

	Cabinet Member Key Decision 11 January 2024
	Report from the Corporate Director of Children and Young People
	Lead Cabinet Member for Children, Young People and Schools
Approval to award a contract for provision of a targeted service that promotes education, employment, and training for young people in accordance with paragraph 13 of part 3 of the constitution.	

Wards Affected:	All
Key or Non-Key Decision:	Key
Part Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 and 3 are 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)”
No. of Appendices:	Appendix 1 - Names of tenderers Appendix 2 – Tenderer’s scores Appendix 3 – Social value commitments Appendix 4 – EIA (separate document)
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Shirley Parks Director of Education, Partnerships and Strategy Shirley.parks@brent.gov.uk Michelle Gwyther Head of Forward Planning, Performance and Partnerships Michelle.Gwyther@brent.gov.uk

1.0 Executive Summary

- 1.1 This report requests individual Cabinet Member approval to award a contract for the provision of a targeted service that promotes education, employment and training for young people to Prospects Services Ltd for 5 years (3 years with the option to extend by 2 x 12-month extensions) from 1 April 2024 to 31 March 2029 in accordance with paragraph 13 of Part 3 of the Constitution.

2.0 Recommendation(s)

That the Cabinet Member for Children, Young People and Schools in consultation with the Leader:

- 2.1 Approves the award of contract to Prospects Services Ltd for the provision of a targeted service that promotes education, employment and training for young people for 5 years (3 years with the option to extend by 2 x 12-month extensions) from 1 April 2024 to 31 March 2029 at a total contract value of £2,698,527.50. in accordance with paragraph 13 of Part 3 of the Constitution.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The proposals in this report contribute to the following Borough Plan Priorities:

Strategic Priority 1 – Prosperity and Stability in Brent.

The proposed services will support young people to secure suitable education, employment and training (EET) opportunities, and reduce the number of young people not in education, employment and training (NEET).

Strategic Priority 3 – Thriving Communities.

The proposed services social value commitments will contribute to delivering volunteer opportunities and apprenticeship opportunities. The proposed service will support young people to achieve well and to have opportunities to change their lives for the better.

Strategic priority 4 – The Best Start in Life.

The proposed services will assist the most vulnerable young people and those at risk of disengaging from education or work, by ensuring young people who are not in education, employment and training (NEET), aged 16-17 years old and up to 25 with an Education, Health and Care Plan, receive relevant information, advice and guidance in order to be supported to a successful transition into post-16 education, employment and/or training.

- 3.2 In the tender, officers developed specific KPIs which will form part of the contract to ensure it contributes to the Council's strategic priorities. Please see Appendix 3 for specific social value commitments of which the Council will seek delivery as a contractual requirement.
- 3.3 The development of the proposed service has also been informed by the SEND Strategy 2021-25, the Youth Strategy 2021-23, the Brent Black Community Action Plan 2020 (priorities under skills and enterprise, employment and early intervention and the Brent Poverty Commission Report 2020 (under improving local earnings). All of these have provided useful insights into the services required for young people to have access to suitable education, employment and training opportunities in order to make a successful transition into adulthood.

Background

- 3.4 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 and for those aged up to 25 with an Education, Health and Care Plan.
- 3.5 Under the Education Act 2011 the Local Authority retains a duty to encourage, enable and/or assist young people's participation in education or training. The local authority 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 year 11 or 12.
- 3.6 The Local Authority also has a duty to track all young people's participation and regularly report on their current activity to identify young people who are not participating in education, employment or training. The DfE guidance and advice to local authorities around Raising Participation Age refers to the local authority's statutory responsibility to promote participation and support young people aged 16 and 17 into education and training. This promotion and support is measured through the DfE 3 month LA scorecard on NEET (Not in Education, Employment and Training) and not known performance.
- 3.7 The impact of time not spent in education, employment or training for young people can have a detrimental effect on their physical and mental wellbeing. It also increases the likelihood of significant periods of time of unemployment and engaging in lower paid work which will have a detrimental impact on their social mobility over their lifetime.
- 3.8 The new commissioned service will deliver a full tracking service to meet the Local Authority's statutory responsibilities and duties as outlined in paragraphs 3.3 to 3.5, to ensure young people who are not in education, employment and training (NEET), aged 16-17 years old and up to 25 with an Education, Health and Care Plan, receive relevant information, advice and guidance in order to be supported to a successful transition into post 16 education, employment and/or training.
- 3.9 In addition, the service will also deliver an intensive targeted service to promote Education, Employment and Training (EET) to vulnerable groups. The service will focus on complex targeted case work supporting young people who present with multiple barriers to progressing into employment, education or training in order to improve their access to education, training and employment and support a successful transition into adulthood and independence. This will involve working the Youth Offending Service (YOS), Brent Virtual School, LAC and Permanency Teams and the Inclusion Service to identify and facilitate work with vulnerable young people.
- 3.10 The service will contribute to the following key outcomes:
- An increase in the proportion of vulnerable young people (SEND, Looked After Children, Care Leavers, young people known to the YOS and young people with mental health needs/substance misuse) who successfully participate in education or training opportunities beyond the end of Year 11.
 - A parallel reduction in the number and proportion of young people who are NEET, or who remain NEET if they leave a provision early.

4.0 The tender process

- 4.1 The required service was categorised under Schedule 3 of the Public Contracts Regulations 2015 and the value of the service exceeded the Light Touch regime threshold of £663,540.
- 4.2 The Council advertised the opportunity on the Find a Tender service, the London Tenders Portal and Contracts Finder on 10 October 2023. Bidders were provided with a specification and details of the tender approach, and were invited to complete a selection questionnaire, quality, social value and pricing proposals using the Council's Electronic Tendering Facility.
- 4.3 The tendering instructions stated the contract would be awarded on the basis of the most economically advantageous offer to the Council and in evaluating tenders, the Council would have regard to the following:

Criteria	Weighting
Mobilisation	7.5%
Service delivery	20%
Quality assurance and management	12.5%
Social value	10%
Price	50%
Total	100%

5.0 The evaluation process

- 5.1. All tenders had to be submitted electronically no later than 20 November 2023, and nine valid tenders were received. The top three ranking bidders were shortlisted on the basis of technical ability, financial resources, business eligibility and experience to be taken forward to have their tender evaluated on the above award criteria.
- 5.2. 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. The tender evaluation was carried out by a panel of officers from Children and Young People, an officer from West London Partnership Support Unit and moderated by Procurement.
- 5.3 The panel met on 7 – 8 December 2023 for moderation and the submissions were marked by the whole panel against the award criteria to reach a consensus score. A Care Leaver nominated by the CYP participation team was also involved in evaluating a specific question.
- 5.4 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It must be noted Tenderer 7 was the highest scoring tenderer.
- 5.5. Officers therefore recommend the award of the contract to Tenderer 7, namely Prospects Services Ltd. The submission received was of good quality, with the bidder being the only supplier to meet the required quality threshold. The successful tenderer is also the incumbent provider for the service.

5.6 The contract will commence on 1 April 2024 subject to approval of the recommendation to award and the Council's observation of the requirements of the call-in period noted in paragraph 8.3 below.

5.7 The individual Cabinet Member for Children, Young People and Schools is asked to give her approval to the award of the contract in consultation with the Leader as set out in the recommendation and in accordance with the Constitution.

6.0 Stakeholder and ward member consultation and engagement

6.1 The individual Cabinet member is required to consult the Leader in respect of this contract.

6.2 As this service affects all wards, there has not been separate consultation with ward members. Consultation has been undertaken with internal stakeholders including a variety of Children and Young People service areas and the Council's Employment, Skills and Enterprise services to identify any gaps in current service provision.

6.3 The Brent Local Offer is regularly reviewed with the Parent Carer Forum on the suitability of presentation, content and format to ensure families can access the right information in the right way to access the appropriate services they need in Brent. This includes information about the information advice and guidance services commissioned by the Council and includes details on accessing employment, education and training opportunities for young people.

6.4 Young people have been trained to participate in the formal tender evaluation process, and their feedback has helped inform the outcome of contract award.

6.5 Service user feedback from the current provider delivering services has been reviewed and incorporated into service development and specifications.

7.0 Financial Considerations

7.1 The proposed contract term of 3 years with the option to extend by a further 2 x 12-month extension from 1 April 2024 to 31 March 2029, will cost £2,698,527.50.

7.2 The annual cost of £0.540m will be funded from the Connexions General Fund budget held within the Inclusion Service and this includes a contribution of £40k per annum from the Brent Virtual School's budget.

8.0 Legal Implications

8.1 The estimated value of this contract over its lifetime, £2.7m, is in excess of the Public Contracts Regulations 2015 as amended (PCR) threshold for Services, and the award of the contract is therefore governed by the PCR 2015. The award is also subject to the Council's own Standing Orders in respect of High Value Contracts and Financial Regulations.

8.2 Individual Cabinet Members have delegated authority, in consultation with the Leader, to award High Value Contracts in accordance with paragraph 13 of Part 3 of the Constitution.

- 8.3 The Council must observe the PCR's Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the contract can be awarded. Therefore, once approval has been given to award 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. 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.
- 8.4 The standstill period of 10 days has been taken into account by Officers in setting out the procurement timetable. As a result, there is unlikely to be a delay to the award of the contract as a result of compliance with the standstill period. However, a call-in by an unsuccessful bidder during the standstill period may cause a delay and a possible suspension of the service.
- 8.5 The contract is classed as a Key Decision due to the estimated value. As such, it will need to be entered on the Forward Plan at least 28 days prior to the decision of the Cabinet Member, with the report published on the internet at least 5 days prior to the decision being made.
- 8.6 Immediately following the Cabinet Member making the decision to award the contract, Officers will need to complete an Individual Member Decision Form and submit it to Executive and Member Services.
- 8.7 There are unlikely to be any human rights implications for the Council as a result of entering into the contract.

9.0 Equality, Diversity & Inclusion (EDI) Considerations

- 9.1 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.
- 9.2 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.
- 9.3 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.

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

10.0 Climate Change and Environmental Considerations

10.1 Prospects will convert 1250 miles of travel/transportation per year to zero or low emissions to contribute to clean air and 'a cleaner, more considerate Brent'. The contract manager will regularly audit the provider against their commitment annually.

11.0 Human Resources/Property Implications

11.1 Officers have advised there are no TUPE implications as the successful tenderer is also the incumbent provider for the service.

11.2. There are no property implications.

12.0 Communication Considerations

12.1 A communication plan will support the contract and be implemented during the mobilisation stage to ensure services are well communicated to service users.

Report sign off:

NIGEL CHAPMAN.

Corporate Director of Children and Young People