

SHEFFIELD CITY COUNCIL



Individual Cabinet Member Report

Report of: Jayne Ludlam

Report to: Councillor Jackie Drayton, Cabinet Member, CYPF

Date: 7th January, 2016

Subject: Provision of a Reparation and Unpaid Work Service

Author of Report: Joel Hanna tel: 2288578
ext. 38578

Key Decision: YES

Reason Key Decision: Expenditure over £500,000*
Sub regional tender
(Sheffield, Rotherham, Doncaster and Barnsley)

Summary:

This report seeks approval from the Cabinet Member for Children, Young People and Families to agree to a Sub-regional tender for the provision of a Reparation and Unpaid Work Contract for Sheffield, Rotherham, Doncaster and Barnsley Youth Justice Services.

The Reparation and Unpaid Work Contract is to commission a Service Provider to deliver Reparation and Unpaid Work Services to the South Yorkshire Youth Justice Services with the aim of helping young people to understand the consequences of offending and to take responsibility for their behaviour, in order to make amends for the harm caused by the offence.

This Service has been provided by the current Service Provider, under contract, since February 2014. The contract is due to end on the 31st March, 2016. The current Contract covers Sheffield and Rotherham Youth Justice Services only.

However, Barnsley and Doncaster Youth Justice Services now also wish to be involved. It is proposed that Sheffield will be the Lead Purchaser and will contract manage the Contract on behalf of the region.

Reasons for Recommendations:

To support the development of a consistent service delivery and key services across the region that supports the statutory requirements of the youth justice teams. By the four service areas joining together in a single contract and in addition to ensuring best value for money and cost effectiveness, we will be better able to achieve a consistent and higher standard service throughout the region which is consistent with each service areas delivery plan as well as the South Yorkshire police and crime plan. There is a statutory requirement set out within the national standards for the delivery of youth justice services and subject to inspection and audit for the provision of these interventions.

Recommendations:

The Cabinet member for Children Young People and Families is recommended to:

- a) Note the contents of this report and associated delivery expectations.
 - b) Approve, subject to an Agreement being entered in to between the South Yorkshire Local Authorities regarding the funding for the Reparation and Unpaid Work Service, a sub-regional approach in which the Council acts as the lead authority.
 - c) Approve the use of a competitive tender process to procure the sub-regional contract for a Reparation and Unpaid Work Service.
 - d) Delegate authority to the Assistant Director Provider Services to enter into an agreement with the other South Yorkshire Local Authorities regarding the funding for the Reparation and Unpaid Work Service.
 - e) Delegate authority to the Director of Commercial Services or their nominated representative, in consultation with the Director of Legal and Governance, to conduct the tender exercise, to accept a tender and to award the Contract for Reparation and Unpaid Work Service, subject to an Agreement being entered in to between the South Yorkshire Local Authorities regarding the funding for the service.
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Background Papers: Equality Impact Assessment

Category of Report: **OPEN**

If CLOSED add '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).'

* Delete as appropriate

Statutory and Council Policy Checklist

Financial Implications
YES/NO Cleared by: Liz Gough
Legal Implications
YES/NO Cleared by: Sarah Bennett/Neal Chatrath
Equality of Opportunity Implications
YES/NO Cleared by:
Tackling Health Inequalities Implications
YES/NO Cleared by:
Human Rights Implications
YES/NO Cleared by:
Environmental and Sustainability implications
YES/NO Cleared by: Bashir Khan
Economic Impact
YES/NO Cleared by:
Community Safety Implications
YES/NO Cleared by:
Human Resources Implications
YES/NO Cleared by:
Property Implications
YES/NO Cleared by:
Area(s) Affected
Relevant Cabinet Portfolio Lead
Cllr Jackie Drayton
Relevant Scrutiny Committee
Children, Young People and Families
Is the item a matter which is reserved for approval by the City Council?
NO
Press Release
NO

REPORT TO THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES

REPARATION AND UNPAID WORK SERVICE

1.0 SUMMARY

- 1.1 This report seeks approval from the Cabinet Member for Children, Young People and Families for a sub-regional tender exercise to be conducted for the provision of a Reparation and Unpaid Work Service for the Youth Justice Services within South Yorkshire.
- 1.2 The Reparation and Unpaid Work Contract is to commission a Service Provider to deliver Reparation and Unpaid Work Services to the South Yorkshire Youth Justice Services with the aim of helping young people to understand the consequences of offending and to take responsibility for their behaviour, in order to make amends for the harm caused by the offence.
- 1.3 This Service has been provided by the current Service Provider, under contract, since February 2014. The contract is due to end on the 30th April, 2016. The current Contract covers Sheffield and Rotherham Youth Justice Services only. However, Barnsley and Doncaster Youth Justice Services now also wish to be involved. It is proposed that Sheffield will be the Lead Purchaser and will contract manage the Contract on behalf of the region.

2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

- 2.1 To enable Sheffield City Council's Youth Justice Service to work alongside its partners, to work together to ensure that young people make amends for their actions, directly to the people and the communities their offence has affected.
 - 2.1.1 Putting things right and healing relationships, thereby giving high satisfaction to victims and reducing re-offending.
 - 2.1.2 Ensuring that those directly affected by crime are involved in the process and that their wishes are given careful consideration.
 - 2.1.3 Achieving positive outcomes for the victim, community and the Young Person.
 - 2.1.4 Reparation is an important part of the work Youth Justice Services undertake with a young person and plays a leading role in their rehabilitation process.

3.0 OUTCOME AND SUSTAINABILITY

- 3.1 Anticipated outcomes from the Service that will be funded will be:
- Help to prevent/reduce the number offending and re-offending
 - Reduce the number of first time entrants (FTEs) to the Youth Justice Services in Sheffield, Rotherham, Doncaster and Barnsley.
 - Confront offenders with the consequences of their behaviour
 - Reduce the risks associated with youth crime
 - Encourage the participation of victims
 - Promote parental responsibility
 - Ensure prompt sentencing
 - Help ensure that young people are dealt with proportionately
 - Increases the collective capacity to evaluate data across local authority boundaries

This project will assist in helping young people to make amends for their actions, directly to the people and the communities their offence has affected.

4.0 MAIN BODY OF THE REPORT

Including Legal, Financial and all other relevant implications (if any)

- 4.1 The principal aim of the Youth Justice System is to prevent offending by Children and Young People.
- 4.2 The National Standards for Youth Justice Services are set out by the Secretary of State for Justice on advice from the Youth Justice Board for England and Wales (YJB). These Standards apply to those organisations providing statutory Youth Justice Services.
- 4.3 Since February 2014, Sheffield and Rotherham has had a Contract with the current Service Provider to provide a Reparation Service to children and young people who commit an offence. This Contract is due to end on 30th April, 2016.
- 4.4 Following discussions between Sheffield, Rotherham, Barnsley and Doncaster Youth Justice Services, it has been decided that a full competitive tender exercise for a service to be provided across the region will be undertaken in compliance with the relevant provisions of the Public Contract Regulations 2015.
- 4.5 On advice from Commercial Services a “three year plus one” contract period has been suggested for the following reasons:
- this will attract more competition
 - a new provider may take up to a year to become established; and
 - more savings may be realised over a longer period.

- 4.6 It is therefore proposed that the new Contract is for the period 1st May, 2016 until 31st March, 2019 with the option to extend for a further year subject to funding availability.
Funding has been agreed by each Authority on the following basis:

Sheffield	£76,000	= (40%)
Rotherham	£38,000	= (20%)
Barnsley	£38,000	= (20%)
Doncaster	£38,000	= (20%)
Total Contract value	=	£760,000 (4 years)

- 4.7 Note these contribution rates are based on previous contract values/requirements when authorities held individual contracts. In the context of the existing contract the Sheffield City Council contribution and provides an annual saving of £8,000.
- 4.8 A clause will be included in the contract to ensure that if funding reduces or is withdrawn then the contract can be reviewed and contract variations put in place.
- 4.9 By adopting a sub-regional approach to tackling youth offending issues, learning and best practice can be applied across all four authorities and solutions can be adopted that ensure positive outcomes for children, young people and victims impacted by the offence.

4.10 **Legal Implications**

Part III of the Crime and Disorder Act 1998 (“the Act”) places a statutory responsibility on local authorities to establish a youth offending team (YOT) for their respective areas and ensure that it is adequately resourced to co-ordinate the provision of the range of activities defined as youth justice services in section 38(4) of the Act and to carry out functions within the local authority’s statutory youth justice plan. The Youth Justice Service is Sheffield’s YOT.

Unpaid work is a youth sentence that we have a duty to provide as part of the Youth Offending Team statutory obligations.

The proposed competitive procurement process complies with Contract Standing Orders and the Public Contract Regulations 2015.

It has been agreed by the participating Local Authorities that Sheffield will be the Lead Authority. A financial contribution will be paid to Sheffield as the Authority who would be contract managing and monitoring this project on behalf of the region. Once the final contract value is known a written agreement will be entered in to.

4.11 Equal Opportunities Implications

Equalities Impact Assessment has been undertaken and approved by our equalities officer and will be maintained throughout the life of any Contract.

Contract Terms and Conditions determine that Service Providers shall address equality in Service Provider workforce to reflect ethnic make-up of service user base, address ethnic needs of offenders/Service Users. This is tested at Contract Management Reviews and monitoring.

4.12 Tackling Health Inequalities Implications

None

4.13 Human Rights Implications

None

4.14 Environmental and Sustainability Implications

None

4.15 Economic Impact Implications

None

4.16 Community Safety Implications

The services to be commissioned under the propose contract are core interventions within the delivery of youth justice service is as required through statutory requirements and national standards. These services contribute towards each areas delivery of restorative justice interventions and provide a fundamental part of youth justice service is work with young people to prevent re-offending.

4.17 Human Resources Implications

none

4.18 Property Implications

none

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 The provision of this Service is a legislative requirement, and due consideration has been given to method of delivery including bringing the Service In house or running a Sheffield only tender.

- 5.2 It was determined that the most cost effective option would be a collective approach on the open, market through an open tender, this would maximise the interest and competition to return the most economically advantageous tender.

6.0 REASONS FOR RECOMMENDATIONS

- 6.1 To support the development of a consistent service delivery and key services across the region that supports the statutory requirements of the youth justice teams. By the four service areas joining together in a single contract and in addition to ensuring best value for money and cost effectiveness, we will be better able to achieve a consistent and higher standard service throughout the region which is consistent with each service areas delivery plan as well as the South Yorkshire police and crime plan. There is a statutory requirement set out within the national standards for the delivery of youth justice services and subject to inspection and audit for the provision of these interventions.

7.0 REASONS FOR EXEMPTION (if a Closed report)

- 7.1 Not applicable

8.0 RECOMMENDATIONS

- 8.1 The Cabinet member for Children Young People and Families is recommended to:
- a) Note the contents of this report and associated delivery expectations.
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Author Joel Hanna
Job Title Service Manager, Youth Justice Service
Children, Young People & Families
Date 30th November, 2015