



## Officer Key Decision 11<sup>th</sup> July 2019

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

#### **AUTHORITY TO AWARD A CONTRACT FOR A TARGETED MENTAL HEALTH AND EMOTIONAL WELLBEING SERVICE FOR CHILDREN AND YOUNG PEOPLE IN IDENTIFIED VULNERABLE GROUPS**

<b>Wards Affected:</b>	ALL
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 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 Papers<sup>1</sup>:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	<p>Shirley Parks Head of Forward Planning, Performance and Partnerships Email: <a href="mailto:Shirley.parks@brent.gov.uk">Shirley.parks@brent.gov.uk</a> Tel: 0208 937 4529</p> <p>Brian Grady Operational Director Safeguarding, Partnerships &amp; Strategy Email: <a href="mailto:Brian.grady@brent.gov.uk">Brian.grady@brent.gov.uk</a> Tel: 020 937 4713</p>

## **1.0 Purpose of the Report**

- 1.1 This report concerns the tender of a Targeted Mental Health and Emotional Wellbeing Service for children and young people in identified vulnerable groups. 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 to whom the contract should be awarded.

## **2.0 Recommendation(s)**

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 Mental Health and Emotional Wellbeing Service for children and young people in identified vulnerable groups to The Anna Freud Centre for a period of one (1) year with the option to extend for up to a further one (1) year.

## **3.0 Detail**

- 3.1 Under the Children Act 2004, Section 10, local authorities are required to co-operate with others in promoting the wellbeing of children in the authority's area. Under Section 11 of the Children Act 2004 the local authority is required to have regard to the need to safeguard and promote the welfare of children whenever it carries out any act or makes any decision.
- 3.2 Statutory guidance for local authorities, Clinical Commissioning Groups (CCGs) and NHS England, March 2015, states that the corporate parenting responsibilities of local authorities include a duty (under section 22(3)(a) of the Children Act 1989) to safeguard and promote the emotional, mental health and physical welfare of the children they look after.
- 3.3 The new commissioned model will prototype a mental health and emotional wellbeing service supporting children and young people aged up to 18, within identified priority groups, or up to 25 for children and young people with Social Emotional Mental Health (SEMH) as a primary need identified in their SEND Support or Education, Health and Care Plan. The service will operate a central triage referral system for assessing need and then either referring children and young people to targeted emotional health and wellbeing clinical support or signposting to other services, according to assessed need.

- 3.4 The new targeted service will be preventative, aimed at the effective early targeting of help to vulnerable children and young people requiring mental health support to prevent escalation to specialist CAMHS services. The aim is to increase the number of children and young people appropriately accessing support.
- 3.5 The new Targeted Mental Health and Emotional Wellbeing Service will:
- provide advice and training for professionals working with children and young people;
  - be delivered by a range of qualified practitioners, who will work directly with children and young people; and
  - be an evidence-based intervention programme that will include assessment, diagnosis, and treatment through a range of short to medium term therapeutic interventions;
  - provide a range of therapeutic interventions, including psychosocial intervention, relapse prevention advice, cognitive behaviour therapy, coping and social skills training, motivational intervention, short-term family support interventions and art or drama therapy;
  - provide 2 thematic training opportunities for all Brent schools per academic year;
  - provide a telephone helpline for professionals, families and young people for queries, advice, information and signposting, during the hours of 9am and 6pm from Monday – Friday excluding bank holidays as part of the universal offer.
- 3.5 The new contract will be for one (1) year with an option to extend for up to a maximum of one (1) year.

### **The Tender Process**

- 3.6 Advertisements were placed in the Official Journal of the European Union (OJEU), the London Tenders Portal and Contracts Finder on 25 April 2019 to seek initial expressions of interest, which elicited fifty-six (56) initial enquires. Contractors were provided with an outline specification, 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.
- 3.7 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, data protection and human rights. Both contractors met the Council's requirements and their Quality, Price and Social Value submissions were opened.

- 3.8 The tendering instructions stated that the contract would be awarded on the basis of the Most Economically Advantageous Tender (MEAT) based on 50% Quality, 40% Price and 10% Social Value. The panel evaluated the tenders using the method statements set out at Appendix 2 that cover the following quality criteria:

- The organisation's relevant experience
- Approach to the delivery of services
- Approach to contract mobilisation

### **Evaluation process**

- 3.9 The tender evaluation was carried out by a panel of officers from Brent Council, two Parent carers (question 4 only) and one Young Person (question 4 only).
- 3.10 All tenders had to be submitted electronically no later than 12:00 noon on 28 May 2019. Tenders were opened on 28 May 2019 and two (2) valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.11 The panel met on 4 June 2019 and each submission was marked by the whole panel against the award criteria.
- 3.12 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Tenderer B was the highest scoring tenderer. Officers therefore recommend the award of the contract to Tenderer B, namely The Anna Freud Centre.
- 3.13 The contract will commence on 1 October 2019 subject to the Council's observation of a voluntary standstill period.

### **4.0 Financial Implications**

- 4.1 The estimated value of this contract is £559,685.87 over 2 years, for a 1 year contract with the option to extend by up to 1 year.

Year 1	Year 2
£277,829.64	£281,856.23

- 4.2 Part 3 of the Council's Constitution states that the Strategic Director of Children and Young People has delegated authority to approve the award of contracts for services / supplies valued at less than £2 million.
- 4.3 The estimated budget of this contract is £560k over 2 years, for a 1 year contract with the option to extend for a further year.
- 4.4 The contract value is approximately £280k per annum. The DSG will continue to provide a budget of £235k to Targeted Mental Health Services, and there is a General Fund Virtual School budget of £65k, so that the budget totals £300k in 2018/19. The total contract value of £280k therefore represents an estimated saving of £20k which will be realised on the General Fund.

## **5.0 Legal Implications**

- 5.1 Under the Public Contract Regulations 2015 ("the EU Regulations"), the proposed contract falls within the health, social and related services category listed in Schedule 3 of the EU Regulations ("Schedule 3 Services") that currently have a EU threshold set at £615,278.
- 5.2 The total value of this contract over its lifetime is £559,685.87. As such, the total value of the contract is below the EU threshold for Schedule 3 Services and therefore not subject to the full requirement of the EU Regulations though subject to the limited requirements of Part 8 of the EU Regulations including a requirement for contracts that have been awarded to be published on Contracts Finder.
- 5.3 The proposed contract is classified as a Medium Value Contract under the Council's Contract Standing Orders and Financial Regulations and therefore its award is subject to the Council's own Standing Orders in respect of Medium Value Contracts. The Strategic Director of Children and Young People has delegated power to award Medium Value Contracts in accordance with paragraph 9.5, of Part 3 of the Constitution.
- 5.4 The Council will observe a 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 The provider recommended for this award is one of the providers currently delivering the services included in this contract. However, there is one other provider also delivering the current service and as a result of the award, one employee working for the provider who is assigned to delivery of the services covered by this contract may be subject to transfer to the recommended provider pursuant to the Transfer of Employment (Protection of Employment) Regulations 2006 ("TUPE"). The TUPE process and any issues that may arise from it will be managed during the mobilisation phase, which will be overseen by the contract manager and the incoming provider.

## **6.0 Equality Implications**

- 6.1 The Strategic Director of Children and Young People is referred to the Equalities Impact Assessment at Appendix 3. The proposals in this report have 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 has consulted with the Lead Member for Children and Young People as part of the award process.
- 7.2 A co-production approach has been adopted with parents and carers to ensure that commissioned services meet the needs of children and families. There has also been consultation with looked after children through Care in Action. A parent/carer and a young person participated in the evaluation panel.

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

- 8.1 This service is currently provided by external contractors and there are no implications for Council staff arising from retendering the contract.

## **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 Social Value was 10% of the total evaluation score available in line with

the Councils social value guidance.

**Report sign off:**

**BRIAN GRADY**

Operational Director of  
Safeguarding, Partnerships and  
Strategy.