



Executive Director/Director Non-Key Executive Decision Report

Author/Lead Officer of Report: Jane Beatson,
Commissioning Officer, SCART

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Report to: John Macilwraith – Executive Director (People Services)

Date of Decision: 19/02/2020

Subject: Recommission Specialist Mentoring Service

Which Cabinet Member Portfolio does this relate to? Children, Young People and Families

Which Scrutiny and Policy Development Committee does this relate to? Children, Young People & Family Support

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? **752**

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

*“The (**report/appendix**) is not for publication because it contains exempt information under Paragraph (**insert relevant paragraph number**) of Schedule 12A of the Local Government Act 1972 (as amended).”*

Purpose of Report:

Request approval to recommission the Specialist Mentoring Service which ends in March 2020.

Recommendations:

That the Executive Director (People Services) delegate to the Director of Commissioning Inclusion authority to;

1. Approve a procurement exercise to re-commission the Specialist Mentoring Service for a further three years with an updated specification and KPI's at the same level of funding of £81,838 per year.
2. Exercise their delegated authority in consultation with the Director of Finance and the Head of Procurement & Supply Chain to determine the appropriate procurement strategy for the provision for an updated Specialist Mentoring Service.
3. Exercise their delegate authority in consultation with the Director of Finance and the Head of Procurement & Supply Chain to award the contract for the Specialist Mentoring Service in accordance with the procurement strategy. The award of the contract will follow a procurement exercise and conform to Council's Contract Standing Orders (CSOs).

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Contract Review: Monitoring Service 22 November 2019

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>(Insert name of officer consulted)</i> Paul Jeffries
	Legal: <i>(Insert name of officer consulted)</i> David Cutting
	Equalities: <i>(Insert name of officer consulted)</i> Bashir Khan
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	Lead Officer Name: Jane Beatson
	Job Title: Commissioning Officer
Date: 21/01/2020	

1. PROPOSAL

- 1.1 This report seeks approval for the recommissioning the Mentoring Service for a further three years with an updated specification and KPI's at the same level of funding of £81,838 per year (totalling £245,514).
- 1.2 The current Provider has delivered this service for the past three years. This Specialist Service contract which recruits, trains and supports volunteer mentors to enable them to provide a range of activities to support children and young people aged 8-19 who are disengaged with their lives and at risk of truanting, exclusion from school or at risk of offending or antisocial behaviour.
- 1.3 The contract is due to end in March 2020 and to continue the service a tender must be completed. This service is not a statutory duty.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The mentoring service had a difficult start but following service improvement work an audit in January 2019 confirmed that the service had made good and sustainable improvements in both its management of the programme and staff, and mentoring support and positive activities available for young people.
- 2.2 The focus of the contract has targeted those at risk of exclusion or with persistently poor attendance or behaviour in school.
- 2.3 The service is close to reaching targets through a mixture of group work and 1-2-1 mentoring and activities. The number of volunteers and ongoing recruitment has been steady over the course of the last year and the offer to students on Vulnerable Learner Pathways has increased. These are children and families who require extra support to meet their needs.
- 2.4 By broadening the activity offer to youth and homework clubs and providing links to organisations such as Endeavour¹ who are part of the alternative provision network thereby offering a range of topical empowering activities after school and at key holiday points. This has meant a more successful and positive engagement from and with Young People who are supported by the programme to undertake activities and visit places they have never been before.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 There is no statutory requirement for consultation nor does any element in this re-procurement trigger a requirement for consultation with regard to the ongoing provision of the Service.

¹ <http://www.endeavour.org.uk/>

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Sector Equality Duty contained in Section 149 of the Equality Act 2010 which identifies the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

4.1.2 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

4.1.3 An EIA has been carried out and highlights that recommissioning the Specialist Mentoring Service contract will help continue providing a range of activities to support children and young people aged 8 -19 who are disengaged with their lives and at risk of truanting, exclusion from school or at risk of offending or antisocial behaviour. Many of those supported have ADHD or Asperger's Syndrome or other vulnerabilities.

4.2 Financial and Commercial Implications

4.2.1 The contract value is £81,838 per year for three years which equates to £245,514 for the term of the contract. Sufficient budget is in place within the Citywide Contracts budget.

4.3 Legal Implications

4.3.1 The Council does not have a specific statutory duty to maintain this Service, however, power to proceed is provided through the General Power of Competence in Part 1 of Localism Act 2011. It also has the power to deliver the project, under s.111 of the Local Government Act 1972.

4.3.2 The Services that are the subject of this Report are social care services covered by the "light touch" regime set out in the Public Contracts Regulations 2015. However, the value of the proposed contract is below the threshold set out in those Regulations, although the Council does have a duty to act in accordance with its general European Treaty principles of transparency and fairness during procurement.

4.3.3 There are no further legal implications arising directly from this report or the proposed contract.

4.4 Other Implications

- 4.4.1 Any TUPE implications should only affect the incumbent Provider and any new Provider. This dynamic shall be taken into consideration through the re-procurement process, however, there are no TUPE implications for the Council other than ensuring that the Provider's comply with their obligations.
- 4.4.2 All current Service Providers are advised to take their own legal advice on this dynamic and will be required to provide information on the Workers they believe are eligible for TUPE in the event they are unsuccessful in continuing to provide the service. This information will be made available to prospective Tenderers to allow them to accurately price their tender submission.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Not to re-commission the Service. This proposal was rejected because clear developments have been made to support the inclusion and learning agenda around SEND in CILS and this has improved and contemporised the contract.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The updated method of delivery will support the inclusion strategy to enable young people with SEND to be reintegrated into mainstream education. This will ideally reduce the need for additional intervention work and allow them to continue in main stream school without the need to attend specialist schools.
- 6.2 Accordingly, in order to continue with the provision of this service there is a need to approve a tender to re-commission the Specialist Mentoring Service for a further three years with an updated specification and KPI's at the same level of funding of £81,838 per year.