be reviewed on a regular basis to ensure that everyone can access the advice services they need and that any additional provisions that may be required are put in place.
- 6.2. The new model for advice and guidance in Brent (that the two contracts will deliver) has been subject to a full Equalities Impact Assessment, which was viewed by Cabinet on 16 November 2015. It found that the new model will enhance the positive outcomes for existing and new service users across all protected characteristics, particularly for under-represented service user groups. The EIA acknowledged, however, that current service users aged 60 and over and/or with disabilities could be impacted by some of the changes that will be introduced by the model, such as the removal of specific funding for advice for disabled and elderly people and the stronger focus on digital services. The EIA concluded that the Council must therefore ensure that traditional channels of face-to-face contact remain open to older residents and those who cannot access digital services due to disability, language barriers, or socio-economic disadvantage.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

- 7.1 The advice services provided to Brent residents are currently provided by external service providers and there are no staffing implications for the Council arising from the new contracts.
- 7.2 New working arrangements resulting from colocation of provider and Council services will have implications for accommodation. The arrangements, which include colocation of provider staff for a minimum of 20hrs per week per contract, are expected to be contained within Brent Customer Service Centre. Appropriate property arrangements regarding occupation of Brent Customer Service Centre by provider staff are included in both contracts.
- 7.3. There are elements of the services, in particular of Lot 1, that are currently provided by external organisations other than Brent CAB. These same organisations will continue to provide some of these elements through the new contracts, acting as sub-contractors to Brent CAB. Therefore the current view is that TUPE is unlikely to apply, however, this is ultimately a matter between Brent CAB and their sub-contractors, and may depend on the precise details of Brent CAB's proposed delivery arrangements.

## **8.0 Public Services (Social Value) Act 2012**

- 8.1 The provider's proposals for initiatives that will deliver Social Value were evaluated as part of the tender, with 10% of the quality evaluation being allocated to this.

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## APPENDIX 1

### TENDER EVALUATION GRIDS

#### Lot 1: GENERALIST AND SPECIALIST LEGAL ADVICE CONTRACT

Criteria	Tenderer Score	Weighting	Weighted Score
Approach to delivering generalist legal advice	3	27%	20.25%
Approach to delivering specialist legal advice	3	27%	20.25%
Inclusive access to services	3	7%	5.25%
Core principles	3	5%	3.75%
Communication / promotion	2	7%	3.50%
Current context awareness and expertise: Expertise	4	6%	6.00%
Awareness and understanding	4	2%	2.00%
Keeping abreast and adapting	3	4%	3.00%
Data protection	3	5%	3.75%
Social Value:			
• People	2	5%	2.50%
• Business	2	3%	1.50%
• Environment	2	2%	1.00%
<b>Total Quality Score</b>			<b>72.75%</b>

## Lot 2: BRENT ADVICE PARTNERSHIP CONTRACT

Criteria	Tenderer Score	Weighting	Weighted Score
Establishment and delivery of a digital information and advice gateway: Approach	3	5%	3.75%
Ensuring high quality relevant advice	2	3%	1.50%
Maximising resolution at 1 <sup>st</sup> point of contact	3	7%	5.25%
Ensuring referral to best placed agency	3	5%	3.75%
Approach to face-to-face advice	3	12%	9.00%
Development and management of a community network: Approach	2	9%	4.50%
Connecting and coordination	3	4%	3.00%
Avoiding duplication, promoting early intervention	3	2%	1.50%
Innovation and efficiencies	2	7%	3.50%
Inclusive access to services	3	7%	5.25%
Design principles	3	5%	3.75%
Communication / promotion:			
Digital Gateway	3	5%	3.75%
Brent Community Network	3	5%	3.75%
Current context awareness and expertise:			
Expertise	4	4%	4.00%
Awareness and understanding	4	2%	2.00%
Keeping abreast and adapting	3	3%	2.75%
Data protection	3	5%	3.75%
Social Value:			
• People	2	5%	2.50%
• Business	2	3%	1.50%
• Environment	2	2%	1.00%
<b>Total Quality Score</b>			<b>69.75%</b>

The quality scoring for both lots was based on the following methodology:

Score	Criteria
0	No response
1	Poor or unsatisfactory response showing limited evidence of ability to meet requirement – omissions/weaknesses in key areas
2	Weak response suggesting there may be shortcomings of a less serious nature.
3	Good response suggesting the specification will be satisfactorily met in all relevant respects.
4	Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value.

## APPENDIX 2 NEW BRENT ADVICE AND GUIDANCE MODEL

**Generalist and specialist legal advice (Contract)** – This contract is for the delivery of both generalist and specialist legal advice delivered through a single service.

**Brent Advice Partnership (Contract)** – This contract is for a borough-wide advice partnership. The partnership will be responsible for the provision of a digital information and advice gateway, additional face-to-face provision and coordinating the wider advice network; Brent Community Network.

**Brent Community Network (Grant)** – The community network will connect local community and voluntary organisations which offer information, advice or guidance for the residents of Brent and coordinate provision across the borough. The organisations in this network are eligible to apply for grant funding of a total £242,000 available in Year 1, which will be administered by the Brent Advice Partnership. Small grants (up to the value of £10,000 per annum) will be awarded to successful applicants to provide tailored information, advice and guidance in the local community.

