

	<p align="center">Officer Key Decision 13 April 2021</p>
	<p align="center">Report to the Strategic Director Children and Young People</p>
<p>Authority to tender contract for Family Wellbeing Centre support services starting 1 September 2021, for 3 years with the option to extend up to 2 years</p>	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1: FWC Service Specification
Background Papers¹:	None
Contact Officer(s): (Name, Title, Contact Details)	Sue Gates Head of Early Help Sue.Gates@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report concerns the tender procedure and timeline of services to support Family Wellbeing Centres. This report requests approval to invite tenders for one supplier to undertake all services in respect of a Crèche programme, Family Support Assistants, a Volunteer Coordinator/ programme and Early Years workers as required by Contract Standing Orders 88 and 89. The contract will commence 1 September 2021, for 3 years with the option to extend up to 2 years.
- 1.2 The Cabinet (October 2019) delegated authority to the Strategic Director CYP in consultation with the Lead Member for Safeguarding, Early Help and Social Care to tender and award the support services for FWCs.

¹ The background paper provided is the Cabinet report and supporting appendices regarding the decision to implement Family Hubs (now Family Wellbeing Centres).

2.0 Recommendation(s)

That the Strategic Director CYP in consultation with the Lead Member for Safeguarding, Early Help and Social Care:

- 2.1 Approves inviting tenders for Crèche services, Family Support Assistants, Volunteer Coordinator/ programme and Early Years workers on the basis of the pre-tender considerations set out in paragraph 3.13 of the report.
- 2.2 Approves Officers evaluating the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.13 of the report.

3.0 Detail

- 3.1 Family Wellbeing Centres (FWC) are at the heart of Brent's Early Help offer and are a priority in the Borough Plan (2019-23). Brent's eight FWC will provide an integrated 'whole family' service, bringing together core health visiting, school nursing, children's centre services and some parenting and family support services into a single service.
- 3.2 The FWC link to a number of Council wide strategic objectives and action plans including the Black Community action plan, Poverty Commission report, Inclusion strategy, Early Help Framework, Youth strategy (being developed at the time of writing), Young Carers and Digital inclusion. A multi-agency early intervention strategy is being developed for black British boys of Caribbean heritage, aged between 6 and 12, building on the FWC initiative.
- 3.3 A range of partner services are also delivered through each FWC, relevant to the needs of the local community. This includes midwifery services, early language support, youth provision, family support services, housing, adult education and employment services and others.
- 3.4 FWCs operate under a model of 'joint arrangements' (hybrid) with some core services being delivered in-house. This model was approved by Cabinet in October 2019 after considering best value considerations and includes the operational management of the FWC buildings and delivery of retained services (e.g. parenting programmes, family support and some services for 0-5 year olds and their parents). The tender relates **only** to parts of the services currently delivered by Barnardo's, a voluntary sector provider, that will not be delivered in-house. The current contract with Barnardo's finishes on 31 August 2021.
- 3.5 The FWC support services tender includes the employment and management of the roles, detailed in table 1, to achieve key tasks and outcomes. The services will be delivered in an integrated way as part of the 'whole' FWC service working across 6 FWC. The other 2 FWC, Fawood/ Curzon and Willow, have a different delivery model and are given a proportion of funding

based on deprivation criteria to provide similar services to align with their respective delivery models.

Table 1: Estimated spend by FWC support service

Service	(£)
Crèche Coordinator (x1 part time (0.5))	25k
Crèche provision	60k
Volunteer Coordinator (x1 full time) and programme	65k
FSA (x 6 FTE)	260k
EYFS workers (x6 FTE)	240k
TOTAL	650k

3.6 The estimated contract value to work across 6 FWCs is £650k per annum and proposed responsibilities for the roles to align with the FWC delivery model are included in the Service Specification included in appendix 1. The service provider will be represented in the governance structure at the FWC Operational Management Board.

3.7 Crèche provision - to enable the accessibility of parents participating in targeted parenting workshops and accredited parenting programmes, in summary the provider will make available:

- a high quality crèche provision and will operate as follows: a part time (0.5) crèche coordinator who will coordinate and deliver the provision across the FWC in the borough
- a bank of as and when crèche workers for the whole FWC service who will be managed by a crèche coordinator. These are to be employed under a flexible contract
- a lead crèche worker with minimum Level 3 or equivalent for each crèche that is delivered.

Further details are provided in the FWC service specification included in the appendix 1.

3.8 Volunteer programme - to support the FWC service by recruiting and developing a high quality bank of volunteers. In summary the provider will make available:

- One full-time volunteer coordinator who will coordinate the programme across 6 FWC
- each FWC to have a bank of volunteers who are actively volunteering in their chosen FWC
- recruitment, training and retention of volunteers.

Further details are provided in the FWC service specification included in the appendix 1.

- 3.9 FSA – to support the FWC by providing a general family support service. In summary the provider will make available:
- 6 FSA, 1 in each FWC
 - work closely with the triage officers to enable vulnerable families to access universal services that meet their needs.
 - complete outreach and home visits for vulnerable families who are not able to access FWC services
 - delivery of group work, such as parenting programmes etc.

Further details are provided in the FWC service specification included in the appendix 1.

- 3.10 EY workers - to support the FWC by providing an early years service focusing on children with additional needs and their families. In summary the provider will make available:
- 6 EY workers, 1 in each FWC
 - delivery of targeted intervention groups that the Early Help service has identified such as early learning.
 - work closely with the FSA to ensure there is seamless support for targeted vulnerable families for example, referring into Speech and Language services, other therapeutic or support services, etc
 - link closely with the Willow SEND centre to ensure families receive the appropriate support and are referred to the Under 5's Panel
 - delivery of group work, such as parenting programmes, Let's Talk, etc.

Further details are provided in the FWC service specification included in appendix 1.

- 3.11 The key priorities for the FWCs are:
- a) A reduction in referrals to higher level interventions.
 - b) Prevention of family breakdown resulting in entry to care.
 - c) Addressing the growing challenge of serious youth violence.
 - d) Building capacity in universal service so that they can support children earlier.
 - e) Successful delivery of the Healthy Child Programme (0-19).
 - f) To discharge statutory responsibilities with respect to children's centres.

- 3.12 The FWC had a soft launch in December 2020 and to facilitate the new delivery model there was:
- a) a reorganisation of the Early Help offer including the Family Solutions Teams
 - b) the contract with Barnardo's to manage and deliver the majority of the Children's Centres came to an end in November 2020 and responsibility for the buildings came back in-house, there were also a number of staff

that transferred pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) across to the Council

- c) Barnado's was awarded a 9 month contract to provide FWC support services starting 1 December 2020 and ending on 31 August 2021.

3.13 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Strategic Director.

Ref.	Requirement	Response	
(i)	The nature of the services	Crèche services, FSA, a Volunteer Coordinator/ programme and EY workers to support the FWC delivery model.	
(ii)	The estimated value.	Total estimated annual contract value of £650,000 per annum. Total estimated contract value of £3,250,000 over 5 years (3 plus 1 plus 1).	
(iii)	The contract term.	Three Years with an option to extend up to a maximum of Two years subject to satisfactory performance. The term of the contract will be dependent on funding being available.	
(iv)	The tender procedure to be adopted.	Open procedure	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	18 th April 2021
		Expressions of interest returned	20 th May 2021
		Shortlist drawn up in accordance with the Council's approved criteria	21 st May to 5 th June 2021
		Invite to tender	6 th to 9 th June 2021
		Deadline for tender submissions	20 th to 29 th June 2021
		Panel evaluation and shortlist for interview	28 th to 30 th June
		Interviews and contract decision	28 th to 30 th June

Ref.	Requirement	Response
		Report recommending Contract award circulated internally for comment 1 st July 2021
		Strategic Director approval of award 2 nd July 2021
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers 8 th to 18 th July 2021
		Contract Mobilisation 22 nd July – 31 August 2021
		Contract start date 1 st September 2021
(vi)	The evaluation criteria and process.	<ol style="list-style-type: none"> 1. At selection stage shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines by the use of a selection questionnaire to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise. 2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria: <ul style="list-style-type: none"> • The Tenderer's proposal to meet the requirements and outcomes as stated in the service specification. • The Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation. • The Tenderer's proposed approach to Social Value delivered through this contract. • Tenderer's proposed approach to contract mobilisation including TUPE. • The Tenderer's proposal for stakeholder engagement and partnership working. • The Tenderer's proposal on how their safeguarding policies will be applied to this

Ref.	Requirement	Response
		contract.
(vii)	Any business risks associated with entering the contract.	<p>The following business risks are considered to be associated with entering into the proposed contract:</p> <ul style="list-style-type: none"> • The awarded provider(s) performance may not meet expectations and the Council will be in contract for the three year duration. • There is going to be a period of significant change as the Council develop the new FWC delivery model. • This procurement will have TUPE issues with staff that have previously been transferred to the incumbent provider. <p>These risks will be mitigated by having a robust contract management procedure and mobilisation plan in place. The Terms and Conditions will include a break clause if performance was unsatisfactory and failed to improve after an agreed period.</p> <p>Financial Services, Legal Services and HR have been consulted concerning this contract.</p>
(viii)	The Council's Best Value duties.	The adoption of an open tendering process will enable the council to achieve best value.
(ix)	Consideration of Public Services (Social Value) Act 2012	See section 9 below.
(x)	Any staffing implications, including TUPE and pensions.	See section 8 below.
(xi)	Sustainability	Sustainability will be included in accordance with the Council's Sustainability Policy
(xii)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.

3.14 The Strategic Director is asked to give her approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

- 4.1 The estimated value of the FWC contract is £3,250,000 over 5 years (3 plus 1 plus 1).
- 4.2 It is anticipated that the cost of this contract will be funded from Core Funding and the Supporting Families grant.
- 4.3 It is anticipated that funding for the Supporting Families programme or its successor will continue post March 2022. If funding is reduced the service specification will be reviewed to ensure it fits within the financial envelope.
- 4.4 The term of the contract will be dependent on funding being available.

5.0 Legal Implications

- 5.1 The estimated value of the proposed contract is above the threshold for Services under the Public Procurement Regulations 2015 (the “PCR 2015”) and the procurement is therefore governed by the PCR 2015. The services do however fall within Schedule 3 of the PCR 2015 and are therefore not subject to their full requirements of the PCR 2015 and therefore for example, the time limits for responding to adverts etc. may be less than that set out in the PCR for non-Schedule 3 services subject to such time limits being reasonable and proportionate.
- 5.2 The procurement is subject to the Council’s own Standing Orders and Financial Regulations in respect of High Value Contracts given the Council’s element of the procurement is valued at £650k per annum giving a total estimated contract sum of £3,250,000 over 5 years. For High Value Contracts Cabinet approval of the pre-tender considerations set out in paragraph 3.13 above (Standing Order 89) and the inviting of tenders (Standing Order 88) is generally required but Cabinet in October 2019 delegated authority to the Strategic Director Children & Young People in consultation with the Lead Member for Safeguarding, Early Help and Social Care to tender and award some specific services to be delivered from FWCs as detailed in Appendix 4 of that report. The Services the subject of this report are those detailed in Appendix 1 and therefore the Strategic Director Children and Young People has delegated authority to approve the pre-tender considerations set out in paragraph 3.13 and the inviting of tenders.
- 5.3 Once the tendering process is undertaken, Officers will report back to the Strategic Director in accordance with Cabinet’s delegations, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 As this procurement is above the threshold for application of the PCR 2015, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council’s decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period

provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

- 5.5 Some staff will be eligible to transfer to the new provider pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006. Further information regarding this is contained in Section 8.

6.0 Equality Implications

6.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

6.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

6.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. The Strategic Director is referred to the contents of this report for information, in particular the Equality Analysis from the Equality Impact Assessment, Appendix 6 from the Cabinet report.

7.0 Consultation with Ward Members and Stakeholders

7.1 The Strategic Director has discussed the procedure with the Lead Member for Safeguarding, Early Help and Social Care. The Lead Member has discussed the FWC project with the Leader of the Council, Cabinet members and with senior officers.

8.0 Human Resources/ Property Implications

8.1 This services the subject of this report are currently provided under a contract by Barnardo's and TUPE will apply. There will be additional implications to consider for 9 staff that previously transferred from the Council to Barnardo's

when they were awarded the contract for the management and delivery of Children's Centres services in 2015 and are still employed by Barnardo's as part of the current contract.

- 8.2 TUPE does not set out a minimum prescribed time limit for consultation, but rather requires that this occurs "in good time" (Article 7) before the transfer date, to facilitate meaningful consultation over any proposed measures that will apply to transferring employees. Another issue that will need to be carefully considered if Council employees are transferring organisations is that of pension protection. The Council is obliged, under Best Value Authorities Staff Transfers (Pension) Direction 2007 to ensure that the new employer continues to provide transferring employees with access to LGPS or a "broadly comparable pension".
- 8.3 A property license to deliver services from the FWC will be granted to the successful service provider.

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under 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 services under the proposed contract have as their primary aim the improvement of the social wellbeing in Brent. In procuring the services and in accordance with the council's Social Value Policy, 10% of the total evaluation criteria will be reserved for social value considerations.

Related Documents

Family Hubs Cabinet Report and Appendices Oct 2019

Report sign off:

OPERATIONAL DIRECTOR INTEGRATION AND IMPROVED OUTCOMES

Nigel Chapman