	<b>Decision for Cabinet Member for Children, Young People and Schools</b>
	<b>Report from the Corporate Director, Children and Young People</b>
<b>Approval to waive Contract Standing Orders to permit procurement of a contract for a Targeted Early Intervention Service for children in Brent Schools through a direct award</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Non-Key Decision
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	One Appendix 1 – Equality Impact Assessment
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	Tenidola Awoyemi Head of Early Help <a href="mailto:Tenidola.awoyemi@brent.gov.uk">Tenidola.awoyemi@brent.gov.uk</a>  Shazia Akram (She/Her) Head of Forward Planning, Performance and Partnerships <a href="mailto:shazia.akram@brent.gov.uk">shazia.akram@brent.gov.uk</a>

## 1. Purpose of the Report

- 1.1. This report concerns the procurement of a contract for a Targeted Early Intervention Service for Children in Brent schools.
- 1.2. The purpose of this report is to seek Cabinet Member approval to waive Contract Standing Orders to enable a direct award of a contract for a Targeted Early Intervention Service for Children in Brent schools to be made to the West London Zone. The case for direct award, as opposed to a full tender process, is set out in the detail below.

## 2.0 Recommendation(s)

That the Cabinet Member for Children, Young People and Schools, having consulted with the Leader:

- 2.1. Approves an exemption pursuant to Contract Standing Order 84(a) of the requirement to tender a contract for a Targeted Early Intervention Service for Children in Brent schools for a period of 3 years from 1 August 2023 to 31 July 2026 in accordance with paragraph 13 of Part 3 of the Constitution.

### 3.0 Detail

#### Current Delivery

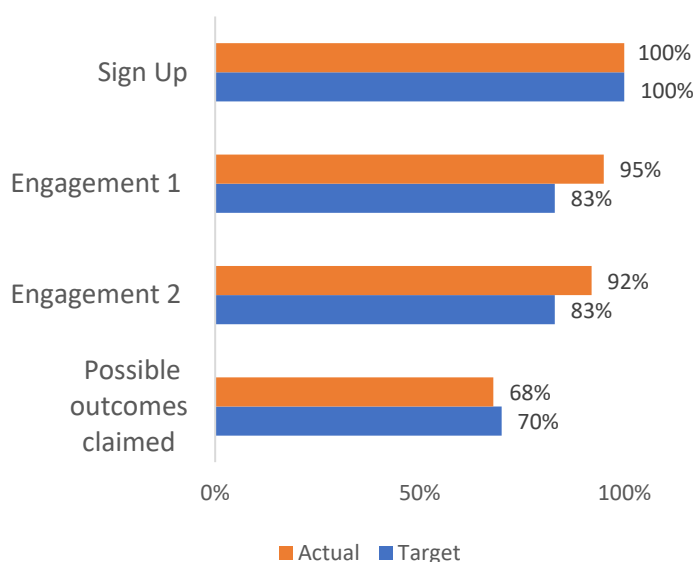
- 3.1 The Council currently has a contract with West London Zone for an Early Intervention Service in Brent that focuses on children receiving SEN support with the objective to have a positive long-term impact on outcomes for children and young people with presenting needs within the Borough.
- 3.2 The contract was set up as a prototype in the first two years of the contract following the 2017 SEND Inspection which identified that progress made by middle-attaining children and young people who were on the Special Education Needs (SEN) support register in schools was less than that of all those nationally with similar starting points in 2016. The current contract term is for five years (2 + 3 years) from 1 August 2019 until 31 July 2024. Following a review of the contract to assess impact and outcomes after 2 years of programme delivery, officers recommended continuation of the contract for the remaining 3-year period as the programme was successfully meeting the needs of the targeted group of children and young people.
- 3.3 The WLZ is a registered charity whose aim is to improve educational outcomes for children and young people aged 3-18 within the geographical area of West London. As a charity, the WLZ brings in additional resources into its programmes through philanthropic donations and other funding sources as available, such as through the Big Lottery Life Chances Fund. The WLZ collaborates with schools to identify those children who might benefit most from their support, combining data analysis with the school's knowledge about each individual child. A personalised support programme is created for each child over a 2-year period, tailored to their needs. Interventions in the current contract are linked to the following outcomes for children and young people:
- Good mental wellbeing
  - Good physical health
  - Good progress and attainment
  - Positive relationships
  - Confidence and aspiration
- 3.4 Since the start of the current contract, nearly 598 children and young people have participated (or are participating) in the targeted early intervention service, which focuses on a holistic, strengths-based approach to essential areas of development, such as social and emotional wellbeing, attainment and engagement with school.

**Table 1: Current participating schools**

Brent schools participating in WLZ		Started
Ark Franklin Primary Academy	Primary	2019/20
Newman Catholic College	Secondary	
St Andrew and St Francis CofE Primary School	Primary	
Capital City Academy	Secondary	2020/21
Brentfield Primary School	Primary	2021/22

Donnington Primary School		2022/23
Lyon Park Primary School		
Mitchell Brook Primary School		
Salisbury Primary School		
Newfield Primary School		
Preston Manor High School	Secondary	
Queens Park Community School	Secondary	

3.5 The WLZ has met or exceeded targets set out in the original contract, with 94% of children/young people engaging with their support and the majority improving their attainment. However, due to fact that The WLZ is a two-year programme, only two cohorts to date (starting in 2019 and 2020) have reported outcomes, and both were affected by the pandemic. The payment-by-results contract with Brent allowed the WLZ to flex their delivery to continue supporting children and young people during the pandemic. The chart below demonstrates engagement activity:



Some key highlights to note are:

- To date, on average a child starting The WLZ programme meets four risks out of seven measured
- 80% of the children are no longer at risk in emotional wellbeing
- 87% of the children are no longer at risk in their peer relationships
- 70% improved their English grades
- 55% improved their Mathematics grades.

### Proposed Delivery

3.6 A new contract with WLZ is proposed that would commence on 1 August 2023 for 3 years until 31 July 2026 with a total maximum financial contribution from the Council of £300k over 3 years. Added to this, the WLZ anticipates leveraging in resources and funding that equate to an additional £2,716,000 of funding from philanthropic sources, as well as school contributions. This funding would support 2 cohorts of children over 3 years (see Table 2 below). The aim is to have supported over a 1,000 children and young people in Brent by 2026, working in close partnership with the LA and schools.

- 3.7 This report recommends that the Corporate Director, Children and Young People approves the direct award of the Contract to West London Zone for the following reasons:
- The WLZ has secured an additional £2,716,000 to support the service, subject to progressing to contract with Brent, which would be lost to the Local Authority if a new service is not implemented by September 2023. This provides a unique opportunity for Brent children that would not be available from other local voluntary sector organisations.
  - The WLZ has experience of developing a strong network of “delivery partners”, drawing on philanthropists and voluntary sector providers, able to respond to the wide needs of children and young people, whilst being mindful not to duplicate existing services.
  - A direct award to the WLZ would enable the continuation of the service from September 2023. The WLZ has built strong foundations over the past three and half year’s delivery, working with Brent’s schools.
  - The WLZ is an experienced provider in this field and has operated the Collective Impact Bond funding model in the boroughs of Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea since 2016 and has delivered positive outcomes in Brent since 2019, leveraging in additional funding during current delivery.
  - The WLZ have co-designed the Brent operating model with schools and officers to ensure it meets local need.
- 3.8 The services will be similar to the current delivery model with the WLZ working with identified children in identified schools, each of which would be required to contribute financially to the service. Each child will be allocated a link worker employed by The WLZ but based in schools, who adopts a whole family approach by working in partnership with the parent/carers, to devise personalised goals and an individually tailored package of support for each child from the WLZ partnership of local third sector agencies and social enterprise organisations. The support packages can include tutoring, nutrition mentoring, 1:1 and group therapy, sports clubs and parent/child courses. The link worker provides ongoing positive reinforcement to the child, maintains parental involvement, and works hands-on to make sure the support is as effective as it can be for each child. Behind the scenes, the WLZ ‘backbone’ team organises the partnership, manages finance and analyses the data collected by frontline staff.
- 3.9 The new contract will sit within the Early Help Service of the Children and Young People Department. The children who will be the focus of the new contract will be children who are generally below thresholds for statutory support, but who are at risk of developing more serious and urgent problems when their needs across a range of areas are considered together. The cohort could include children who are at risk of being excluded from school, young people who are at risk of becoming NEET (not in education, employment, or training), young people with mental health and wellbeing issues who currently do not meet the threshold for higher-level mental health interventions and young people at risk or entering the youth justice system. The new WLZ contract will aim to prevent escalation to higher tier services such as Early Help or Children’s Services by identifying and supporting children early. As such it is an invest to save approach.
- 3.10 The WLZ will collaborate with schools and the LA to proactively identify children/young people for participation in the service. There is currently an alignment between the profile of children/young people who are or who have previously been known to Early Help and those who the WLZ has identified for support. It is recognised that in many cases, those

'stepping down' from Early Help could benefit from additional support to prevent re-escalation and get them on a more positive pathway. Therefore, Early Help will be recommending up to five children/young people per school for participation in the new WLZ programme.

- 3.11 To better capture the long-term impact of the programme, a range of additional indicators will be tracked, in addition to the data already provided on positive progress made, to understand how the service is preventing high-cost areas for the Council, e.g. Early Help status, EHCP referral and assessment and fixed-term and/or permanent exclusions. This may require the sharing of Brent-held data, for which a data sharing agreement would be put in place.
- 3.12 The service would be contracted on a payment by results model, with the long-term payment arrangements contingent upon certain agreed outcomes being met for each child. Link workers would continuously collect and review data on each child to ensure that the children are supported in the right way. Their progress will be monitored quarterly, and outcomes are fed back to the school and the parents, as well as the local authority, as is the case with the current contract.
- 3.13 The contract will run consecutively between the current contract ending in July 2024 and the new contract starting 1 August 2023, while the final cohort (4) under the current contract complete the 2-year programme. Final payment on the current contract is due in October 2023. The new contract will commence 1 August 2023 and first payment for new contract which will be due in April 2024 will be based on sign ups.
- 3.14 Table 2 provides a comparison summary between the current and new contract.

**Table 2: Comparison with current contract: key numbers**

	Current contract	Actual delivery (inc. CYP delivered to over contract volume)	Contract from August 23
<b>CYP – Overall*</b>	450	598	<b>500</b>
<b>CYP – average worked with per annum</b>	180	240	<b>333</b>
<b>Schools</b>	9	12	<b>14 (likely)</b>
<b>LA contract value</b>	£612,000	£612,000	<b>£300,000</b>
<b>Contract length</b>	4 cohorts, 5 years	4 cohorts, 5 years	<b>2 cohorts, 3 years</b>
<b>LA price per child</b>	£1,360	£1,023	<b>£600</b>
<b>LA avg. annual contribution</b>	£122,400	£122,400	<b>£100,000</b>
<b>Additional funding leveraged</b>	£2,440,000	£3,460,000	<b>£2,715,939</b>
<b>LA contribution to overall WLZ cost %</b>	20%	15%	<b>10%</b>

#### 4.0 Financial Implications

- 4.1 The estimated value of this three-year contract is, £0.3m from 1 August 2023 to 31 July 2026 equating to £0.1m per annum based on an academic year.

4.2 The department currently has a budget of £0.124m per annum to fund the existing WLZ contract which is due to end in July 2024. It is expected that the payment for the new contract will commence in 2024/25 and the current WLZ contract can be diverted to fund the new contract going forward. The ongoing saving expected on the new contract of £24,000 will go towards the savings target the CYP department is expected to deliver in 2024/25.

## **5.0 Legal Implications**

5.1 In accordance with paragraph 13 of Part 3 of Brent's Constitution, the Leader has delegated certain functions to Cabinet members to be exercised within their portfolio area in consultation with the Leader. This delegation includes agreement of waivers of Contract Standing Orders for Medium and High Value Contracts.

5.2 The Services that officers are proposing to procure are valued at £300k over the contract term and the proposed contract is thus classified as a Medium Value Contract under Contract Standing Orders. Contract Standing Orders provide that a Medium Value Contract should be procured by way of a tender process but for the reasons detailed in the body of the report, Officers do not consider it is possible to procure the contract by way of a tender process.

5.3 The value that the officers are proposing to procure is below the Public Contracts Regulations 2015 threshold of £663,540 for Schedule 3 services. In the circumstances, should the Council award a contract directly, there is not considered to be a breach of domestic law or the Council's own procedures

5.4 In reaching any decision to waive Contract Standing Orders, the Cabinet Member in consultation with the Leader should have regard to the reasons officers have set out in Section 3 of the report.

## **6.0 Equality Implications**

6.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

6.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.3 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.

6.4 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.

6.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

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

7.1 A range of internal and external stakeholders have been consulted to review current contract to help inform developments and future delivery. This includes Brent primary and secondary schools, Brent Council Inclusion Service, Brent Council Brent Early Help team, that includes the Hub Managers, Head of Inclusion and Head of Early Help, Corporate Director and Director, Children and Young People Department.

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

8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from the procurement of the contract

## **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.

**Report sign off:**

***Nigel Chapman***

Corporate Director, Children and Young People