



**Officer Key Decision  
26<sup>th</sup> February 2019**

**Report to the Strategic Director of  
Children and Young People**

**AUTHORITY TO AWARD A CONTRACT FOR A TARGETED SERVICE  
TO PROMOTE EDUCATION, EMPLOYMENT AND TRAINING FOR  
YOUNG PEOPLE (CONNEXIONS)**

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| <b>Wards Affected:</b>  | All  |
| <b>Key or Non-Key Decision:</b>   | Key Decision   |
| <b>Open or Part/Fully Exempt:</b><br><small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small> | Part Exempt – Appendix 1 of this report is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)". |
| <b>No. of Appendices:</b>   | Three: <ul style="list-style-type: none"> <li>• Appendix 1 Names of the tenderers</li> <li>• Appendix 2 Scores received by the tenderers</li> <li>• Appendix 3 Equalities Impact Assessment</li> </ul>   |
| <b>Background Paper:</b>  | One: <ul style="list-style-type: none"> <li>• Cabinet Report dated 15th October 2018</li> </ul>  |
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## **1.0 Purpose of the Report**

- 1.1 This report concerns the tender of a targeted service for Brent young people that promotes education, employment and training. This report requests authority to award a contract as required by Contract Standing Order 88. It summarises the process undertaken in tendering this contract and, following the completion of the evaluation of tenders received, the report recommends contract award.

## **2.0 Recommendation**

That the Strategic Director of Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care:

Approves the award of a contract for the provision of a Targeted Service to Promote Education, Employment and Training for Young People to Prospects Services for a period of three (3) years, with the option to extend for up to a further two (2) years.

## **3.0 Detail**

- 3.1 This service assists the council in meeting its statutory responsibilities. The Education and Skills Act 2008 places a duty on Local Authorities to secure sufficient suitable education and training provision for young people aged 16 to 19 years old and for those aged up to 25 years old with an Education, Health and Care Plan. Under the Education Act 2011 the Local Authority retains a duty to encourage, enable or assist young people's participation in education or training and is required to assist the most vulnerable young people and those at risk of disengaging with education or work. Local Authorities are also required to lead the September Guarantee process, through which young people are guaranteed a place in education, employment and training after school years 11 or 12.
- 3.2 The Local Authority also has a duty to track all young people's participation, and to identify young people who are not participating in education, employment or training. This information is recorded in the Client Caseload Information System (CCIS).
- 3.3 The service will ensure young people who are not in education, employment and training (NEET) aged 16-19 years old and aged up to 25 with an Education, Health and Care Plan receive relevant information, advice and guidance to support successful transition into post-16 education, employment and/or training. This includes those young people who are new to the borough and/or attending a specialist English Language provision, as well as young people attending out-of-borough Alternative Provision settings, who have been excluded from

mainstream school and are vulnerable to becoming NEET. In addition, the service will also deliver a targeted service to promote Education, Employment and Training (EET) to all vulnerable groups.

- 3.4 The service will operate an Information Advice and Guidance hub 5 days a week. In addition to this, 5 negotiated Access Points will operate across the Borough, with each one open at least once a week. The locations of the hub and access points will be agreed with the Local Authority during the mobilisation phase and will be developed during the contract life cycle. An 'App' and portal will enable young people to secure chat with their PA on-line.
- 3.5 The new contract will be for three (3) years with options to extend for up to a maximum of two (2) years.

### **The Tender Process**

- 3.6 A Prior Information Notice was issued on 28 September 2018 to inform the market of Brent's intention to tender the service.
- 3.7 Advertisements were placed in the Official Journal of the European Union (OJEU), the London Tenders Portal and Contract Finder on 26 October 2018 to seek initial expressions of interest, which elicited thirty-seven (37) initial enquires. Contractors were provided with an outline specification and details of the tender approach and were invited to complete a selection questionnaire using the Council's Electronic Tendering Facility. Two (2) contractors subsequently completed the questionnaire and ITT response.
- 3.8 Shortlisting was carried out on the basis of the contractors' financial viability and technical ability. Tenderers were also asked a number of service specific questions covering: equalities, health and safety, safeguarding, whistleblowing, DBS checks, the complaints and compliments procedure, business continuity plans, data protection and human rights. One (1) tenderer failed to meet the Council's minimum requirements. In accordance with the tendering instructions, the Council did not progress their evaluation.
- 3.9 The tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous offer with 40% of the points being awarded for Quality and 60% of the points being awarded for Price.
- 3.10 Tenderers were required to submit additional information providing details of their proposed arrangements for performing the contract including the following:

- Approach to the delivery of services

- Approach to contract mobilisation
- Approach to lever in additional funds to help reduce the Council's contribution

### **Evaluation process**

- 3.11 The tender evaluation was carried out by a panel of officers from Children and Young People, Procurement and Finance services.
- 3.12 All tenders had to be submitted electronically no later than 12:00 noon on 26 November 2018. Tenders were opened on 26 November 2018 and two (2) tenders were received. As indicated in paragraph 3.8, one tenderer failed to meet the Council's minimum requirements and the Council did not therefore progress the evaluation of this tender.
- 3.13 Each member of the evaluation panel carried out an initial evaluation of the remaining tender against the award criteria. The evaluation panel met on 10 December 2018 and the submission was jointly marked by the panel against the award criteria.
- 3.14 The names of the tenderers are contained in Appendix 1. The scores received by the valid tenderer are included in Appendix 2. It will be noted that the sole valid tenderer scored very well and officers were confident that it could provide the required services. Officers, therefore, recommend the award of the contract to Tenderer A, namely Prospects Services.
- 3.15 The contract will commence on 1 April 2019 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.4 below.

### **4.0 Financial Implications**

- 4.1 The estimated value of the contract is £3,411,951 over 5 years, for a 3 year contract with the option to extend by up to 2 years.
- 4.2 The value of the contract is approximately £682k per annum. The estimated cost of staffing and IT systems retained for contract monitoring and data collection is £145k. The total service cost is therefore £827k. The contract will be funded by the General Fund.

### **5.0 Legal Implications**

- 5.1 The estimated value of this contract over its lifetime is in excess of the EU threshold for Schedule 3 Services and the award of the contract is therefore governed by the Public Contracts Regulations 2015 (the "EU Regulations"). The award is subject to the Council's own Standing Orders in respect of High Value Contracts and Financial Regulations.

- 5.2 High Value Contracts are subject to Cabinet approval to award, but on the 15<sup>th</sup> October 2018, Cabinet delegated authority to award the contract to the Strategic Director of Children and Young People in consultation with the Lead Member for Children’s Safeguarding, Early Help and Social Care.
- 5.4 The Council must observe the EU Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the contract can be awarded. Therefore once the Strategic Director has determined which tenderer should be awarded the contract, all tenderers will be issued with written notification of the contract award decision. A minimum 10 calendar day standstill period will then be observed before the contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.
- 5.5 Prospects Services are the incumbent provider. The majority of staff delivering services will, therefore, continue to be employed by Prospects Services, although the Contract will involve the transfer of Council staff to Prospects Services. As a result, employees transferring to the new provider will be subject to the Transfer of Employment (Protection of Employment) Regulations 2006 (“TUPE”). Where Council employees transfer from the local authority to a new Service Provider, the Council is required to ensure that the transferring staff are provided with rights to acquire pension benefits that are the same as, broadly comparable to, or better than those that they had before the transfer. Prospects Services have confirmed that they will enter into an Admission Agreement with the Council allowing former local government employed staff to continue to access the Local Government Pension Scheme. In addition, Prospects have agreed to enter into a Risk Sharing Agreement with the Council.

## **6.0 Equality Implications**

- 6.1 An equality impact assessment (EIA) was undertaken on the proposal to re-procure this service and a copy of this is attached at Appendix 3. No adverse impacts were identified for any groups on the basis of protected characteristics. The proposal to award to Prospects Services has been subject to screening and officers believe that there are no equality implications.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Strategic Director of Children and Young People is required to consult with the Lead Member for Children and Young People as part of the award process.
- 7.2 Over the past year, young people, service users and other stakeholders, as well as Council staff who work with young people, have been consulted on potential changes to the Council's Connexions and Youth Services. This includes: Brent Youth Parliament, Care in Action and Care Leavers in Action; and focus groups with the Somali Youth group, young people in Harlesden and young people using the Roundwood Youth Service. Young people have also been consulted as part of the Council's Outcome Based Reviews related to Gangs and Young People on the Edge of Care.
- 7.3 During the consultation sessions, young people informed the Local Authority of the kind of support that would help young people to be EET. This included face to face advice and guidance, life skills programmes, including training on financial awareness and how to manage budgets, careers coaching and mentoring, support with looking for part-time jobs and training on employability skills. In addition, the Prospects Young People Forum provided feedback on the need for online resources, potentially through an 'App', and suggested the kind of information that could be included: confidence building, coping with stress and being let down, teen parent tips, the benefits of going to university and apprenticeships, the skills employers are looking for and revision tips. The specification for the new Targeted Service to Promote Education, Employment and Training for Young People has been informed by these views.
- 7.4 As this service affects all wards, there has not been a separate consultation with ward members.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 TUPE will apply in relation to the 4.0 FTE in-house Connexions Personal Advisors.
- 8.2 During year 1 of the contract until 31 March 2020, the hub service will be located at the Roundwood Youth Centre.

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

- 9.1 The Council is under a duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had

regard to considerations contained in the Social Value Act in relation to the procurement.

- 9.2 The contract will secure benefits in terms of economic, social aspects for Brent young people who are NEET. The new service will focus on vulnerable young people who are at risk of poor outcomes such as unemployment, poor physical and mental health, homelessness and criminal behaviours that impact their adult lives.

**Report sign off:**

***Nigel Chapman***

Operational Director Integration and Improved Outcomes