

CABINET

19 July 2016

Title: Contract for the Provision of Short Break Activities for Disabled Children and their Families	
Report of the Cabinet Member for Social Care and Health Integration	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Valerie Tomlinson-Palmer, Commissioning and Procurement Officer (Children's Services)	Contact Details: Tel: 020 8227 3549 E-mail: valerie.tomlinson-palmer@lbbd.gov.uk
Accountable Divisional Director: Ann Graham, Operational Director, Children's Care and Support	
Accountable Director: Anne Bristow; Strategic Director for Service Development and Integration	
Summary: <p>Short breaks provide invaluable support for disabled children, young people and their families. While children are given opportunities to become more independent, have fun, enjoy new experiences, and form friendships with their peers; their families are able to take time out to recharge their batteries. There is a statutory duty upon the local authority to ensure this provision exists.</p> <p>This report seeks approval for the Council to commence a procurement exercise. This exercise is concerned with the establishment of a diverse range of services for the provision of short breaks and activities for disabled children and young people, to replace the Framework Agreement that has been in place for the past four years.</p> <p>This exercise will culminate in the creation of a list of suitably qualified and experienced providers for the provision of these services. All providers on the Framework will also be accessible to eligible families opting to receive a Direct Payment securing them the peace of mind that a rigorously vetted list of providers of this nature offers.</p> <p>The Framework Agreement awarded will be for a period of four years and is likely to be awarded to multiple providers (the current Framework has 67 providers). Forecasts indicate that total expenditure in this area over the four year period will be approximately £2m.</p> <p>The current Framework will expire on 31 August 2016, though contractual arrangements are in place that will persist until the end September 2016.</p> <p>There is no fixed financial commitment involved with this proposed arrangement as costs will only be incurred when services are used via call off contracts.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree to commence the procurement of a four-year framework contract for the provision of short-break activities for disabled children and their families, in accordance with the Council's Contract Rules and the strategy set out in this report; and
- (ii) Delegate authority to the Strategic Director for Service Development and Integration, in consultation with the Cabinet Member for Social Care and Health Integration, the Strategic Director Finance and Investment and the Director of Law and Governance, to award and enter into the contracts and relevant extended periods.

Reason(s)

To assist the Council to meet the following priorities:

Enabling Social Responsibility

1. By providing an appropriate, best-value service that delivers excellent outcomes for children and young people in order to:
 - protect the most vulnerable, keeping adults and children healthy and safe;
 - ensure children and young people are well-educated and realise their potential;
 - fully integrate services for vulnerable children, young people and families; and
 - Support residents to take responsibility for themselves, their homes and community.

Growing The Borough

2. Reduce cost pressures through increased economies of scale and by avoiding duplication of services where possible. The framework will assist in:
 - Developing a local, skilled workforce and improve employment opportunities;
 - Working with London partners to deliver homes and jobs across our growth hubs.
3. To allow the Council to continue to discharge the duty upon it to provide short-break services.

1. Introduction and Background

- 1.1 There are many forms that short breaks can take, including daytime, evening, weekend and overnight activities. They can take place in the child's own home, a family based setting, a residential, educational or community setting, or in their local environment. A short break can last from just a few hours to a few days. The activities can include sporting activities, play schemes, pre-school groups, youth clubs, residential homes, nurseries, the arts or dance. Short breaks can also include activities where someone other than a parent or carer accompanies a disabled young person for informal leisure activities; to go to the cinema; to watch a football match; to play on his/her computer at home; to have a sleep over with a friend, or to spend time in town or the park.

- 1.2 Short Breaks are an opportunity for disabled children and young people to have fun, gain independence, learn and develop; while families get to take a much needed break from their 24-hour caring.
- 1.3 Families of disabled children and young people are more likely to experience family breakup; short breaks can reduce family stress and prevent them reaching crisis point by enhancing emotional wellbeing, building resilience, and improving life chances. With short breaks, disabled children and young people and their families are doing things that they never before thought possible.
- 1.4 Consultation with Parents, Young People and Children resident in Barking and Dagenham has highlighted the importance of Short Breaks to them and the impact that they have. At the most recent consultation event which took place on Tuesday 24 February 2016 Parents expressed that Short Breaks:
- provided a good break from daily/routine activities;
 - brings the family together; and
 - helps the child with additional needs to get access to different activities.
- 1.5 Currently Barking and Dagenham provide short break services to 597 children and young people either through directly commissioned services (services commissioned on behalf of the family) or via Personal Short Breaks Grants (a Direct Payment made to the family so that they may commission their own services). Figure 1 shows the breakdown of spend in these two areas.

Figure 1

Short Break Service	No. of CYP	Forecast Annual Spend
Directly Commissioned Services	351	£347,000
Personal Short Break Grants.	342	£117,000
Children and Young People Receiving Both ¹	(96)	
Totals	597	£464,000

- 1.6 As the Council pursues an agenda of personalisation it is anticipated that the number of children and young people being supported by directly commissioned services will reduce. To assist with the personalisation agenda, a personal budget can be issued (in the form of a Direct Payment) to individual families so there is flexibility, choice and control over the service(s) which can be purchased.
- 1.7 It is highly unlikely that a position will be arrived at where no children and families are being supported by directly commissioned services as no family can be legally compelled to accept a Direct Payment in lieu of direct service provision.
- 1.8 Furthermore if, as is hoped, an increasing number of families *do* choose a Direct Payment so that they may make their own arrangements for Short Breaks Services, they will need access to providers who are suitably qualified and experienced to meet the needs of their child. This Framework agreement would offer families a significant degree of reassurance in this respect. The current agreement has 67 providers from which families can choose to purchase services and a directory of

¹ A total of 96 children and young people received both a commissioned service and a Personal Short Breaks grant, hence the inflated total as they appear in both figures

these is available as a hard copy or to view on-line. 22 of these providers have been directly commissioned during the 4 year framework agreement with many more being accessed via Direct Payment.

- 1.9 A new Framework agreement will also enable us to support families to do more for themselves in line with the Ambition 2020 agenda. As there is no commitment to use any of the services offered, it provides the Council with the flexibility to scale up or down usage to fit with future Ambition 2020 operating models.
- 1.10 The service vision is to commission an outcome focused service that encourages choice across a diverse selection of locally based providers. The contract will be structured in a way that does not create barriers to entry to SMEs, allows flexibility in the call-off procedure so as to allow for family choice.
- 1.11 Local Providers are encouraged and supported to offer a choice of activities in response to feedback from parent, carers, children and young people. The Heathway Centre also offers support to help plan and budget if additional help is needed. Those framework providers who do not currently have a delivery venue within the boundaries of Barking and Dagenham are also offered the opportunity to deliver services from the Heathway Centre and other local venues to ensure that services are accessible for local families.
- 1.12 This formalised approach will continue to drive savings through driving down costs at the call off stage. It will also enable financial transactions to be based on contracted prices, helping with cost containment and expenditure forecasting.
- 1.13 Parent/carers and young people have the opportunity to make an application for a Personal Short Break Grant for activities they would like to access over the course of a year, either independently or through partner agencies. This allows parents the flexibility to choose which activities they would like to participate in and to encourage activities to be tailor made to needs and preferences of the service user. In 2014/15 we had 188 applications for Individual Short Break Grants. During the financial year 2015/16 the number of applications was 341.
- 1.14 Overall we are seeing an annual increase in demand for these services from eligible Families. During 14/15 47% of the applicants had not previously applied compared with the 2015/16 figure of 58% of the applications coming from new applicants. The increase in part is due to more intense marketing and schools, portage and voluntary organisations heavily promoting Short Breaks and encouraging parents and carers to apply.
- 1.15 The funding for short breaks is included in the Revenue Support Grant for local authorities, and the component allocated for Short Breaks for Barking and Dagenham is £775k per annum. In addition to sums detailed in Figure 1 above; circa. £300k is allocated for the operation of the Heathway Centre (our dedicated Disabled Children's Resource Centre).
- 1.16 Our short breaks offer has contributed to enabling us to meet the objectives set out in the Children's and Young People Plan to improve support and fully integrate services for vulnerable children, young people and families by:

- enabling increased numbers of parents with children with a disability or special needs accessing short breaks through personalised budgets (100 plus families); and
- enabling children, young people and families to be more independent and self sufficient leading the life they want.

1.17 The current Framework Agreement governing this provision expires on 31 August 2016 and has no further option to extend, hence the proposal to put in place a new contract to allow this essential area of service provision to continue uninterrupted and to allow the Council to continue to discharge the duty upon it to provide short-break services. Contractually protected provision can continue to the end of September 2016.

1.18 Statutory duties make it clear that if there is an identified need for short breaks services then these must be provided. The Short Breaks Duty requires provision of a range of short breaks that give disabled children the same opportunities to play and socialise that other children experience, while allowing their parents to provide care more effectively through having a break from caring.

2. Proposed Procurement Strategy

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

2.1.1 Short Breaks services fall under the EU Procurement Regulation 'light touch' regime. The 'light touch' regime is still fairly flexible, though it is essential that an OJEU notice is published and similarly a contract award notice. The Council will ensure that any procedure followed is open, fair and transparent for providers.

2.1.2 The Council, in partnership with the family, will select suppliers to provide services via a "direct call-off". If a direct "call off" is not feasible then a mini competition will be held with the providers within the specific category to ensure that the most suitable provider is selected, the selection will be based on price, quality, and the needs of service users.

2.1.3 The Framework Agreement will be advertised (as detailed in section 2.5) and providers will be asked to meet minimum standards, as well as completing method statements (with a threshold to ensure only those that meet the Council's quality standards enter the list). A pricing schedule will also be completed by providers. Corporate Procurement will work with the Service in order to ensure the correct balance is found between ensuring the tender documents are 'light' enough to not be perceived as a barrier to local and/or SME providers, whilst also being robust enough to ensure that the correct quality/price is achieved.

2.1.4 London Borough of Barking and Dagenham will invite expressions of interest from suitably qualified Short Breaks providers interested in joining a Framework Agreement to provide services for disabled children and young people and their families.

2.1.5 The new framework will comprise 6 lots as follows:

- School Holiday Provision; After School Provision; Saturday and Sunday Provision;

- Buddying and Befriending;
- Evening; Weekend; and holiday provision
- Transition Support and Independence Skills;
- Family Based Respite from Registered Foster Carers; and
- Programme for children and young people with autism.

2.1.6 There are a number of accepted advantages to agreeing a contractual framework over spot-purchasing:

- Quality assurance can take place both with regard to statistical returns, as well as regular meetings with providers;
- Good practice and training opportunities can be shared amongst providers and forums held with local partners;
- Good quality services should lead to more consistent, needs-focused, short breaks provision for children, young people and families;
- A pre-agreed pricing structure that commits the providers to maintain their base prices across the term of the contract;
- Guaranteed pricing structure for local residents and those in receipt of direct payments.

2.1.7 The particular contractual method recommended to Cabinet, that is a Framework Agreement, would have additional advantages. It would not oblige the local authority to purchase any particular volume from a provider. The 'call off' contract would be for a term that can range for a couple of months to years based on the needs of service users.

2.2 Estimated Contract Value including the value of any uplift/extension period.

2.2.1 The contract will be a Framework Contract that will have no minimum value. No commitment to expenditure by the Council will be stipulated within the contract itself. Expenditure will only be incurred when referrals are made. The estimated expenditure for the Council is up to circa. £500k per annum (circa. £2m in total).

2.3 Duration of the contract, including any options for extension.

2.3.1 The Framework Agreement will be for a period of 4 years.

2.4 Is the contract subject to the (EU) Public Contracts Regulations 2015? If Yes and the Contract is for services, is it subject to the light touch regime?

2.4.1 This contract is subject to the (EU) Public Contracts Regulations 2015.

2.5 Recommended procurement procedure and reasons for the recommendation.

2.5.1 The tender procedure will be conducted in compliance with any European Treaty principles, in addition to the Council's Contract Rules. The tendering of this service will be advertised on the Council's website and on Contracts Finder ensuring that the Framework Agreement has been advertised to a big selection of the market.

2.5.2 There is a requirement for the tender to be advertised in the OJEU as it is subject to the Regulations and this will be adhered to. The Council's own Contract Rules require a formal tender procedure to be followed and the EU Treaty principles of

transparency, non-discrimination and equality of treatment do apply. This route has previously worked well: providers engaged with, and had no issues with, the way in which the procurement procedure was administered. Interested parties will be invited to tender on the basis of a compliant tender.

- 2.5.3 This will be a single stage tender using the Open Procedure and making the process less onerous to encourage interest from SME's and Social Enterprises to submit a tender for this Framework contract. All providers who express an interest in the tender will be issued with a tender pack which will give clear details on the price/quality criteria and weightings. The weighting will be 60% price, 40% quality.
- 2.5.4 This price/quality split has been arrived at to ensure a framework of providers of sufficient quality, something that was not realised as fully as we would have liked during the previous tender for these services. The lower than usual weighting applied to the price component is mitigated in other ways. Tender documentation will make it clear that no direct award will be made to those organisations that are too expensive and we will be able to award based on price at the call-off stage if this is more tangible.
- 2.5.5 In order to ensure that the quality of the service is satisfactory there will be a pass threshold and a minimum quality score will be set that providers must meet to be admitted to the Framework. Combined, this approach will ensure that only providers that are of good-quality *and* are price-competitive are placed on the framework.
- 2.5.6 Following the evaluation of the tenders, providers will be advised if they have been successfully placed on the Framework. This will result in a shortlist of preferred providers.

Expected Tender Outline

Activity	Completion Date
Develop Specification/Tender Documentation	June 2016
Cabinet	19 July 2016
OJEU Notice submitted/ITT Published	July 2016
ITT Bidders' Clarifications/Enquiries deadline	August 2016
Tender Returns and Evaluations	August 2016
Tender Evaluations	August 2016
Approval to Award - Delegated	August 2016
Internal call in period	August 2016
Award/Rejection letters	September 2016
Contract Award	September 2016
Contract Start Date	1 October 2016

2.6 The contract delivery methodology and documentation to be adopted.

- 2.6.1 Service to be delivered by external providers. Documentation to be adopted will be the Council's standard terms and conditions.

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

- 2.7.1 Utilising a Framework Agreement will allow more flexibility and competitive tendering at call off stage.
- 2.7.2 To ensure providers are vetted and that base prices are available for local residents and those in receipt of Direct Payments.
- 2.7.3 To improve outcomes for children and young people with special educational needs and/or disabilities in accordance with the five Every Child Matters outcomes, and more specifically:
- ensure children and young people in the borough are safe;
 - narrowing the Gap - raise attainment and realise aspiration for every child;
 - improve Health and Wellbeing, with a particular focus on tackling obesity and poor sexual health;
 - improve support and fully integrate services for vulnerable children, young people and families; and
 - Challenging Child Poverty - preventing poor children becoming poor adults.

2.8 Criteria against which tenderers are to be selected and contract awarded

- 2.8.1 The price/quality ratio upon which contracts will be awarded will be 60% price, 40% quality. Providers will be ranked per lot based on their tender submission.
- 2.8.2 A 'call off' will follow based on the services we need and a mini competition will be conducted where a direct 'call off' would be unsuitable due to price or service user needs.

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

- 2.9.1 The Council's Social Value policies and the Social Value Act 2012 are broadly aligned, and thus, these contracts will help address and implement the aims by:
- **Promoting employment and economic sustainability:** tackle unemployment and facilitate the development of skills
 - **Building the capacity and sustainability of the voluntary and community sector:** enabling groups to provide the service and encourage volunteering and employment of local residents
 - **Creating opportunities for SME's and social enterprises:** enabling the development of local businesses in the provision of this service.

3. Options Appraisal

3.1 Option 1: Do nothing

The current contract will expire. The Council could purchase these services from their current suppliers without having 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. Without contracts in place we cannot enforce DBS (Disclosure and Barring Service) checks being mandatory, or that service providers have the correct policies and procedures in place.

3.2 Option 2: Tendering the service

Tendering the service would comply with the Council's Contract rules and also EU Treaty principles. Through the procurement of a Framework Agreement the Council will fulfil its statutory duties to children, young people and their parents/or carers.

In addition as we continue to encourage parents and carers to take up direct payments and personal budgets it's important that they have a number of qualified providers to deliver services on our behalf. A Framework Agreement would give parents more options and services when using direct payments.

Parents are keen to continue accessing services delivered by local organisations – a number of which currently deliver from the Heathway Disabled Children's Resource Centre. This will allow us to keep costs low for Parents and carers and allow services to be delivered from the fully equipped resource centre. As providers will not have to seek a venue, this will generate more interest from prospective local providers.

Conversations are taking place with our local providers and a Market warming day will be held so that potential local providers can meet with Parents, Carers and young people to discuss the types and services that they would like. The advantages of providers that better reflects the makeup of its end users is self evident, in that services will as a result be better designed and delivered for those it seeks to serve.

This is the recommended option.

3.3 Option 3: Join an existing framework

There is no suitable existing framework in place.

3.4 Option 4: Joint Procurement

This option has been explored however there are currently no suitable procurement exercises taking place for our requisite timescales.

4. Waiver

4.1 Not applicable.

5. Equalities and other Customer Impact

5.1 Short Breaks activities will contribute to disabled children and young people having positive life chances and assist in their educational and social development.

- 5.2 Children's Services will be responsible for supporting providers to deliver high quality services. The call-off contract will specify expectations in this respect. Regular equality impact assessments will be made.
- 5.3 As this is a service for one of our most vulnerable groups the chosen providers will be required to conform to all our local and national safeguarding procedures. This will be checked at the tender stage and post-appointment by regular meetings and unannounced monitoring meetings where required.

6. Other Considerations and Implications

6.1 Risk and Risk Management

- 6.1.1 The current Framework Agreement expires in August 2016 with no further option to extend.
- 6.1.2 As a Framework Agreement there is no specific guarantee to any provider of a level of service and, by extension, expenditure. A Framework will encourage market competition, provide the flexibility and a larger selection than tendering individual services which would tie us into a contract with one provider.
- 6.1.3 The tender exercise will assist in assessing the financial stability of any prospective providers.
- 6.1.4 Once financial stability has been established the main risk involved will be the quality of the service delivered. Technical ability will be assessed during the tender stages. Providers will be expected to demonstrate:
- a minimum of three years relevant experience;
 - a commitment to quality and continuous improvement;
 - evidence of commitment to enhancing the lives of disabled children;
 - a commitment to engaging children and young people in service delivery design; and
 - Evidence of commitment to staff development and training.
- 6.1.5 Once a provider has been selected via the 'call off' procedure, written contractual arrangements will contribute to ensuring a quality service. The contract will have a dedicated contract manager. Quarterly monitoring reviews will be conducted and the once contracts have been awarded providers will be requested to complete a monitoring form on a quarterly basis before these reviews. The monitoring form will collect information about the service and will be based around the contract terms and conditions and service specification.
- 6.1.6 Council officers will conduct unannounced monitoring visits focusing on the quality of the provision. Quality surveys will be conducted by the provider and the Council and will be aimed at parents / carers and children. The provider will have to report any complaints made to the Council.
- 6.1.7 Providers delivering services for children and young people under 8 will be subject to external inspection from Ofsted. For providers of services for children and young people over 8 we will encourage voluntary registration with Ofsted. Applicants will need to supply personal information, sign a declaration that they can meet the

requirements and give evidence of a valid first aid certificate. Providers will be asked to provide the DBS check numbers in addition to Safeguarding and Child Protection Policies, as a part of the procurement procedure providers will be asked to obtain minimum insurance thresholds.

6.2 TUPE, other staffing and trade union implications

6.2.1 There are no TUPE implications.

6.3 Safeguarding Children

6.3.1 Access to suitable Short Breaks provision, as well as being a duty upon the Council, can play a significant role in safeguarding, as can any provision that reduces stress in the family environment. The opportunity for children and young people to access provision that help them develop social skills and manage behaviours in conjunction with their peers, as well as the impact of allowing the opportunity for parents and carers to take a break from these duties should not be underestimated. Nor should the role this plays in reducing stress factors that can contribute to familial breakdown and, at times, the escalation to more targeted and acute services that can be the culmination.

6.3.2 It is essential that all providers added to this Framework have the necessary skills and policies for identifying safeguarding concerns, and that the organisations themselves are capable of safeguarding these vulnerable children and young people effectively. The tender procedure, specification(s) and all resultant contracts must make these responsibilities explicit.

6.4 Health Issues

6.4.1 The Social Care Institute for Excellence has outlined research findings on respite care for the carers of disabled children. For many parents of disabled children the traditional residential break model, which places their child in a residential unit, does not always serve the needs of their family. Instead, parents may prefer a more flexible model that provides additional care to the child or the family as a whole at external residential centres, in the home or at external facilities, for short amounts of time.

6.4.2 This approach takes into account two issues integral to the care experience of disabled children and their families. First, the desire of disabled children to lead as ordinary a life as possible, including taking breaks with their family and friends close by. Second, it reflects the needs of their parents, who often want the break to provide a breather but also want flexible help that enables them to have a normal relationship with their disabled child.

7. Consultation

7.1 Families told the Government that their number one priority was to have regular and reliable short breaks from caring. The Government has responded to this by putting substantial investment of £370 million nationally in to the transformation of short breaks.

- 7.2 A central government announcement of short breaks programme made in 2010 demonstrated the positive impact that short breaks can have on families with disabled children with 88% of families surveyed currently using some form of short breaks service. But there is more work to be done to better target services and make sure all families have access to a wide range of support.
- 7.3 A consultation in relation to Short Breaks services and Personal Short Break Grants (PSBG) was concluded in February 2016. Parents and Carers are happy with the Short Breaks and the PSBG. They said that it gives them a break from daily/routine activities and brings the family together.
- 7.4 They felt that without access to these services the child and parent will be isolated as there will be a lack of socialisation and boredom might affect behaviour, increasing pressure on care givers. All comments and feedback will be taken into account when evaluating tender submissions.
- 7.5 Consultation for this tender exercise has taken place through circulation of this Cabinet Report. The draft report after having been circulated to all required consultees as listed at the beginning of this report was then considered by the Corporate Procurement Board.

8. Corporate Procurement

Implications completed by: Kevin Lynch; Category Manager

- 8.1 The report seeks approval to proceed with a procurement exercise for the provision of Short Break activities for disabled children and their families
- 8.2 This will be an open tender and accessible to any provider who expresses an interest.
- 8.3 The anticipated contract value is £2m and as a result this procurement falls under the new light touch regime as it is above the threshold, there is a number of procedural rules that must be followed and these include;
- OJEU Advertising: The publication of a contract notice (CN);
 - The publication of a contract award notice (CAN) following the procurement;
 - Compliance with Treaty principles of transparency and equal treatment;
 - The procurement must be conducted in conformance with the information provided in the OJEU advert (CN) regarding: any conditions for participation; time limits for contacting/responding to the authority; and the award procedure to be applied;
 - Time limits imposed on suppliers, such as for responding to adverts and tenders, must be reasonable and proportionate. There are no stipulated minimum time periods in the LTR rules, so the contracting authorities should use their discretion and judgement in relation to this.
- 8.4 Establishing a framework agreement will provide LBBB with an approved list of providers with the option of directly awarding and/or running a mini competition.
- 8.5 The framework agreement is to be for a maximum period of 4 years and will be awarded in 6 lots. Dividing the contract into lots will open the opportunity to SME's.

- 8.6 The proposed award criteria is weighted 60% price and 40% quality and this should achieve a balance that ensures quality standards are met while ensuring value for money is delivered. Suppliers will be required to meet minimum standards and achieve a quality threshold in order to be awarded onto the framework. Suppliers who fail to meet these thresholds will not be eligible to be on the framework.

9. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant, Children's Finance

- 9.1 This report requests approval for a procurement contract for the provision of short break activities for disabled children. This is a four year framework contract which will comprise of 6 lots as detailed in paragraph 2.1.5.
- 9.2 There is no financial commitment with the framework contract, as spend will be incurred when services are requested from the providers.
- 9.3 Spend against this contract will be contained within the Short Breaks budget of £475k for 2016/17 which has been allocated for this purpose. The forecast spend for 2015/16 in this area was £401k.

10. Legal Implications

Implications completed by: Bimpe Onafuwa, Contracts and Procurement Lawyer

- 10.1 This report is seeking approval to procure a framework agreement for the provision of Short Break activities for disabled children.
- 10.2 Public bodies are permitted to set up framework agreements or to call off existing frameworks, so long as they are set up in compliance with the Public Contracts Regulations (the Regulations). There is therefore a requirement that it be tendered competitively and that the tender exercise be transparent, non-discriminatory and fair.
- 10.3 This report sets out the procurement strategy for this agreement in clause 2. Clauses 2.5.1 and 2.5.2 state that the contract will be advertised on the Council's website, on Contracts Finder and in the OJEU. In clause 2.5.3 details of the evaluation criteria for the framework are given as 60% price: 40% quality, while clause 2.8.2 states that once set up contracts will be called off either directly or by way of further mini-competition. Finally, clause 2.5.6 of the report provides a timetable for the procurement exercise. The above are indication of a fair tender exercise in accordance with the Regulations.

Public Background Papers Used in the Preparation of the Report

- Aiming High for Disabled Children Report. Click [here](#) for access.
- Consultation Report – Tuesday 24th February 2016.

List of Appendices: None