

## CABINET

25 JANUARY 2011

### REPORT OF THE CABINET MEMBER FOR CRIME, JUSTICE AND COMMUNITIES

<b>Title:</b> Tender for Youth Crime Prevention Project	<b>For Decision</b>
<p><b>Summary:</b></p> <p>The Council currently has a contract for the delivery of a youth crime prevention service (Youth Inclusion Project, or 'YIP') with the current provider that expires on 31 March 2011. The contract supplies targeted provision to young people in the Thames View and Gascoigne estates based on a 'top 50 most at risk' model. As a direct impact of the service provided by the YIP, core groups of young people have been diverted away from criminal activity and the intervention provided by the service has contributed to positive outcomes for those young people, including reducing the number of first time entrants to the youth justice system. The current Youth Inclusion Project for 2009-10 engaged with, and provided interventions for, over 250 young people.</p> <p>Over the three year period (2007-08 to 2009-10) the Council's average performance in terms of reducing those young people who come into the youth justice system for the first time is the 4th best performing in London. Directly judging performance from 2007/08 shows a 48% relative increase in performance for the Council.</p> <p>A review of the service has been carried out and it is recommended that the service can have greater impact if redesigned and based within the Multi-Agency Locality Teams (MALTs), thereby delivering access for all young people requiring early intervention for behaviours regarding crime and antisocial behaviour and also those not in education, training or employment. The service will also work to reduce re-offending by also targeting those leaving the Youth Offending Service.</p> <p>The value of the current contract is £218,000 per annum. It is estimated that the spend in 2010-11, through smarter commissioning will be reduced to £200,000 per annum with the prospect that this sum may reduce further.</p> <p>This report asks for authority to seek tenders using the two part Restricted Procedure in accordance with the European Procurement Directives, for a three year term contract, with the possibility of a one year extension, subject to satisfactory performance of the nominated contractor.</p> <p><b>Wards Affected: All</b></p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to agree</p> <p>(i) In accordance with the Council's Constitution Contract Rules paragraph 3.6, to the procurement of Youth Inclusion Project services through a three year term contract, extendable by a further year, subject to the Corporate Director of Adult and Community Services being satisfied on performance of the nominated contractor on the terms detailed in this report; and</p>	

- (ii) To indicate whether it wishes to be further informed or consulted on the progress of the procurement and the award of the contract, or whether it is content for the commissioning Chief Officer to award the contract; (as provided for in the Constitution, Contract Rules 13.3).

**Reason(s)**

The tendering / procurement of these services will enable the Council and its partners to ensure that the targets of reducing first time entrants into the criminal justice system continue to be achieved.

Without this essential provision in place those young people most at risk of offending and becoming involved in antisocial behaviour will not access the targeted interventions which aim to enhance protective factors. It will undoubtedly continue to impact on the significant reduction that the borough has seen in terms of numbers of First Time Entrants (FTE's) into the Criminal Justice system.

This service must be supplied to assist young people to lead crime free lifestyles and increase their opportunities to make a positive contribution in society.

The Cabinet is asked to approve the re-tendering of the Youth Inclusion Project to assist the Council in achieving its Community Priorities of "Safe", "Fair and Respectful", "Prosperous" and "Inspired and Successful". The Cabinet can be confident that the need to tender has benefited from scrutiny by all key partnership groups.

**Comments of the Chief Financial Officer**

The re-tendering of this service, which is estimated to be in the region of £200,000 per annum will be funded from within existing Youth Offending Service (YOS) budgets. Funding will come from a combination of Youth Justice Board (YJB) Grants and YOS base budgets.

**Comments of the Legal Partner**

The Legal Partner has been consulted in the preparation of this report. The aggregate value of the proposed contract exceeds £400,000 and is therefore brought before Cabinet for authorisation in accordance with the Council's Contract Rules.

Due to the nature of the services being procured and the uncertainty around future funding and Transfer of Undertakings Protection of Employment (TUPE) issues described in the report, the Legal Practice will be consulted for the drafting of the contract and for advice in the procurement and award of the contract.

The Constitution (Contract Rules 13.3) provides delegated authority to the commissioning Chief Officer, in consultation with the Chief Financial Officer (Section 151 Officer), to award contracts upon conclusion of the procurement process where the value of a contract is in excess of £50,000.

**Head of Service:**

Glynis Rogers

**Title:**

Divisional Director,  
Community Safety and  
Neighbourhood Services

**Contact Details:**

Tel: 020 8227 2827

Fax: 020 8227 2846

E-mail: [glynis.rogers@lbbd.gov.uk](mailto:glynis.rogers@lbbd.gov.uk)

<b>Cabinet Member:</b> Cllr Jeannette Alexander	<b>Portfolio:</b> Crime, Justice and Communities	<b>Contact Details:</b> Tel: 020 8924 8239 E-mail: jeannette.alexander@lbbd.gov.uk
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## 1. Background

- 1.1 The Council, through Adult and Community Services, funds the specific provision of youth crime prevention services within the borough. This provision is part funded through the Youth Justice Board (£157000), the remainder being met through council budgets (£61,000).
- 1.2 The tender will be structured to ensure that the tender process provides best value and serves and meets the needs of young people within the borough.
- 1.3 The Youth Inclusion Project is currently delivered in the Gascoigne and Thames View Estates. The current contract expires in March 2011.
- 1.4 The procurement of the youth crime prevention initiative aims to achieve improved outcomes for those young people engaged on the project. This will include an increase in young people remaining in full time education training and employment and increasing opportunities to make a positive contribution and reduction of First Time Entrants.
- 1.5 The re-tendering of the service will help improve engagement of those young people deemed most vulnerable of offending in order to build protective factors for the individual and for their families. In addition, it will increase value for money by opening the referral routes into service via Multi Agency locality teams (MALTs). It is believed that this will in turn improve partnership working, reductions in offending behaviour and contribute to improved outcomes for individuals and the wider community.

## 2. Proposal

- 2.1 The contract value for this service is currently £218,000 per annum. Funding will be provided from the Barking & Dagenham Youth Offending Service budget allocated for prevention by the Youth Justice Board. Savings will be anticipated on the current total spend through procurement. It is anticipated that this funding will continue to be delivered to the Council to address the needs of those most 'at risk' young people.
- 2.2 Through the re-tendering of this service a value for money exercise will take place and contract prices will be reviewed in order to deliver economical service provision and provide cost savings to the Council. It is estimated that the annual cost of the service will reduce to £200,000 per annum through the application of smarter commissioning processes.
- 2.3 Prior to awarding the new contracts an evaluation of the price will be carried out to ensure that provider organisations tendering for the contract provide fair and competitive prices that are consistent with the service specification and the service required to be delivered.

2.4 **Re-tendering procedure**

2.5 The re-tenders will be carried out in compliance with EU rules. Interested parties will be invited to tender on the basis of a two-stage process. The first stage will be to invite expressions of interest involving the completion of a pre-qualification questionnaire which will be assessed against the responses given. This will result in a shortlist of up to six preferred providers being invited to tender. As services provided by this provision are necessary and essential within the borough it is planned that there will be no break in service and that current contract arrangements will be extended to cover the period from the end of March 2011 until the awarding of the new contract. Should there be any slippage on the timetable detailed below, current providers will be notified in advance to negotiate an extension.

2.6 The evaluation of tender submissions will be based on a quality cost matrix of 70/30 with weightings to be as follows:

Staffing and Personnel related issues (10)  
Partnership Working and Information Sharing to Achieve Effective Outcomes (10)  
Safeguarding (5)  
Service Delivery (25)  
Presentation (5)  
Interview (15)  
Cost / Pricing Schedule (30)

2.7 Tenderers will be advised of these weightings beforehand to enable a fair and even handed approach to be taken.

2.8 Officers are currently drafting the tender specification based on best practice models provided by Youth Justice Board.

2.9 **Expected Outline Timetable** (all dates are provisional and subject to change)

Action	Date
Cabinet (to seek approval to tender)	25/01/11
Advertise	05/02/11
Expressions of interest to be returned	26/02/11
Evaluate returns	12/03/11
Invitation to Tender to be sent out	26/03/11
Tenders to be returned	07/05/11
Interviews to be conducted	21/05/11
Approval from Chief Officers and 10 day standstill period	31/05/11
Contract Award	01/06/11

2.10 Contracts will be awarded to the successful provider/s for a period of three years, with an option to extend for a further one year dependent upon satisfactory performance.

2.11 The total contract value for the Youth Crime Prevention project over a three-year period is £600,000. If the contract is subject to a one-year extension period then the total contract price over four years is expected to be approximately £800,000.

### **3. Financial Issues**

- 3.1 The cost of the YIP is currently funded via the Youth Offending Service (YOS) Youth Justice Board (YJB) prevention allocation and Council funding amounting to £218,000 per annum.
- 3.2 The guarantee and certainties of funding cannot be absolute in the current economic climate. However early indications mean that the Youth Offending Service are confident that the YJB will continue to direct funds into prevention initiatives and that these will remain ring fenced within the overall YOS allocations, however there will be pressure to consider cost savings against all levels of current investment. Accordingly, the contract will contain break clauses enabling notice to be served at any time should existing funding streams cease or be reduced.
- 3.3 It has been identified that the re-tendering of the service will make estimated cost savings in the region of £54,000 over the lifetime of the contract.

### **4. Legal Issues**

- 4.1 The Council's Contract Rules and EU requirements will be complied with. In addition, tenders will be designed to ensure compliance with grant funding conditions from all agencies. Statutory requirements mandate that YJB prevention funded initiatives must produce high quality data returns.

### **5. Other Implications**

#### **Risk Management**

- 5.1 Attention is drawn to the recent notification that the YJB will cease to function as a non-departmental public body and its functions will be transferred into the Ministry of Justice. The YJB will continue to carry out its functions while the transitional arrangements are being worked through. However, funding for youth crime prevention initiatives remain secure for a further year and work has already begun to secure funding beyond 2012 and for the contract lifetime until 2014. It should also be noted that the contract will include break clauses should funds no longer become available at any such time before end of contract. Cost savings within the current contract have already been identified and remain a key focus for service managers to ensure there is a balance between quality and value for money. External funding opportunities will be identified whenever possible.
- 5.2 Non completion of the re-tendering of the services described within this report may result in an increase in youth crime and disorder and have detrimental effects on local residents.
- 5.3 It is very likely that the withdrawal of this service would result in an increase in First Time Entrants and antisocial behaviour. This will impact negatively on the delivery of the Children and Young Peoples Plan and undermine the priority focus of limiting the number of first-time entrants into the criminal justice system. Furthermore it will adversely impact on the wider community.
- 5.4 The services will be managed through formal quarterly performance, contract monitoring meetings, ongoing service improvement audits, consultation with young

people and parents accessing the programme and informal reviews by the Youth Offending Service.

### **5.5 Contractual Issues**

The current contract for the Youth Inclusion Project terminates on March 2011.

### **5.6 Staffing Issues**

For the currently commissioned service, there are no direct TUPE implications for Council staff. Officers will facilitate any TUPE implications between the existing provider and any new provider that may occur. The risks of redundancy of staff sits with the commissioned organisation that provides the service and not with the Council.

### **5.7 Customer Impact**

The YOS deals with offenders in the 10-18 age range. Equality impact assessments show that the largest cohort of offenders are in the 15 -16 age year range and that this cohort is largely representative of the borough in terms of ethnicity.

Young offenders' behaviours impact on all sections of the community and consequently there is benefit to all community groups in continuing to deliver this intervention programme.

Targeted youth crime prevention interventions are currently only available in two of the six MALT localities. The plan is to open up this provision to all young people across the borough. The overall indication of need via Multi Agency Locality Teams (MALTs) are that there are at least ten MERLINS (a Police Form that identifies a young person who has come to the notice of police) per locality, per week, identifying young people with potential risk for offending or of becoming engaged in anti social behaviour. The removal of current provision or no agreement to re tender the contract will impact on the ability to provide some of the most vulnerable young people in the borough with specialist needs targeted interventions which enable protective factors to prevent criminality. The re-tender and delivery of the new service will ensure essential targeted provision delivers improved outcomes for those young people who need it most. The need to provide targeted youth crime prevention has been subject to extensive consultation, with the benefit of input from all local partners, key agencies and professional groups.

5.8 The Equality Impact Assessment undertaken by the YOS detailed that the main areas for improving services are around the ability to effectively monitor and evaluate equitable and fair access to and for marginalised groups. This knowledge will directly inform the tender process and design of the service.

5.9 There are a number of improvements for inclusion within the tenders that are expected to have positive customer impacts. These are:

- Extension of current areas to include all six localities;
- Increased links to MALTs and use of model for outreach provision of intervention;
- Service to embody partnership approach under pinned by the Common Assessment Framework (CAF) process;
- Increased opportunities for improved outcomes for those young people engaged on projects;

- Work with post-sentence young people who have finished their order with the Youth Offending Service and re-integration back into the community.

### **5.10 Safeguarding Children**

Safeguarding Children is paramount within the service delivery and all potential providers will be required to be compliant with Section 11 of the Children Act 2004. The service will also be required to use the Think Families approach and use joined up approaches with adult services to ensure, where possible, that a holistic package of care is provided. This will include both the young person and their parents / carers to prevent further complex needs arising. The service must adopt the continuum need model and aim to keep young people from reaching level 3 thresholds. In 2009-10 396 CAF's were initiated and although it is difficult to pinpoint precisely how many required interventions to prevent offending behaviour it does however highlight the level of potential need in the borough. The total number of police contacts in 2009-10 amounted to 8,182 or 22 per day. No data is available to indicate how many of those contacts were offending related. The YOS in total received 100 triage cases of which 69 engaged with an intervention.

- 5.11 The withdrawal of this service would greatly impact on the borough's prevention agenda and its ability to be responsive to specific needs especially in relation to offending behaviour by young people. Lack of prevention initiatives may increase safeguarding issues and require much more specialised interventions at a later date where more complex needs have developed due to the lack of early intervention and prevention.

### **5.12 Health Issues**

Young people with additional needs and vulnerabilities around offending or Anti Social Behaviour (ASB) may potentially go on to experience emotional health and wellbeing issues. The withdrawal of this provision would have a significant impact on those young people requiring this service and consequently the wider community as a whole.

### **5.13 Crime and Disorder Issues**

Section 17 of the Crime and Disorder Act 1998 reinforced the principle aim of the youth justice system "to prevent offending by children and young people" requiring local authorities to integrate prevention of crime and disorder issues into all their functions and corporate thinking. Research indicates that effective targeted prevention initiatives contribute to the reduction to First Time Entrants. The provision of this service will contribute to the reduction of crime and antisocial behaviour amongst young people. Measures to reduce the flow of juvenile offenders into the system are just as important as those that deal with offenders once they are detected for offending.

- 5.14 Without this service being in place, the local authority would suffer a marked reduction in the achievement of targets and would be unable to deliver on a reduction in First Time Entrants. Those young people who would be involved in the current initiative would be at risk of not being engaged at such an early opportunity, which may also prevent further complex needs arising in that young person's life. The primary aim is to demonstrate an "invest to save" ethos.

**5.15 Property / Asset Issues**

The current service provider has leases in two local authority premises based in the Gascoigne Estate and a third property in the Thames View Estate, all of which will be released back to the Council.

**6. Options Appraisal**

6.1 Do nothing – if the contract is not re-tendered then these services will cease, and local young peoples' needs will not be met. The Council's ability to ensure adequate and necessary prevention strategies develop could be undermined which could have further impacts on crime rates, custody levels and increase of ASB incidents. Not having this service will accordingly impact beyond individual young people themselves but also to their families and into the local community.

6.2 Re-tender. The re-tendering of services will enable cost savings in the region of £18,000 per annum. It will enable the improvement of the provision of services to meet needs and reduce numbers entering the criminal justice system. Based on existing levels of activity these services will assist over 1,000 young people throughout the life time of the contract to lead crime and ASB free lives and help increase their opportunities to make a positive contribution to the borough and society as a whole.

**7. Background Papers Used in the Preparation of the Report:**

- The Management and Prevention of Juvenile Crime Problems – Crime Prevention Unit, Home Office, 1989
- Crime Prevention Projects Evaluation full report Youth Justice Board 2004
- Barking & Dagenham Children & Young People's Plan 2009/10 Review
- Children Act 2004

**8. List of appendices:**

None