

## CABINET

21 June 2022

<b>Title:</b> Contract for the Provision of Supported Accommodation at The Vineries	
<b>Report of the Cabinet Member for Children’s Social Care &amp; Disabilities and Cabinet Member for Adult Social Care &amp; Health Integration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
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<b>Accountable Strategic Leadership Director:</b> Elaine Allegretti, Strategic Director, Children and Adults	
<b>Summary:</b> <p>This report sets out proposals to commence a Procurement exercise for the provision of Supported Accommodation for 16- to 19-year-old Looked after Children, Care Leavers and Vulnerable Homeless young people.</p> <p>The procurement process will involve the re tendering of an existing provision of supported accommodation at The Vineries using an updated specification that outlines changes to the housing landscape and local needs and priorities with regards to homeless vulnerable young people including Looked After children and Care Leavers.</p> <p>This will be a single stage tender using the Open Process with a four (4) year contract in place (2+1+1) and include an extension period.</p> <p>The service being procured falls within the services under the Light Touch Regime under the Public Contracts Regulations 2015 (the Regulations). The value of the contract is above the threshold requiring competitive tender under the Regulations. There are no prescribed procurement processes under the light touch regime, therefore the Council may use its discretion as to how it conducts the procurement process provided that it complies with principles of transparency and equal treatment of economic operators; conducts the procurement in conformance with the information that it provides in the Find a Tender advert; and ensures that the time limits that it imposes on suppliers, such as for responding to adverts is reasonable and proportionate.</p>	
<b>Recommendation(s)</b> <p>The Cabinet is recommended to:</p> <p>(i) Agree that the Council proceeds with the procurement of a four-year contract for the provision of Supported Accommodation for 16- to 19-year-old Looked after Children, Care Leavers and Vulnerable Homeless Young People in accordance</p>	

with the Council's Contract Rules and in accordance with the strategy set out in the report; and

- (ii) Delegate authority to the Strategic Director, Children's and Adults, in consultation with the relevant Cabinet Members, the Director of Finance and Investment and the Chief Legal Officer, to conduct the procurement and award and enter into the contracts and relevant extension periods and all other necessary or ancillary agreements with the successful bidder, in accordance with the strategy set out in the report.

### **Reason(s)**

To support the Council's vision to "protect the most vulnerable, keeping adults and children healthy and safe" and "provide an appropriate, best-value service that delivers excellent outcomes for children and young people) and to enable the Council to fulfil its statutory duties as prescribed by the:

- (i) Children (Leaving Care) Act 2000 (s23a and s23b)
- (ii) Children Act 1989 (s17 and s20)
- (iii) Housing Act 1996 (s188, s189 and s195)

## **1. Introduction and Background**

- 1.1 The index of multiple deprivation (IMD) is the official measure of relative deprivation for small areas or neighbourhoods in England. Barking and Dagenham has: the 21st highest IMD score in England (based on 317 local authority districts, where 1 is the most deprived and 317 is the least deprived) including the highest IMD score in London.
- 1.2 Research suggests that poverty is a precursor to homelessness. Contributory factors such as low incomes, worklessness and having to rely on welfare benefits all exacerbate pressures within families which can often lead to relationship breakdown between young people and their families.
- 1.3 Young people who become homeless in their adolescence are more likely to experience severe and multiple disadvantage such as poverty, substance misuse, issues, mental health problems, trauma, social isolation and can often be victims of exploitation.
- 1.4 Over the last decade, the housing landscape on both a national and local level has seen some significant changes as a result of increased demand on both the social and private sector housing. This has led to changes in local housing policies to meet the demands which include the introduction and the development of a local housing offer for vulnerable residents which enables outcomes and makes cost-effective use of supply as a corporate priority in Barking and Dagenham.
- 1.5 This report seeks approval to go out to re-tender and procure an external provider to deliver Supported Accommodation for 16- to 19-year-old single homeless young people at the Vineries, to enable the borough to continue to meet the needs of vulnerable young people.

## 1.6 Legislative Context

- 1.6.1 The Council has a legal responsibility to safeguard and promote the welfare and upbringing of children and young people within the area by their families in accordance with section 17 of the Children's Act 1989.
- 1.6.2 The Council currently provides accommodation to 317 Care Leavers (as of 1st March 2022) and has a duty under the Children's (Leaving Care) Act 2000 to ensure that young people who have been looked after by a Local Authority move from care into living independently in as stable a fashion as possible.
- 1.6.3 In addition to the duties set out for care leavers, the Council also has additional duties as outlined in the Southwark Judgement (case law) which places a duty on children's social care to assess young people aged 16 and 17 who present to the Local Authority as homeless. Following assessment, if the young person is assessed as a 'child in need' and if so, requires accommodation, the young person must be accommodated under section 20 of Children Act 1989.
- 1.6.4 Accommodation provided under S20 is not limited to residential or foster care and can encompass a wide range of accommodation, which children's social care would be responsible for paying for.
- 1.6.5 LBBD has a Homeless 16/17-year-old Joint Working Protocol which is a partnership response to how both Children's Care and Support services will work with the Homeless Prevention Team within Community Solutions when a 16 or 17 year presents as homeless. The protocol works towards a trauma informed approach which aims to get those YP at risk, the right assistance as soon as they need it.
- 1.6.6 The joint working approach enables Children's Care and Support services and Housing Services to prevent a young person from becoming homeless and will be undertaken under both section 17 of the Children Act 1989 Act and section 195 of the Housing Act 1996.
- 1.6.7 A 16- or 17-year-old, who is competent and has all the information they need to make an informed decision, cannot be obliged to accept accommodation under S20 if they do not want it.
- 1.6.8 If the young person is assessed as not being a 'child in need' and in need of accommodation, then they should be referred for assessment by Housing to see if they are in priority need under section 189 of the Housing Act 1996.
- 1.6.9 LBBD received 166 homelessness applications for 16- to 19-year-olds between the 1 April 2021 to 28 February 2022 which includes Care Leavers (eligible and relevant child), former relevant children where a duty to accommodate was owed and those young people where no duty was owed, however the young person may have been deemed vulnerable therefore may have been seen as having a priority need. The Local Authority have a duty to secure accommodation for applicants who have a priority need for accommodation under section 189 (1) of the Housing Act and the Homelessness Order 2002.
- 1.6.10 If a young person aged 18 or 19 is assessed by the Homeless Prevention Team as being vulnerable and having a 'priority need (this can include, although not

exclusive to, young people who have been on remand or having served a custodial sentence), then accommodation must be provided under Section 193 (2) of the Housing Act 1996.

## 1.7 Data on Homeless Single Assessments

1.7.1 Data provided by the Performance and Information team have reported on the number of Homeless single assessments completed in January 2022.

1.7.2 The single assessment is completed when a young person aged 16 or 17 presents with a homelessness issue. The assessment is completed jointly with housing colleagues as outlined in LBBD's Joint Protocol.

1.7.3 A breakdown of the assessments completed in January 2022 are illustrated below:

- A total of 12 assessments were undertaken of which, 11 have been completed and 1 is ongoing.
- 11 (92%) of young people were aged 17 at the time of assessment and 1 was aged 16 (8%).
- 7 (58%) are Male, 5 (42%) are Female
- 6 (50%) are White British, 1 (8%) White Other, 1 (8%) Black African, 3 (25%) are Mixed and 1 (8%) was not recorded
- 7 (58%) were created by the Assessment Service, 4 (31%) by Family Support and Safeguarding Team, 1 by the Pre-Birth Team and 1 by the Exploitation Team
- 7 (58%) have had accommodation provided for them, 4 (33%) have not been provided with accommodation and 1 (8%) assessment is ongoing therefore a decision has not yet been reached.
- 9 (75%) young people have been placed in LBBD, 2 (16%) in Redbridge and 1 (8%) has not yet been placed
- 3 (25%) of young people have an outcome of LAC, 8 (67%) have an outcome of CIN and 1 (8%) is pending an outcome

1.7.4 The data suggests that only a quarter (25%) of those of 16- and 17-year-old who have been assessed as having a housing need, go on to become a 'Looked After Child' and around 67% remain a 'Child in Need' with a housing need.

1.7.5 It is recognised that for these groups of young people; (16+ care leavers, 16- and 17-year-old young people who have opted to not become 'Looked After Children' including vulnerable 18- and 19-year-olds), that they will likely require support to help them develop and learn independent living skills as this may be the first time, they have lived away from their family home or foster care.

1.7.6 To ensure that support is maintained from the onset, it would be appropriate to provide the young person with an offer of supported accommodation that provides them with the skills required to live independently and manage and sustain a long-term tenancy in the future.

1.7.7 The Vineries 24-hour provision offers low to medium support (5 hours per week) which enables the young person to receive accommodation and support at a reduced cost in comparison to alternative supported accommodation providers as the provision is block purchased and accommodation costs for those over 17 years

of age are covered by housing benefit. As customers are given individual tenancy agreements provided by the Housing provider – Clarion Housing. Voids are currently not funded.

## **1.8 The Vineries Supported Accommodation Provision**

- 1.8.1 The Vineries provides focused, short-term Accommodation Based Support for Single Homeless Young People aged 16 to 19 which is delivered by Look Ahead Care and Support. Clarion Housing Group, who are the landlords, own the building and provide housing management and overnight security staff. Look Ahead have a Service Level Agreement in place with Clarion Housing Group to ensure the day-to-day operational management of the building is maintained.
- 1.8.2 The London Borough of Barking & Dagenham currently holds a contract with Look Ahead Care and Support to provide low to medium support and accommodation for vulnerable young people aged 16 to 19 years at the Vineries.
- 1.8.3 The current contract for Look Ahead, has been in place since 2018 under the Semi Independent Supported and Independent Housing Services Framework and was due to expire on 31 March 2022. It has been extended until 31 December 2022 to enable a full procurement exercise to take place. The framework is currently under review.
- 1.8.4 The current contract with Look Ahead has no minimum value as services are sought if and when required. The final value of the contract is dependent on the number of referrals made to the provider.
- 1.8.5 Eligibility is for young people aged 16 - 19 years in housing need, either homeless or unsuitably / unsustainably housed. This includes Looked After Children who opt to 'move on' from Foster Care at 16+ or other Accommodation providers, 16 and 17 homeless young people accommodated under section 20 including those young people aged 16 and 17 who have made an informed choice not to be accommodated under section 20 and where a duty still lies under section 189 of the Housing Act.
- 1.8.6 The young people residing at the Vineries are deemed to have low to medium support needs. A maximum of five (5) hours of support per week is delivered to each young person. Support provided includes accessing education, training, and employment, managing finances, support with mental and physical health problems, emotional support, support with substance misuse etc.
- 1.8.7 The Vineries provides supported accommodation for 31 young people aged 16-19 for up to two years or until suitable move on accommodation has been secured. It comprises of eight (8) blocks with four (4) units per block with shared kitchen and bathroom (with 2 separate toilets) facilities in each block. The eight blocks are served by one shared communal living room/space and extensive outdoor space.
- 1.8.8 The vineries building is located in Dagenham Heathway and has good transport links across the borough and into central London. Young people placed here can continue to attend local schools and colleges and maintain contact and receive support from family and friends.

- 1.8.9 The service is staffed 24/7 with a team from Look Ahead of five support workers and one contract manager worker and two-night security staff. Night security staff work on a rota basis from 9pm – 8am
- 1.8.10 Each young person has a support/key worker who offers them support on a 1:1 basis. The service also provides group workshops and activities.
- 1.8.11 Once a young person completes their support and are considered 'ready for move on', they are supported to bid regularly for council accommodation and to look at private rented accommodation options.
- 1.8.12 The Vineries differs from other supported accommodation providers used by the council in that the young people placed there are offered a licence agreement which is a less restrictive form of a tenancy agreement, considering that a young person cannot legally hold a tenancy until they are 18 years old. This agreement prepares the young person to learn how to maintain a tenancy as well as building up a credit history through the setting up of a rent account which provides a level of financial independence for the future.
- 1.8.13 Dependent on circumstances, young people aged 16 – 19 who are not considered to be a 'relevant child' and those young people who are Care Leavers aged 18+ placed at the Vineries, are eligible to apply for housing benefit to cover both their rent and support costs (excludes personal care support) as the support will be factored into the Housing Benefit claim. The Landlord, Clarion Housing have been assessed by the councils HB department as being a Supported Accommodation provision under Housing Benefit Regulations.

## **1.9 Inhouse Service Review & QA Visit**

- 1.9.1 A review was held with colleagues in both Housing and Corporate Parenting to determine whether there was value in re-procuring the provision of Supported Accommodation at the Vineries. The review highlighted the need to continue to offer a provision of supported accommodation for 16 – 19-year-olds at The Vineries to allow the borough to continue to support Care Leavers into independence and for young people aged 16/17 who are not accommodated under section 20 of the Children Act (those that have been jointly assessed as having a housing and support need and do not wish to be 'looked after children').
- 1.9.2 The Vineries is currently the only Supported Accommodation provision in the borough for 16/17-year-old young people who have chosen not to be accommodated under section 20.
- 1.9.3 It was recognised that the current service specification for the Vineries, was outdated and there was a need to include a broader range of vulnerable groups that can access the provision. In addition to this it was recognised that the provision should have in place a key focus on 'move on options' to reduce the need for the council to provide social housing for those who have completed their support and are ready to 'move on'.
- 1.9.4 Findings from the most recent LBBB Quality Assurance visit held on the 21<sup>st</sup> July 2021, reported that two residents that had been spoken to, stated that were both happy with the service, praising the staff for support that they received and the

environment in which they lived. The QA report outlined that there was *‘evidence of good working relationships with local agencies; this included the Fire Brigade and Police, DABD & Barking & Dagenham College, whereby residents are offered the opportunity to enhance their English and Maths skills, and the NHS for both personal health and voluntary opportunities’*.

1.9.5 Room visits undertaken by the QA team, reported rooms to be in good condition that the property had been refurbished in 2016 and communal areas such as hallways, kitchens and toilets were all in a good state of repair and clean, with ample space in the garden with a decent sized allotment area which is maintained by staff and residents.

1.9.6 The QA visit did not flag up any Health & Safety concerns and reported that during the height of the Covid 19 pandemic, social distancing measures had been put in place with a ‘no mask, no entry’ policy being enforced and that a reduced visitor policy was awaiting approval. Following more recent government guidelines, these policies have now been relaxed.

## 1.10 Young people/Consultation/Feedback

1.10.1 As part of the proposed procurement exercise to re tender the Vineries Supported Accommodation Provision and to measure the impact the Vineries has had on young people who currently reside there, service user consultations have taken place via questionnaires. The responses received are illustrated on The Vineries Semi - Independent Living Experience Feedback form that can be found at [Microsoft Forms \(office.com\)](#). Feedback received will be reflected in the new specification.

1.10.2 In addition to service user consultations, telephone consultations were held with a wider audience of young people placed in both 16+ and 18+ Supported Accommodation provisions across the borough to ensure that the design and delivery of any future service is based on the needs and experiences of young people who have lived in a supported accommodation environment.

1.10.3 The views and feedback of the young people consulted will be key to the development of a new specification to ensure that the service is ‘fit for purpose’.

1.10.4 The consultation focused on the following areas:

- The experiences of living in Supported Accommodation and the impact this has had on their lives.
- What worked well for them, in terms of support they received and what they feel needs to improve
- Their experiences of the referral process into supported accommodation? Does this work? Does this need to change, were their views captured?
- Their views are in terms of the length of time support is made available. For example, is 2 years enough or should this be extended to a longer period?
- Their move on experiences and what they feel needs to happen to ensure a smooth transition from SA to semi-independent, private sector etc.
- Their views on what a robust life skills programme should offer

- 1.10.5 Findings from the consultation suggest that most young people have found living in a Supported Accommodation provision/environment was a positive experience and felt that they were offered the right level of support they feel they needed. They went on to report that when learning to live independently, it was important that support offered should include key skills around; budgeting, debt management, help finding education and or employment, how to cook and registering with primary health care providers.
- 1.10.6 Some key areas for improvement were highlighted around the transition to 'move on' processes and practices where some young people had found this to be a challenge, reporting having 'to wait for a long time' to find suitable move on accommodation, not being aware of what types of 'move on' accommodation available to them and not having enough support from key professionals involved in their lives.
- 1.10.7 Further feedback was received around some young people feeling they needed more financial support when 'moving on' and also being made aware of what to expect from the early on, particularly around what types of accommodation is on offer.
- 1.10.8 Young people consulted with, were offered the opportunity to take part in a young people's evaluation panel, which will be crucial to the final evaluation process following the receipt of tenders. Having young people included into the evaluation process ensures that tenderers are selected based on their ability to respond to the needs of vulnerable groups of young people.
- 1.10.9 We have also taken into consideration and listened to the views of young Care Leavers around their experiences of 'moving on' from care and have responded to their feedback through the development of a young person friendly guide which outlines their housing options from 14 years old and onwards. This can be found on the borough website [B&D\\_CareLeavers\\_A4\\_7pp\\_SEP21\\_D4.pdf \(lbbd.gov.uk\)](https://www.lbbd.gov.uk/B&D_CareLeavers_A4_7pp_SEP21_D4.pdf).
- 1.10.10 In addition to this, we are currently exploring a Care Leavers Guarantor Scheme to open up the private rental market to eligible young people.

## **2. Proposed Procurement Strategy**

### **2.1 Outline specification of the works, goods or services being procured**

- 2.1.1 The supported accommodation provision at the Vineries currently provides crucial services to homeless young people aged 16 – 19, through the offer of accommodation including a programme of support that will help them to develop the required skills to live independently in the future.
- 2.1.2 A waiver was approved by Procurement Group on 21 March 2022 for an interim nine (9) month contract to be put in place whilst a procurement exercise is completed to re tender the service for 16- to 19-year-old homeless young people.
- 2.1.3 The service will provide focused, short-term accommodation-based support aimed at 16- to 19-year-old young people who have been assessed as having a housing need and require additional support (that can be completed within a period of two



years) to develop their life skills and prepare them to live independently and achieve a smoother transition into adulthood.

- 2.1.4 The service objectives at the Vineries will enable social inclusion, independence, choice, and control for young people over their lives, with, but not exclusive focus on supporting individuals to access and sustain accommodation, maintain health, maximise their finances, develop domestic and social skills and meet their potential and aspirations.
- 2.1.5 These objectives will be delivered through a tailor-made support plan for each individual, offering 1:1 and group activities covering key areas such as; money management/budgeting, accessing information and support for substance misuse, mental health, physical health and providing healthy relationship advice promoting positive lifestyle choices. In addition to this, support will be made available for young people who are NEET to access employment, training, and educational opportunities
- 2.1.6 The service will aim to reduce the inequalities experienced by many vulnerable young people living in Barking and Dagenham, through a provision of support that will help them to develop the required skills they need, to live independently in the future. The provision of support will include educational and employment opportunities that will promote self-growth as well as independence and financial stability which will increase their chances of sustaining a tenancy and achieving their aspirations.
- 2.1.7 The Service will work with service users to prepare them for 'Move on options', providing support to find them sustainable and affordable accommodation and sourcing options through nominations to Housing Associations, Social Housing, Semi-Independent Living providers and the Private Rented sector.
- 2.1.8 The Service will work with people who have a varying level and variety of needs to provide support that is appropriate to the service user needs and aspirations.
- 2.1.9 The Service will focus on the prevention of repeat homelessness and the loss of independence through tenancy breakdown, hospital admission, custody or other forms of institutionalised care.
- 2.1.10 The Service will support service users to access specialist services including health, substance misuse and benefits services and voluntary organisations, training and work opportunities as appropriate according to individual need.

#### 2.1.11 Procurement Timetable

Activity	Completion Date
Report considered at Cabinet	21 June 2022
Prior Information Notice	22 June – 26 July 2022
Advertise Tender on Bravo	1 August – 12 September 2022
Deadline for provider Queries	5 September 2022

Stage 1 Evaluations – Individually score method statements	14 September – 7 October 2022
Stage 1 Evaluations - Group score method statements	11 October 2022
Notify successful providers for presentation/interview	12 October 2022
Stage 2 Evaluation - YP Panel Presentation/interview	24-28 October 2022
Stage 2 - Final Evaluation	28 October 2022
Provisional notification of successful provider	31 October 2022
Alcatel (10-day standstill period)	31 October – 11 November 2022
Provider TUPE implementation/consultation (if applicable)	11 November – 23 December 2022
Award Report – sign off	14 November – 18 November 2022
Send Contract to successful provider for signing	21 November 2022
Contract Sealed	15 December 2022
Contract Start Date	1 January 2023

## 2.2 **Estimated Contract Value, including the value of any uplift or extension period**

2.2.1 The total value for the contract will be £840,000 over four (4) years (2+1+1). The contract will have no minimum value as services will only be sought if and when required. The final value of the contract will be dependent on the number of referrals made to the provider.

## 2.3 **Duration of the contract, including any options for extension**

2.3.1 The duration of the contract will be four (4) years (2 years +1 +1). There will be a three-month no-fault termination clause to allow the Council to exit the contract for any reason.

## 2.4 **Is the contract subject to (a) the (EU) Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?**

2.4.1 Yes - The contract is considered a 'light touch regime contract' under current procurement legislation therefore it is subject to the Public Contracts Regulations 2015. As the procurement will be undertaken under the Light Touch Regime, it will be subject to the full rigor of the Public Contracts Regulations 2015, and we will ensure that the procurement is open, transparent, and fair. This will be an Open tender exercise, which will be advertised on Find a Tender, Bravo, the Council website and Contracts Finder.

## 2.5 **Recommended procurement procedure and reasons for the recommendation**

2.5.1 This will be a single stage tender using the Open Process. The tendering of this service will be advertised on Find a Tender, the Council's e-tendering portal (Bravo), Contracts Finder and the council's website following the open process.

- 2.5.2 Tenderers will be required to submit Tender Submission Documents via the e-portal Bravo link which will include a signed Tender Agreement, a Standard Selection Questionnaire and a Method Statement responding to set questions under the following headings as to how they will deliver services outlined in the specification;
- Service, Delivery and Design
  - Recruitment, Expertise and Credentials
  - Health, Safety and Safeguarding
  - Quality Assurance
  - Equalities
- 2.5.3 Tenderers will also complete a Social Value assessment which will identify a commitment to a minimum of two themes set out in LBBD's Social Value Policy in line with the goals of the borough manifesto.
- 2.5.4 A two-part evaluation of the Tender Submission will take place once the deadline has passed for submission. To ensure that the quality of the service is satisfactory there will be a pass threshold and a minimum quality and price score will be set that provider(s) must meet, to be considered for the contract.
- 2.5.5 As part of the proposed procurement process, discussions will take place between the current landlord – Clarion Housing, to outline details of proposed new tender and the impact this may have on them as landlords.
- 2.5.6 Consultations with young people residing in supported accommodation has already taken place to ensure the development of a new specification is led by their views and feedback.
- 2.5.7 The tender exercise will involve participation of key stakeholders within children's social care (corporate parenting), children's commissioning, placements team including colleagues from housing and a young people's panel who will be supported to form part of an independent evaluation panel.
- 2.5.8 It is anticipated that this tender will be advertised in June 2022 with the tender exercise and contracts awarded by 1st December 2022.

## 2.6 **The contract delivery methodology and documentation to be adopted**

- 2.6.1 This service will be delivered by an external provider.
- 2.6.2 Referrals to the service will be made through the Councils Placements Team and the Homelessness Prevention Team following assessment of the young person's homelessness and or accommodation duty for 16+ care leavers. This will be carried out in line with pathways set out in the Homeless 16- and 17-Year-old Joint Working Protocol including any local strategic visions and objectives set out to address the needs of homeless vulnerable young people.

## **2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract**

- 2.7.1 There will be no direct savings relating to service provision however, the contract will have no minimum value as services will be sought as and when required. The final value of the contract will be dependent on the number of referrals made to the provider.
- 2.7.2 The service will play a significant role in assisting the Council to fulfil its commitment and statutory obligation to providing accommodation for single vulnerable homeless young people aged 16 to 19 years.

## **2.8 Criteria against which the tenderers are to be selected and contract is to be awarded**

- 2.8.1 The price/quality ratio upon which contracts will be awarded will be 60% Quality, 30% Price, 10% Social Value. Providers will be ranked based on their tender submission and presentation scores.
- 2.8.2 The evaluation of the Tender submission will be in two stages. The first stage will include key operational colleagues to take part in the evaluation of the Tender Submission Documents (method statement) to ensure that the quality, price and social value delivery is satisfactory.
- 2.8.3 in respect of Quality (60%), this will include the following five key areas, each making up a % of the total quality score:
- Service Delivery and Design
  - Recruitment Expertise and Credentials
  - Quality Assurance
  - Health, Safety & Safeguarding
  - Equalities
- 2.8.5 The providers that meet the quality criteria will be assessed by a panel of young people. The scoring will be equal to 10% of the total score.
- 2.8.6 Discussion with Legal and Procurement colleagues will take place to ensure the scoring for each method statement heading (Service Delivery and Design, Recruitment Expertise and Credentials, Health Safety and Safeguarding and Quality Assurance and Equality) is compliant. There will be a pass threshold and a minimum quality score will be set that provider(s) must meet to be considered for the second stage evaluation.
- 2.8.7 The second stage will be led by a young people's panel who have been selected from a broad range of service users living or likely to be living in supported accommodation. The young people's panel will consist of four (4) young people; one current service user at The Vineries, one current care leaver, one looked after child (transitioning to a care leaver) and one former care leaver to enable a cross section of experiences and views to be captured.
- 2.8.8 Tenderers will be required to complete a presentation on a series of pre-set questions designed by the young people's panel. The panel will ask a series of up

to four (4) questions, which will have been drawn up by the panel to ensure that tenderers have the ability to deliver a young people focused provision and capture issues which are important to the young people living in supported accommodation.

2.8.9 The young people's panel will then evaluate the presentation which will feed into the overall Quality scores. The scoring process for each stage including the young people's panel will be discussed and agreed with Legal and Procurement colleagues to ensure compliance, transparency and fairness and will be shared with the Tenderers following the first stage of evaluation to give the tenderers an opportunity to prepare their answers.

2.8.10 The contract will be awarded to the successful tenderer on the basis of the most economically advantageous tender. Following the award of the contract, a 10-day Alcatel standstill period will commence.

## 2.9 **How the procurement will address and implement the Council's Social Value policies**

2.9.1 The Council continues to be committed to promoting the welfare of and protecting the most vulnerable children and young people in Barking and Dagenham, therefore we will ask suppliers to place their focus on and comment on the social value theme "Investment in Local People", which incorporates the previous themes of 'community participation and engagement' and 'people, independence and resilience'. In addition to this we will encourage providers to recruit locally where possible and access local services and businesses as part of their ongoing service delivery.

2.9.2 The successful Tenderer will be subject to contract monitoring which will oversee how the provider is meeting their Social Value commitments outlined in their social value delivery template and method statement.

## 2.10 **Contract Management methodology to be adopted**

2.10.1 Referrals to the service will be made through the Councils Placements Team and the Homelessness Prevention Team following assessment of the young persons homelessness and or accommodation duty for 16+ care leavers. This will be carried out in line with pathways set out in the Homeless 16- and 17-Year-old Joint Working Protocol including any local strategic visions and objectives set out to address the needs of homeless vulnerable young people.

2.10.2 Young people aged 16 and 17 where a duty to accommodate falls under section 189 (1) of the Housing Act and the Homelessness Order 2002 (where the YP has made an informed choice to decline section 20) will be offered The Vineries as the primary pathway to support and accommodation, unless there are exceptional circumstances as to why they cannot reside there.

2.10.3 The same will apply (although not exclusively) for Vulnerable young people aged 18 and 19 where a duty to provide accommodating under section Section 193 (2) of the Housing Act 1996 will also be offered the support and accommodation at the Vineries.

2.10.4 The Commissioning Manager will have responsibility for overseeing the procurement activity and will undertake formal contract monitoring meetings with the successful provider at the end of each quarter to ensure outcomes are being met in accordance with the objectives outlined in the specification. Regular operational monthly meetings will also take place between the successful provider, LBB Homeless Prevention Team, Placements Team and the commissioning manager to ensure operational issues are picked up on a consistent basis.

### 3. Options Appraisal

3.1 **Option 1: Do nothing** - The current contract will expire at the end of March 2022. If we do nothing the Council will not have contractual cover in place. This option would fail to be compliant with EU procurement legislation as well as the Council's own policies. There would also be a high degree of risk associated with this option, exposing the Council to potential price increases and deficit budgetary positions. There would also be risk to our young people residing at Vineries who would not have any guarantee of services or support being delivered to them. Without contracts in place, we are limited in our ability to manage the provision, we cannot enforce DBS (Disclosure and Barring Service) checks being mandatory or ensure that the service has the correct policies and procedures in place.

3.2 **Option 2: Decommission the service** - This option would not be recommended as the service is major part of the housing related support provision in the borough and a key part of the borough's strategy for inclusion amongst these vulnerable groups. In particular homeless young people aged 16/17 who have an assessed housing and support need and do not wish to be a 'looked after child' as this is the primary pathway of support offered to this group.

The young people housed at the Vineries are very vulnerable by virtue of their experiences of homelessness and are deemed to have low to medium support needs which requires a tailor-made plan to help them overcome their challenges. In addition, there would need to be considerable immediate resources put into the reviewing and resettlement of existing young people:

- The Leaving Care team would be required to find alternative accommodation for the care leavers currently residing in The Vineries.
- Resources would be required within Commissioning, Housing and Children's Services as all three areas would be involved in the decommissioning of Vineries.

3.3 **Option 3: Re tender the Vineries Provision** - Provide approval to commence the procurement of a four-year contract for the provision of Supported Accommodation for 16- to 19-year-old Looked after Children, Care Leavers and Vulnerable Homeless Young People.

### 4. Waiver

4.1 Not applicable

## **5. Consultation**

- 5.1 An initial consultation has been carried out with relevant Council services and this will be followed by further consultation meetings with stakeholders to ensure that their views are considered when setting up the proposed project.
- 5.2 The proposals in this report were also considered and endorsed by the Procurement Board and Corporate Strategy Group at their meetings on 16 and 19 May respectively.

## **6. Corporate Procurement**

Implications completed by: Francis Parker – Senior Procurement Manager

- 6.1 The proposed procurement strategy is compliant with the Council's contract rules and the PCR 2015. An Open tender is likely to yield the best value for money.
- 6.2 The evaluation criteria is reasonable for this service and social value has been included.
- 6.3 The procurement timetable is realistic and should be achievable without any unforeseen delays

## **7. Financial Implications**

Implications completed by: Florence Fadahunsi, Finance Business Partner

- 7.1 This report seeks approval for the Council to commence a four-year contract for the provision of support services at the Vineries for 16-to-19-year old's. The current contract comes to an end on 31st March 2022. A six-month contract is already in place in the interim
- 7.2 The Council has a duty of care to provide 16- and 17-year-olds with suitable accommodation under Section 20 of the Children Act 1989. The Vineries has been a provider of supported living for young people in LBBDD since 2018. The Vineries is located within the borough and provides a value for money option for our young people when compared to other providers. The Council only pays the cost of support and not accommodation costs as the young people can claim housing benefit.
- 7.3 The total value for this contract is £840,000 over the four-year period. There is no minimum contract value, and the final value will be dependent on the number of referrals made to the provider. The budget for this contract sits within the Leaving Care service under Corporate Parenting & Permanence.

## **8. Legal Implications**

Implications completed by: Kayleigh Eaton, Senior Contracts and Procurement Solicitor, Law & Governance

- 8.1 This report is seeking approval to tender a contract for a Supported Accommodation Service at The Vineries, for 16- to 19-year-old Looked after Children, Care Leavers

and Vulnerable Homeless Young People for a total period of 4 years on a 2+1+1 basis.

- 8.2 The service being procured falls within the services under the Light Touch Regime under the Public Contracts Regulations 2015 (the Regulations). The value of the contract is above the threshold requiring competitive tender under the Regulations. There are no prescribed procurement processes under the light touch regime, therefore the Council may use its discretion as to how it conducts the procurement process provided that it complies with principles of transparency and equal treatment of economic operators; conducts the procurement in conformance with the information that it provides in the Find a Tender advert; and ensures that the time limits that it imposes on suppliers, such as for responding to adverts is reasonable and proportionate. Following the procurement, a contract award notice is required to be published in Find a Tender.
- 8.3 In compliance with the requirements under the Light Touch Regime, section 2.5 of this report states that an Open tender exercise will be carried out, which will be advertised on Find a Tender, Bravo, the Council website and Contracts Finder.
- 8.4 Contract Rule 28.8 of the Council's Contract Rules requires that all procurements of contracts above £500,000 in value must be submitted to Cabinet for approval.
- 8.5 In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award the contracts following the procurement process with the approval of Corporate Finance.
- 8.6 The proposed procurement strategy outlined in the body of the Report appears to be compliant with the requirements of the applicable law and Council's constitution and Contract Rules. The legal team will continue to be on hand to assist and advise as required.

## 9. Other Implications

- 9.1 **Risk and Risk Management** - A risk assessment has been undertaken highlighting key areas of risk associated with tender and procurement process.

Risk	Likelihood	Impact	Risk Category	Mitigation
Delay to/ failed procurement process	Low	High	Medium	Set and monitor realistic implementation timetable, ensure legal and procurement compliance, clear escalation pathways of any potential delay
No appropriate bids received	Low	High	Low	PIN to give advance notice to the market and provide a contact for soft touch discussion and additional support. Longer open tender timeframe considered to allow enough time for providers to submit high quality bids.  Current supplier has demonstrated appetite to submit bid.
Smaller providers who do not have experience in applying for tenders	Medium	Low	Low	As above, PIN will be posted 1 month in advance of tender being posted on Bravo, encouraging discussion from smaller



may be deterred from applying				providers. Queries will be taken as part of tender process.
Challenge of contract award decision by unsuccessful provider(s)	Low	High	Medium	Procure contract in line with Council's contract rules and EU Public Contracts Regulations. Ensure documentation is kept. ITT to detail procurement approach and transparent process. Stick to the timeframes given. Ensure that communication is consistent.
Provider(s) fails to meet their obligations	Medium	Medium	Medium	Phased approach to contract monitoring with more frequent meetings initially, outlined in a clear project plan, clear KPIs and outcomes.
TUPE implications may deter smaller providers from applying	Medium	Medium	Medium	Cannot mitigate, ensure the requirements are clearly outlined.
Data transfer from current supplier and new supplier- GDPR risk	Medium	High	Medium	Data impact assessment completed, use secure anonymised data transfer. Ensure discussion with Information Governance manager – Kim Starbuck to ensure only necessary data is shared/requested.
Young people panel fail to participate in evaluation	High	Low	Low	Lead worker in place to support the development and delivery of YP panel. Incentives are being considered. YP panel scheduled for half term to ensure wider availability of YP. In the event YP cannot attend panel, representatives from commissioning team will step in using questions submitted by YP panel.

9.2 **TUPE, other staffing and trade union implications** – Current supplier – Look Ahead, have six (6) staff where TUPE is likely to apply in the event they are not successful in the tender process.

The current provider Look Ahead Care and Support have recently submitted their paperwork (Employee Liability Information - ELI) for the first stage of the TUPE process in preparation for the Procurement exercise.

A TUPE Staffing Information document will be supplied with the Tender documents to assist tenderers in formulating their bids and in taking into account the implications of the potential transfer of staff engaged in carrying out this work in accordance with the Acquired Rights Directive and the Transfer of Undertakings (Protection of Employment) Regulations 2006. This will also be detailed in the updated specification. Sufficient time will be allowed in the timeline to cover any TUPE implication.

9.3 **Corporate Policy and Equality Impact** - As part of the procurement process, an Equalities Impact Assessment (EIA) Screening Tool has been completed (**Appendix 1**). This assessment outlines the impact on those cohorts with protected characteristics as outlined in the Equalities act 2010 and addresses how the impact will be mitigated throughout the new service.

9.4 **Safeguarding Adults and Children** - The Children Act 1989 requires Local Authorities to provide services for children in need for the purposes of safeguarding and promoting their welfare. The provider is required to adhere to the duties under the Children Act 1989 and all the Council's local safeguarding procedures. These are explicitly addressed within the service specification that forms a schedule of the contract that has been scrutinised by the Council's Legal Department.

Staff working with the young people and vulnerable adults will be expected to have a current Disclosure and Barring Service (DBS) check. In addition, as a part of the Contract, all providers will be thoroughly assessed on child protection and safeguarding methods they employ, ensuring they have updated policies in place, along with annual training which must be delivered to their staff.

#### **Public Background Papers Used in the Preparation of the Report:**

- Housing for Vulnerable Residents (PID):  
<https://modgov.lbbd.gov.uk/Internet/documents/s136734/Appendix%201.pdf>
- Joint protocol: Meeting the needs of Homeless 16/17 year old's:  
<https://www.lbbd.gov.uk/sites/default/files/attachments/Homeless%2016%20-17%20year%20old%20Joint%20protocol%20V2%20April%202021.pdf>
- Enhanced Local Offer for Care Leavers:  
<https://www.lbbd.gov.uk/sites/default/files/attachments/FINAL%20-%20ELO%20CareLeavers.pdf>
- Deprivation in Barking and Dagenham:  
<https://www.lbbd.gov.uk/deprivation-in-barking-and-dagenham>

#### **List of appendices:**

- **Appendix 1** – EIA Screening Tool