



## OFFICER REPORT TO LOCAL COMMITTEE (Spelthorne)

### Local Prevention Commissioning 2012/13 8th October 2012

#### PROCUREMENT STANDING ORDERS

It is important that members comply with our procurement standing orders whenever they are involved in any decisions relating to the award of contracts for goods or services:

- To make sure we spend public money legally and to protect us from undue criticism or allegation of wrongdoing.
- To secure value for money in the way we spend money, so that we offer best value for services to the public.
- To generate market competition through transparent, fair and consistent ways of working.
- To support supplier diversity, sustainability objectives, and an appropriate approach to equality.

#### CONFLICT OF INTEREST

It is critical for the transparent conduct of the council's business that our market searches, procurement and purchasing are carried out free from any conflict of interest. An 'interest' means any consideration or anything of economic value, including future consideration.

Conflicts of interest can arise when someone who is involved in these processes has a close connection with another party who is also involved which may mean they could influence, or be influenced by, the outcome of a buying decision.

Conflicts of interest can arise in the procurement process in a number of ways, including:

- a) Where someone who is actually buying goods or services for the council, or giving budgetary approval for the purchase, has an interest in the supplier's business
- b) Where someone with an involvement in a tender or other sourcing process has an interest in a potential supplier's business

- c) Where Suppliers bidding for a contract with the council have an interest which could enable them to influence unfairly the outcome of a sourcing process

All Councillors are required to ensure that any conflicts of interest are declared appropriately, and that they do not participate in any buying activity/procurement process where these conflicts of interest could arise.

Members need to be aware that the consideration of conflicts arising under procurement standing orders is separate from any consideration of interests that may be relevant under the members' code of conduct. If members become aware of a conflict under procurement standing orders they should notify the clerk of the meeting as soon as they become aware of the conflict.

## KEY ISSUE

Due to the lead in time required for re-commissioning Local Prevention Contracts, a decision is required in October whether to extend or re-commission for April 2013. The local needs assessment for at risk young people has not changed and there are no significant performance concerns with the current provider operating in Spelthorne. Feedback from Members indicates that it is too soon to make long term strategic commissioning decisions therefore this paper outlines the case for extending the contract and in-house provision by 5 months to 31 August 2013.

## SUMMARY

In response to feedback from Members, Officers have amended the commissioning timetable for Local Prevention. The amended timetable is provided in ANNEX A.

The amended timetable involves extending the Local Prevention contract and in-house provision by five months to the end of August 2013. This would allow the Local Committee to make longer term strategic commissioning decisions in March 2013. The benefits of the amended timetable include a longer period of time for the provider to prove their performance, at least 9 months evidence for Members to evaluate before making strategic commissioning decisions, more time for market development and the alignment of the commissioning cycle with the academic year which would provide greater consistency of services to young people.

The potential impacts of the local elections in 2013 on the commissioning timetable have been explored. In order to mitigate the impact of the elections it is asked that the Local Committee extend the remit of the Task Group so that it is constituted up until the first Local Committee of the municipal year. In the event that Task Group members are not re-elected it is asked that the ability to appoint Members to the Task Group is delegated to the Assistant Director for Young People in consultation with the Chair and Vice-Chair of the Local Committee.

## OFFICER RECOMMENDATIONS

**The Local Committee (Spelthorne) is asked to:**

- a) Extend the Local Prevention contract and in-house provision for five months to 31 August 2013

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- b) Extend the remit of the Youth Task Group to constitute up until the first Local Committee of the municipal year
- c) Delegate the ability to appoint Members to the Task Group to the Assistant Director for Young People in consultation with the Chair and Vice-Chair of the Local Committee to replace any members who are no longer Councillors as a result of the elections

## 1.0 INTRODUCTION AND BACKGROUND

1.1 In April 2012 Officers outlined 11 Local Prevention commissioning timetables to take account of Local Committee dates. A generic version of the 11 local timetables has been attached at ANNEX B.

1.2 The timetables outlined that a recommendation whether to extend or retender Local Prevention contracts would need to be made as early as July 2012.

1.3 Local Prevention contracts have been let for 12 months with options to extend. The Local Prevention procurement process, local political decision making process and notice period to providers takes a minimum of eight months. This is determined by a fixed procurement timeline driven by European rules and regulations and the need to fit in with fixed Local Committee dates driven by Services for Young People's policy commitment to Localism. This is why recommendations on the future of the contract need to be made in July 2012.

1.4 The Local Committee reviewed the timetable at the informal meeting in May 2012 and provided feedback to Officers.

## 2.0 ANALYSIS

2.1 Local Committees provided feedback to Officers that the commissioning timescales for Local Prevention are too tight. In particular that July is too soon for the Task Groups to judge performance and make informed recommendations about retendering contracts.

2.2 In response Officers provided an amended timetable for the Task Group to review on 26 July 2012. A localised version of the timetable is attached at ANNEX A.

2.3 The Task Group was informed that the local needs assessment has not changed and is due to be refreshed in autumn 2012. The refreshed needs assessment will inform the 2013 re-commissioning cycle. A performance update was also provided and no performance concerns significant enough to prevent extension were raised.

2.4 The Task Group decided to make a recommendation to the Local Committee to extend the Local Prevention contract and in-house provision by five months.

2.5 The local elections in 2013 have implications for the amended timetable. The Task Group may need to meet before the first Local Committee of the year to consider the mini competitions. In order to mitigate the impact of the elections on the commissioning timetable it is asked that the Committee extend the remit of the Task Group so that it is constituted up until the first Local Committee of the municipal year. This will allow new contracts to go live on 01 September 2013.

2.6 In order to allow for possible changes to membership of the Youth Task Group following the elections it is requested that the Local Committee delegate to the Assistant Director for Young People the appointment of Youth Task Group members in consultation with the Chair and Vice-Chair of the Committee. This is to allow the

recommendations to the Local Committee on the mini-competitions to remain in the member domain.

### **3.0 CONSULTATION**

3.1 The Services for Young People *Fit for the Future* transformation programme has been subject to wide ranging consultation with groups of young people, staff, and partner agencies. Members have been consulted through the County Council's Public Value Review (PVR) Member Reference Group.

3.2 Local Committee views were sought on the Local Prevention commissioning process during 2011-12. In particular Local Committees reviewed local commissioning timetables in April 2012 and this report is written in response to Member feedback.

3.3 Local Committee Chairmen reviewed an earlier draft of this report on 19 July and provided their support in principal to extend Local Prevention contracts by five months.

3.4. Services for Young People are keen to learn from the first commissioning cycle and improve the process for the future. In recognition of this the Cabinet Member for Community Safety has commissioned a review of the Local Prevention Framework and requested a report to be made to Education Select Committee. The review will take place during autumn 2012 and Members will be consulted as part of the review.

### **4.0 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS**

4.1 It is anticipated local commissioning will offer better value for money in that the outcomes commissioned and work delivered will be more closely aligned to local need.

4.2 The Local Prevention budget for 2013/14 will be split pro rata to cover the 5 month extension period (£53,333) and the subsequent seven months from September 2013 onwards (£74,667).

### **5.0 EQUALITIES AND DIVERSITY IMPLICATIONS**

5.1 The devolved commissioning budget is likely to be targeted to groups who are vulnerable or at risk.

### **6.0 CRIME AND DISORDER IMPLICATIONS**

6.1 The purpose of Local Prevention is to prevent young people from becoming not in education, employment or training (NEET) and from offending.

### **7.0 CONCLUSIONS**

7.1 In response to Member feedback Officers recommend amendments to the Local Prevention commissioning timetable.

The Local Committee is asked to:

- a) Extend the Local Prevention contract and in-house provision for five months to 31 August 2013

- b) Extend the remit of the Youth Task Group to constitute up until the first Local Committee of the municipal year
- c) Delegate the ability to appoint Members to the Task Group to the Assistant Director for Young People in consultation with the Chair and Vice-Chair of the Local Committee where the election results impact on membership

## 8.0 REASONS FOR RECOMMENDATIONS

8.1 The local needs assessment for at risk young people has not changed, there are no significant performance concerns with the current provider, the quality of the delivery plan is an improvement on the original bid and the recommendations in this report address specific Member feedback.

8.2 The benefits of the amended timetable include a longer period of time for providers to prove their performance, at least 9 months evidence for Members to evaluate before making longer term strategic commissioning decisions, more time for market development and the alignment of the commissioning cycle with the academic year which will provide greater consistency of service to young people.

## 9.0 WHAT HAPPENS NEXT

9.1 Contract extension notices will be drawn up by Officers and agreed with providers at the next round of Quarterly Partnership meetings in October 2012.

9.2 Robust performance and quality management of the contracts and their outcomes will continue. Officers will work with providers in the spirit of partnership to support and challenge.

9.3 A regular Local Youth Services briefing will be developed for Local Committee Members and the Youth Task Group will receive full reports on performance and quality of Local Prevention at Task Group meetings.

9.4 Members will be consulted over the autumn as part of the Local Prevention Framework Review and a report with recommendations will be considered by Education Select Committee in November.

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**BACKGROUND PAPERS:** N/a

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