



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
Social Care, Health & Well-being Cabinet Board**

9th December 2021

**Report of the Head of Children and Young People Services –
K. Warren**

Matter for Decision

Wards Affected All Wards

**PROCUREMENT EXERCISE FOR THE PROVISION OF A
RESIDENTIAL SHORT BREAK SERVICE TO CHILDREN AND
YOUNG PEOPLE WITH DISABILITIES.**

Purpose of the Report

To obtain Member approval for the:

- Undertaking of a procurement exercise for the provision of a residential short break service to Children and Young People with disabilities (“the Service”).
- Head of Children and Young People Services to receive delegated authority to enter into a contract of up to 10 years for the delivery of the Service and the associated property lease with the winning bidder.

Executive Summary

Following a competitive procurement exercise, Neath Port Talbot Council (“the Council”) entered into a ten year contract with Action for

Children for the provision of residential short break services to Children and Young People with a disability.

The end date of the current contract is 31st July 2022, as such there is a need to re-procure this Service to ensure that appropriate arrangements are in place post July 2022.

Background

On the 15th July 2010, agreement was given for the re-provisioning of residential short breaks for Children and Young People with disabilities (Background Paper 1). This involved the development of a purpose built three bedroomed building within Neath Port Talbot and the procurement of a provider to deliver the required residential short breaks.

Subsequently, Action for Children were awarded a ten year contract to deliver the Service, which will expire on 31st July 2022. The Council own the purpose built property in which the Service is delivered and a lease was entered into with Action for Children for the term of the Service contract.

Commonly known as 'respite', the Service offers disabled children and young people with fun, enjoyable experiences away from home, whilst supporting them to learn and develop new skills to help them fulfil their potential. In addition, the Service also provides parent carers with regular opportunities to take breaks from their caring responsibilities.

In light of the upcoming end date for the current contract and lease, Officers have undertaken a review of the Service to inform the new contract. This review included engagement and consultation with key stakeholders, such as those that use the Service and their families.

In order to ensure the continuity of this essential Service by a suitably experienced and skilled provider, there is a need for the Council to undertake a procurement exercise to re-tender the Service. Providers wishing to be considered for this opportunity will be evaluated based

on their quality and cost, in order to identify which bidder will offer the most economically advantageous tender. The bidder offering the most economical advantageous tender will be awarded the contract to deliver the Service for a period of up to ten years.

The successful bidder will be required to enter into a new lease arrangement in order to enable the continued delivery of the Service from the current location for the term of the Service contract.

Financial Impacts

The current cost to the Council for the provision of the Service is £388,510.00 per annum.

It is not possible to indicate the financial impact of this proposal until the Service has been tendered and the Council has evaluated the bids. The procurement process will ensure that the Council contracts with a provider that is able to offer best value for money, taking into account both the quality and cost of the bidder's submissions.

Any additional costs will be sourced from the Children and Young Peoples base budget.

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016). The first stage impact assessment has indicated that a more in-depth assessment was required.

An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at Appendix 1, for the purposes of the meeting.

Equalities - Children and Young People that use the Service have a

protected characteristic by virtue of their age and disability. This proposal will have a positive impact as it ensures the continuation of Services that will help children and young people develop skills that build upon their independence. The re-procurement of this Service will not make changes to the eligibility criteria or the Service provision.

Families of Children and Young people that use the Service have a protected characteristic by virtue of their age and/or marriage/civil partnership. This proposal will have a positive impact as it ensures the continuation of services that supports families to have respite from their caring role.

The proposal will have a neutral impact on those affected by this proposal that have other protected characteristics. This is because access to the Service is not based on other protected characteristics and this re-procurement does not make changes to the eligibility criteria. The service will be required to comply with relevant equalities legislation and regulations.

The Service is person-centred, so that any individualised needs of those that stay in the respite home and family members of those that attend the home will be met. This includes being responsive to any requirements that a person has by virtue of their protected characteristic(s). In addition the re-procurement of this Service is not to replace other respite options for disabled children and young people.

Socio-Economic Disadvantage - Will have a positive impact as the aim of the Service is to offer disabled Children and Young People with fun, enjoyable experiences away from home, which will support them to learn and develop new skills to help them fulfil their potential. In addition, the Service also provides parent carers with regular opportunities to take breaks from their caring responsibilities.

There is no charge for attending the Service, as such this Service is equitably available regardless of a person's socio-economic status.

The procurement of this Service will have a positive impact on both groups of people as it will enable the continuation of essential Services once the current contract ends. The Service supports families to have respite from their caring role and helps children and young people to develop skills that build upon their independence.

Community Cohesion/ Social Exclusion/Poverty - Will have a positive impact as the aim of the Service is to offer disabled Children and Young People with fun, enjoyable experiences away from home, which will support them to learn and develop new skills to help them fulfil their potential. In addition, the Service also provides parent carers with regular opportunities to take breaks from their caring responsibilities.

There is no charge for attending the Service so attending the Service will have no impact on a person income.

The procurement of this Service will have a positive impact on both groups of people, as it will enable the continuation of essential Services once the current contract ends. The Service supports families to have respite from their caring role and helps children and young people to develop skills that build upon their independence.

Welsh Language - Will have a neutral impact as the re-procurement will ensure that people are able to continue accessing the Service in their language of choice.

Biodiversity – Not applicable to this proposal.

Well-being of Future Generations - Will have a positive impact on meeting the five ways of working under the Well-being of Future Generation Act, as the undertaking of a procurement process will ensure the contention of Services that improve the well-being of adults, children and young people who live in the county borough.

Valleys Communities Impacts

The Service is located in a central Port Talbot location and is

available to all Children and Young People that have an assessed need for the Service. The Service is one of a range of different respite opportunities and considerations relating to valley communities will form part of the person centred and outcome focused assessment process.

Workforce Impacts

There are no workforce impacts on Council employees.

The Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) may apply to this contract between the current provider of the Service and the winning bidder. Any TUPE will be between the current and new provider and will not impact on the Council workforce.

Legal Impacts

The value of the contract is estimated to be in the region of £388,510.00 per annum, therefore with a contract a term of up to ten years, the contract value will exceed the threshold of £663,540 for the Light Touch Regime set out in the Public Contract Regulations 2015. In addition the Council must comply with its own Contract Procedure Rules which apply to the letting of contracts. Under the Public Contract Regulations 2015, the Council is obliged to act in an open fair and transparent manner, ensuring that contract opportunities for such social care services are advertised to reach a wide market in order to encourage competition and to ensure equal treatment of all bidders. As such, the Council is required to undertake a competitive procurement exercise for the Service in accordance with the Light Touch Regime under Public Contract Regulations 2015 and its Contract Procedure Rules. The tender process to be undertaken will comply with relevant legislative and procedural requirements.

Risk Management Impacts

The winning bidder will be required to submit a contract mobilisation plan to ensure a smooth transfer of the Service. The implementation of this mobilisation plan will be monitored by Officers within the Common Commissioning Unit.

Consultation

There is no requirement for external consultation on this item.

The Social Services and Wellbeing (Wales) Act 2014 places importance on Commissioners to promote co-production of service design with those that use services.

Commissioners have engaged with Children and Young People who use the current Service, their families and various professionals who are key stakeholders to this Service. Engagement activities included parent coffee mornings, feedback activities with Children and Young People, questionnaires and meeting based discussions.

The engagement feedback identified that Children, Young People and parent carers who use this Service consider it to be very effective in supporting Children and Young People to develop a range of skills and in supporting achievement of their personal outcomes. Many families described the Service as a 'lifeline' that supports them in their parent carer roles.

The engagement feedback has been used to inform the Service design and Service specification from July 2022. A short breaks outcomes framework has also been developed as a result of the engagement activities, which will be used as a tool to regularly evaluate the delivery of the Service based upon what Children, Young People and their families feel are important to them.

As part of the procurement evaluation, Commissioners will make arrangements to enable representation from those that use the Service.

Recommendations

Having had due regard to the integrated impact assessment it is recommended that agreement is given for:

- a) The undertaking of a procurement exercise to commission a residential short break Service to Children and Young People with a disability.
- b) Following the procurement process, for the Head Children and Young People Services to be granted delegated authority to enter into a contract with the bidder evaluated as offering the most economically advantageous tender (taking into account the quality and cost of the bids), for the provision of a residential short break service to Children and Young People with a disability.
- c) The Head of Children and Young People Services to be granted delegated authority to enter into a lease agreement with the winning bidder.

Reasons for Proposed Decision

To ensure that sufficient arrangements are in place to continue the delivery of a residential short break Service to Children and Young People with a disability post July 2022.

Implementation of Decision

The decision is proposed for implementation after the three day call in period

Appendices

Appendix 1: Integrated Impact Assessment

List of Background Papers

Re-provisioning of Residential Short Term Break Facilities for Disabled Children and Young People (15th July 2010):
[http://moderngov.npt.gov.uk/Data/Children,%20Young%20People%20and%20Education%20Cabinet%20Board/20100715/Agenda/\\$CYPEB-150710-REP-SS-JR.doc.pdf](http://moderngov.npt.gov.uk/Data/Children,%20Young%20People%20and%20Education%20Cabinet%20Board/20100715/Agenda/$CYPEB-150710-REP-SS-JR.doc.pdf)

Officer Contact:

Keri Warren, Head of Children and Young People Services
Phone: 01639 68 3328 Email: k.warren@npt.gov.uk

Chelé Zandra Howard, Principle Officer for Commissioning
Phone: 01639 685221 Email : c.howard@npt.gov.uk